

The City Record

Official Publication of the City of Cleveland

November the Seventh, Two Thousand and One

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

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	4
Civil Service	7
Board of Zoning Appeals	7
Board of Building Standards and Building Appeals	8
Public Notices	8
Public Hearings	8
City of Cleveland Bids	8
Adopted Resolutions and Ordinances	9
Committee Meetings	36
Index	36

PRESORTED STANDARD
U. S. POSTAGE PAID
CLEVELAND, OHIO

Permit No. 1372



Printed on Recycled Paper

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3232 East 119th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	5832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

MAYOR – Michael R. White

Judith Zimomra, Chief of Staff
 Barry Withers, Executive Assistant for Administration
 Cornell P. Carter, Executive Assistant for Health and Human Services
 Kenneth Silliman, Executive Assistant for Development
 Nicholas P. Jackson, Executive Assistant for Services
 Matt Dotson, Executive Assistant for Legislative Affairs
 Marvin Hayes, Executive Assistant for Intergovernmental Affairs
 Lucille Ambroz, Director, Office of Equal Opportunity

DEPT. OF LAW – Pinkey S. Carr, Director, _____, Chief Counsel, Room 106

Lauren Moore, Chief City Prosecutor; Criminal Branch – Justice Center
 8th Floor, Court Towers, 1200 Ontario Street
 Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE – Kelly Clark, 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 – Dedrick Stephens, Commissioner, Room 122
 Purchases and Supplies – Myrna Branche, Commissioner, Room 128
 Printing and Reproduction – Diante Fitzgerald, 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 – Cleo Henderson, Commissioner,
 1404 E. 9th St.

DEPT. OF PUBLIC UTILITIES – Darnell Brown, Acting Director, 1201 Lakeside Avenue

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

DEPT. OF PORT CONTROL – Reuben Sheperd, Director,

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

DEPT. OF PUBLIC SERVICE – Randall E. DeVaul, Acting Director, Room 113

DIVISIONS – Waste Collection and Disposal – Ron Owens, Commissioner,
 5600 Carnegie Avenue.
 Traffic Engineering & Parking – Robert Mavec, Commissioner,
 4150 East 49th Street, Building #1
 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 – Kurt Weibusch, Commissioner, Room 517

DEPT. OF PUBLIC HEALTH – Michele C. Whitlow, Director, Mural Building 1925 St. Clair Avenue

DIVISIONS – Health – Susan E. Axelrod, Commissioner, Mural Building,
 1925 St. Clair Avenue
 Environment – Michael Konicek, 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 – Mary G. Bounds, Chief, Police Hdqtrs. Bldg.,
 1300 Ontario Street
 Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue
 Dog Pound – John Baird, Chief Dog Warden, 2690 W. 7th Street
 Emergency Medical Service – Edward Eckart, Commissioner,
 1708 South Pointe Drive

DEPT. OF PARKS, RECREATION & PROPERTIES – Alfred T. Miller, Jr., Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.

DIVISIONS – Convention Center & Stadium – James Glending,
 Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
 Property Management – Tom Nagle, Commissioner, East 49th & Harvard

Parking Facilities – Dennis Donahue, Commissioner, Public Auditorium,
 E. 6th and Lakeside Ave.

Park Maintenance and Properties – Richard L. Silva, Commissioner, Public
 Auditorium – E. 6th & Lakeside.

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

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

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

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

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

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

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

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

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

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

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F.
 Denk, Chairman; 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 Pinkey S. Carr,
 President; Finance Director Kelly Clark, Secretary; Council President
 Michael D. Polensek.

BOARD OF SIDEWALK APPEALS – Service Director Randall E. DeVaul; Law
 Director Pinkey S. Carr; Councilman Nelson Cintron, Jr.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Pinkey S. Carr;
 Utilities Director Darnell Brown; Council President Michael D. Polensek.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Acting 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 Pinkey S. Carr; Chairman;
 Finance Director Kelly Clark; 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; N. Kurt Wiebush, James Gibans,
 Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein,
 Randall Shorr, Councilman Joseph Cimperman, Councilman Timothy J.
 Melena, Robert Keiser, Executive Secretary.

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 88

WEDNESDAY, NOVEMBER 7, 2001

No. 4587

CITY COUNCIL

MONDAY, NOVEMBER 5, 2001

The City Record

Published weekly under authority
of the Charter of the
City of Cleveland

Subscription (by mail) \$75.00 a year
January 1 to December 31

Interim subscriptions prorated
\$6.25 per month

Address all communications to

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, Reed, Sweeney.

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

Mayor's Appointment Committee: Cintron, Chairman; Britt, Jackson, Jones, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

ORDINANCES

Ord. No. 1488-01.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of rock salt, for the Division of Streets, 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 a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **six months** for the necessary items of rock salt in the approximate amount of **50,000 tons**, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the

Division of Streets, Department of Public Service. 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 **six months** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall **not exceed \$1,500,000.00 and 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 30130)

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

Ord. No. 1490-01.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Service to apply for and accept a grant from the Ohio Department of Natural Resources for the 2002 Recycle Ohio! Program; authorizing said Director to enter into one or more contracts with various agencies to implement the program; and authorizing one or more contracts for the purchase of equipment and supplies for the program.

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

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

Section 1. That the Director of Public Service is hereby authorized to apply for and accept a grant in the approximate amount of \$200,000 from the Ohio Department of Natural Resources, for the 2002 Recycle Ohio! Program, for the purposes set forth in the grant application handbook and according thereto; that the Director of Public Service is hereby authorized to file all

papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the grant application handbook for said grant.

Section 2. That the grant application handbook for said grant, File No. 1490-01-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide varying levels of cash match dependent upon the activities applied for and the Cuyahoga County per capita income (CPCI) as compared to the median county per capita income (MCPCI) of the State of Ohio, payable from Fund No. 01-400301-639905, is hereby approved in all respects.

Section 3. That the Director of Public Service is hereby authorized to enter into an agreement with the Department of Natural Resources to implement said program.

Section 4. That the Director of Public Service is hereby authorized to enter into one or more contracts with various agencies for the implementation and operation of the Program.

Section 5. That the Director of Public Service is hereby authorized to make one or more written contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of the grant term for the necessary items of equipment and supplies necessary for implementation and operation of the grant, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Service. 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 grant term.

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

Section 6. That the cost of the above authorized contracts shall be paid from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance and the cash match.

Section 7. That, as part of the educational component of this Program, the Director of Public Service shall inform citizens of the City's recycling program and the benefits of recycling by advertising in local newspapers that reflect the City's diversity. To the extent practicable, the language of such advertisements shall be consistent with the language of the citizens that read the newspapers.

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.

Ord. No. 1725-01.

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

An emergency ordinance authorizing the Director of Community Development to amend Contract No. 58014 with The Arab American Community Center For Economic & Social Services In Ohio for the acquisition and rehabilitation of the agency's center located at 11535 Lorain Avenue.

Ord. No. 1812-01.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Community Access Program.

BOARD OF CONTROL

October 31, 2001

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 31, 2001, at 11:00 a.m. with Director Carr presiding.

Present: Directors Carr, Clark, Acting Director Brown, Director Sheperd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

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

On motion, the following resolutions were adopted.

Resolution No. 788-01.

By Director Clark.
Resolved, by the Board of Control of the City of Cleveland that the bid of Miami Systems Corporation/Shelby Division for an estimated quantity of Income Tax Forms (all items) for the Division of Taxation, Department of Finance, for a period of one (1) year with two one-year options to renew, beginning with the date of execution of the contract, received on the 5th day of October 2001, pursuant to the authority of Ordinance No. 1066-01, passed on June 19, 2001, which on the basis of the estimated quantity would amount to Three Hundred Forty Three Thousand One Hundred Seventy-Six and 33/100 Dollars (\$343,176.33) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 106603 which shall be certified against such contract in the sum of Fifty Thousand and no/100 Dollars (\$50,000.00) (Net).

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

Yeas: Directors Carr, Clark, Acting Director Brown, Director Sheperd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: None.

Resolution No. 789-01.

By Director Clark.
Resolved, by the Board of Control of the City of Cleveland that the bid of Hough Supply & Specialty for an estimated quantity of janitorial supplies, for the various divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on October 3, 2001, pursuant to the authority of Ordinance No. 1058-01, passed June 19, 2001, which on the basis of the estimated quantity would amount to Ninety Six Thousand Nine Hundred and no/100 Dollars (\$96,900.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 109797 which shall be certified against such contract in the sum of Five Thousand and no/100 Dollars (\$5,000.00).

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: Directors Carr, Clark, Acting Director Brown, Director Sheperd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: None.

Resolution No. 790-01.

By Director Clark.
Resolved by the Board of Control of the City of Cleveland, that all bids received on September 7, 2001, for an estimated quantity of 12,000 pound capacity lift trucks (Item #2), for the various divisions of City government, pursuant to the authority of Ordinance No. 1264-01, passed by the Council of the City of Cleveland on June 19, 2001, be and the same are hereby rejected.

Yeas: Directors Carr, Clark, Acting Director Brown, Director Sheperd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: None.

Resolution No. 791-01.

By Director Clark.

Resolved, by the Board of Control of the City of Cleveland, that all bids received on September 6, 2001, for an estimated quantity of roll-off hoists, for the various divisions of City government, pursuant to the authority of Ordinance No. 1264-01, passed by the Council of the City of Cleveland on June 19, 2001, be and the same are hereby rejected.

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 792-01.

By Director Clark.

Resolved, by the Board of Control of the City of Cleveland that the conditional bid of Oshkosh Truck Corporation for an estimated quantity of aircraft rescue and firefighting vehicles, except for such terms and conditions as are unacceptable to the Director of Law, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on September 5, 2001, pursuant to the authority of Ordinance No. 1685-2000, passed by the Council of the City of Cleveland on October 30, 2000, and Ordinance No. 99-01, passed by the Council of the City of Cleveland on January 22, 2001, which on the basis of the estimated quantity would amount to Four Hundred Ninety-Three Thousand Seven Hundred Seventy-Two and 00/100 Dollars (\$493,772.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 103369

which shall be certified against such contract in the sum of Four Hundred Ninety-Three Thousand Seven Hundred Seventy-Two and 00/100 Dollars (\$493,772.00).

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

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 793-01.

By Director Clark.

Resolved, by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc. for an estimated quantity of cab/chassis with tire repair service truck, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on September 20, 2001, pursuant to the

authority of Ordinance No. 1264-01, passed by the Council of the City of Cleveland on June 19, 2001, which on the basis of the estimated quantity would amount to Seventy-One Thousand One Hundred Fifty-Five and 00/100 Dollars (\$71,155.00) (0% - 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 103384

which shall be certified against such contract in the sum of Seventy-One Thousand One Hundred Fifty-Five and 00/100 Dollars (\$71,155.00).

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 of the City of Cleveland that the employment of the following subcontractor by Valley Ford Truck Sales, Inc. for the above mentioned purchase is hereby approved:

Logical Services, Inc.
MBE — \$1,000.00 per unit

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 794-01.

By Director Clark.

Resolved, by the Board of Control of the City of Cleveland that the bid of Clarklift of Cleveland, Inc., for an estimated quantity of 8,000 pound capacity lift trucks (Item #1), for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on September 7, 2001, pursuant to the authority of Ordinance No. 1264-01, passed by the Council of the City of Cleveland on June 19, 2001, which on the basis of the estimated quantity would amount to Ninety-Six Thousand Four Hundred Fifty and 00/100 Dollars (\$96,450.00) (2% - 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into 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. 103371

which shall be certified against such contract in the sum of Ninety-Six Thousand Four Hundred Fifty and 00/100 Dollars (\$96,450.00).

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

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

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 795-01.

By Director Clark.

Resolved, by the Board of Control of the City of Cleveland that the bid of Smith Truck Cranes & Equipment Co., Inc. for an estimated quantity of hammer truck flat bed body, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on September 21, 2001, pursuant to the authority of Ordinance No. 1264-01, passed by the Council of the City of Cleveland on June 19, 2001, which on the basis of the estimated quantity would amount to Forty-Nine Thousand Two Hundred Eighty-Nine and 00/100 Dollars (\$49,289.00) (2% - 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 103385

which shall be certified against such contract in the sum of Forty-Nine Thousand Two Hundred Eighty-Nine and 00/100 Dollars (\$49,289.00).

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

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 796-01.

By Director Shepherd.

Whereas, Board of Control Resolution No. 714-01, adopted October 3, 2001, authorized the Director of Port Control to enter into contract with TestAmerica, Inc. ("Consultant") for the purpose of providing professional environmental services including, but not limited to, environmental analysis to identify and manage areas potentially containing aircraft and pavement deicing compounds and petroleum hydrocarbons in soils and subsurface water; and

Whereas, said resolution incorrectly stated the date of the Consultant's Fee Proposal as September 4, 2001; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 714-01, is hereby amended by changing the date of the Consultant's Fee Proposal from September 4, 2001 to September 25, 2001, where appearing.

Be it further resolved that all other provisions of said Resolution No. 714-01 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 797-01.

By Director Shepherd.

Whereas, Board of Control Resolution No. 669-01, adopted September 26, 2001, authorized the Director of Port Control to enter into contract with Richard L. Bowen & Associates, Inc. ("Consultant") for the purpose of providing professional engineering services necessary to design the Employee Parking Lot for the relocation to the Riveredge site; and Whereas, said resolution incorrectly stated the date of the Consultant's Fee Proposal as February 13, 2001; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 669-01, is hereby amended by changing the date of the Consultant's Fee Proposal from February 13, 2001 to February 22, 2001, where appearing.

Be it further resolved that all terms of said Resolution No. 669-01 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 798-01.

By Acting Director DeVaul.

Whereas, pursuant to Ordinance No. 131-2001, passed by the Council of the City of Cleveland on March 19, 2001, and Board of Control Resolution No. 349-01, adopted on May 23, 2001, the City of Cleveland ("City") entered into a contract with North Coast Distributing, Inc. ("Contractor") for the purchase of mower parts and labor, items 8, 21, 23, 25, 27, 36; and

Whereas, by its letter dated October 3, 2001, North Coast Distributing, Inc. has notified the City that it has changed its name to Century Equipment, Inc., now therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the letter dated October 3, 2001, by North Coast Distributing, Inc., this Board hereby acknowledges the change in name and consents to the assignment of Contract No. 57933 from North Coast Distributing, Inc. to Century Equipment, Inc.

Be it further resolved that the Director of Public Service is hereby authorized to execute any documents necessary to effect and recognize such name change and assignment with respect to Contract No. 57933.

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 799-01.

By Acting Director DeVaul.

Whereas, Resolution No. 673-01, adopted by this Board on September 26, 2001, pursuant to the authority of Ordinance No. 2205-2000 passed by the Council of the City of Cleveland February 12, 2001, authorized the Director of Public Service to enter into an agreement with HWH Architects for professional services necessary for necessary for building improvements at various Public Service buildings, and

Whereas, said Resolution No. 673-01 incorrectly states the professional services to be provided and the proposal date; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 673-01, adopted September 26, 2001, is hereby amended by changing the words "various Public Service buildings" to "various city buildings" in the first paragraph, and changing the words "July 7, 2001" to "June 22, 2001" in the second paragraph.

Be it further resolved, that all other provisions of said Resolution No. 673-01 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 800-01.

By Acting Director DeVaul.

Resolved, by the Board of Control of the City of Cleveland that the bid of Canton City Blue Print, Inc., for the purchase of a wide format color scanner for the Division of Engineering and Construction, Department of Public Service, for the period of one (1) year beginning with the date of execution of contract, received August 24, 2001, pursuant to the authority of Ordinance No. 1198-2000, passed August 7, 2000, which on the basis of the order quantities would amount to Fifteen Thousand One Hundred Nineteen Dollars and No/100 (\$15,119.00), 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 services, which shall provide for the immediate purchase as the amount of such contract for the following:

Requisition No. 107844 which shall be certified against such contract in the sum of Fifteen Thousand One Hundred Nineteen Dollars and No/100 (\$15,119.00).

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

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 801-01.

By Acting Director DeVaul.

Resolved, by the Board of Control of the City of Cleveland that the bid of Anderson Instruments, 1850 Kimball Road, S.E., Canton, Ohio 44720, for estimated quantity of Surveying Equipment including 2 new total stations, 2 data collectors, tripods, rods, levels, and associated equipment, for the Division of Engineering & Construction, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on August 24, 2001, pursuant to the authority of Ordinance Nos. 1263-01 & 1074-98, passed June 19, 2001 & June 15, 1998, respectively, which on the basis of the estimated quantity would amount to Twenty Nine Thousand Nine Hundred Thirty Two and 78/100 Dollars (\$29,932.78), 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. 107828 which shall be certified against such contract in the sum of Twenty Nine Thousand Nine Hundred Thirty Two and 78/100 Dollars (\$29,932.78).

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

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 802-01.

By Director Whitlow.

Resolved by the Board of Control of the City of Cleveland that the bid of Niton Corporation for the following: Two (2) Portable Lead Analyzers for the Division of Environment, Department of Public Health, received on the 25th day of October 2001, pursuant to the authority of Ordinance No. 1496-01, passed October 15, 2001, which on the basis of the order quantity would amount to \$36,540.00, is hereby approved as the lowest and best bid, and the Director of Department of Public Health, is hereby requested to enter into contract for such items.

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.
Absent: None.

Resolution No. 803-01.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Helicopter Minit-Men, Inc., for an estimated quantity of aircraft main-

tenance, 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 September 13, 2001, pursuant to the authority of Ordinance No. 1354-01, which was passed by Cleveland City Council on August 15, 2001, which on the basis of the estimated quantity would amount to Two Hundred Forty-Nine Thousand and 00/100 (\$249,000.00) (2% 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. 102936

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

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

Yeas: Directors Carr, Clark, Acting Director Brown, Director Shepherd, Acting Director DeVaul, Directors Whitlow, Guzman, Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ANNE BLOOMBERG,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 19, 2001

9:30 A.M.

Calendar No. 01-273: 3159 West 25th Street (Ward 14)

Hector Burgos, owner, appeals to change the use of an existing two-story building into an assembly, club with entertainment located in a General Retail Business District on a 35' x 110' parcel on the east side of West 25th Street at 3159 West 25th Street; said change of use being contrary to the Specific Use Regulations of Section 347.12(a) where no such use be established within 500' of a residence district, church, or school, and the proposed use abuts a residential district to the rear, and is less than 500' from a Church on the southwest corner of Scranton Road and Prame Avenue, and less than 500' from a secondary school on the northwest corner of Scranton Road and Prame Avenue and contrary to the Off-Street Parking and Loading Requirements of Section 349.04 where 30 parking spaces are required and none are provided and contrary to the Landscaping and Screening Requirements where no landscaped strip is proposed and a 10' wide landscaped transition strip is required at the rear of the property where the proposed lot abuts a Residential District as stated in Section 352.08 - 352.10 of the Codified Ordinances.

Calendar No. 01-274: 7505 Ottawa Road (Ward 12)

Jadwiga Slabbicki, owner, appeals to install approximately 178 linear feet of 4' high chain-link fencing to the south of a 39' x 165' parcel located in a Two-Family District on the east side of Ottawa Road at 7505 Ottawa Road; said installation being contrary to the Fence Regulations of Section 358.04(c)(1) where a chain-link fence is proposed and an ornamental fence is permitted and a 4' high fence is proposed and the maximum height of fencing permitted along the side yard shall not be higher than the distance between the proposed fence and the neighboring house which is 2'-3" as stated in Section 358.04(2) of the Codified Ordinances.

Calendar No. 01-285: 12625 Lena Avenue (Ward 20)

Judy Chamberlain, owner, appeals to construct an approximate 85' x 90' one story masonry day-care building on an approximate 280' x 324' parcel located in a One Family District on the south side of Lena Avenue at 12625 Lena Avenue; said change of use being contrary to the Residential District Requirements of Section 337.02(f)(3)(c) where a day-care facility is required to be 30' from any adjoining premises in a residence district not used for similar purposes and the proposed is surrounded by a One-Family District and subject to the review and approval of the Board of Zoning Appeals as stated

in Section 359.01 of the Codified Ordinances.

Calendar No. 01-295: 1147 Addison Road (Ward 7)

Pamela Murray, owner, appeals to change the use of the first floor of an existing approximate 48' x 62' two-story house situated on a 50' x 150' parcel located in a Local Retail Business District on the northeast corner of Schaefer Avenue and Addison Road at 1147 Addison Road; said change of use being contrary to the Residential District Requirements of Section 337.02(f)(3)(c) where a day-care facility is required to be 30' from any adjoining premises in a residence district not used for similar purposes and the proposed use abut a Two-Family District and subject to the review and approval of the Board of Zoning Appeals as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 01-296: 1563 East Boulevard (Ward 9)

Northeastern Neighborhood Development Corporation, owner, c/o Chris Auvil, agent, appeals to construct an approximate 184' x 192' nine story 160 One-bedroom Elderly Housing apartment building on an approximate 200' x 228' parcel located in a Multi-Family District on the east side of East Boulevard at 1563 East Boulevard; said apartment building being contrary to the Off-Street Parking and Loading Requirements of Section 349.04(a) where 54 parking spaces are required and 33 are provided and contrary to the Height Regulations of Section 353.01 where the maximum height in a "2" District shall not exceed 60' and 83' is proposed and contrary to Area Requirements of Section 355.04 where 126,200 sq. ft. maximum gross floor area is proposed and 75,500 sq. ft. is permitted and contrary to the Yards and Courts Requirements of Section 357.04 where a 30' front yard setback is required and 15'-6" is provided and a 20'-8" rear yard setback is proposed and a 40' rear yard setback is required as stated in Section 357.08 of the Codified Ordinances.

Calendar No. 01-304: 3620 Superior Avenue (Ward 13)

Judy Chiu, owner, appeals to change the use of the first floor of an existing approximate 52' x 156' two-story warehouse masonry building situated on a 66' x 165' parcel located in a Semi-Industry District on the south side of Superior Avenue at 3620 Superior Avenue; said change of use being contrary to the Enforcement and Penalty Requirements of Section 327.02 where a site plan showing property lines and 7 parking spaces is required and contrary to the Off-Street Parking and Loading Requirements where 2 parking spaces are credited and 9 are required leaving 7 parking spaces required for this project as stated in Section 349.04(a)(f)(j) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 5, 2001

At the meeting of the Board of Zoning Appeals on Monday, November 5, 2001, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 01-257: 10330 Lorain Avenue
Giachetti Brothers Inn, Inc., owner, appeals to change the use of an existing 1 dwelling unit and 2 stores building into 1 dwelling units and a Church.

Calendar No. 01-262: 1087 East 145th Street
Dorthe Nickerson, owner, appeals to construct a one-story frame accessory garage to the east of a corner parcel.

Calendar No. 01-264: 3925 Whitman Avenue
David Filmer, owner, appeals to construct a two-story frame 2-car accessory garage with an apartment.

The following appeal was **Approved Conditionally**:

Calendar No. 01-260: 5227 Sweeney Avenue
Industrial Properties 2nd, owner, and Tyroler Scrap Metals, Inc., tenant, appeal to change the use of an existing masonry manufacturing building into a scrap metal handling and storage on a parcel located in a Residence Industry District.

The following appeal was **Withdrawn**:

Calendar No. 01-228: 2016 West 10th Street
Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Keith Sutton, appeals to construct a three story one family dwelling house on a 35' x 64' parcel in a Multi-Family District.

The following appeals were **Postponed**:

Calendar No. 01-248: 17615 St. Clair Avenue postponed to November 19, 2001.

Calendar No. 01-259: 3256 West 25th Street postponed to November 19, 2001.

On Monday, November 5, 2001, in Executive Session:

The following appeals were heard on Monday October 29, 2001, and said decisions were approved and adopted by the Board on November 5, 2001:

The following appeals were **Approved**:

Calendar No. 01-247: 6415 West Clinton Avenue
Bethany Presbyterian Church, owner, c/o John Rakauskas, agent, appeals to expand the use of an existing one-story masonry church into a day-care in a Multi-Family District.

Calendar No. 01-242: 9614 Denison Avenue
Iglesia Pentecostal, owner, c/o Francisco Rosario, agent, appeals to change the use of an existing masonry building from one-dwelling and a store into a church and a dwelling located in a Multi-Family District.

The following appeal was **Approved Conditionally**:

Calendar No. 01-279: 5811 Archmere Avenue
Shelley Patena, owner, appeals to construct a garage to the south of a parcel located in a Two-Family District.

The following appeals were **Denied**:

Calendar No. 01-261: 5909 Hosmer Avenue
Cynthia Mazza, owner, appeals to install approximately 60 linear feet of 6' high wood privacy fencing with a gate to the east of a parcel located in a Two-Family.

Calendar No. 01-229: 9918 Elk Avenue
Classic Funding LLC, owner, appeals to construct a second story addition to an existing nonconforming one and one-half story dwelling house located in a Two-Family District.

The following appeal was **Dismissed**:

Calendar No. 01-246: 16406 Trafalgar Avenue
Henry Masten, owner, appeals to change the use of an existing 2-dwelling unit house into 3-dwelling units located in a Two-Family District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Pur-

chases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

FRIDAY, NOVEMBER 16, 2001

North Terminal Expansion/Upper Roadway Rehabilitation Project, for the Division of Cleveland International Airport, Department of Port Control.

THERE WILL BE A NON-REFUNDABLE PAYMENT OF FOUR HUNDRED FIFTY DOLLARS (\$450.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER. PLEASE FAX ANY COMMENTS AND/OR QUESTIONS OVER TO THE ATTENTION OF DEBORAH MIDGETT AT (216) 664-2177.

October 31, 2001 and November 7, 2001

WEDNESDAY, NOVEMBER 21, 2001

Labor and Materials for the Installation, Maintenance and Repair of Fencing, for the Various Division of the Department of Port Control, as authorized by Ordinance 949-99, passed by the Council of the City of Cleveland, June 14, 2001.

HVAC/R Controls & Equipment, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 890-99.

Turnout Clothing, for the Division of Fire, Department of Public Safety, as authorized by Section No. 135.06 of the Codified Ordinances.

October 31, 2001 and November 7, 2001

THURSDAY, NOVEMBER 22, 2001

Painting of Streetside Elements, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 616-01, passed by the Council of the City of Cleveland, May 21, 2001.

THERE WILL BE A MANDATORY PRE-BID MEETING ON NOVEMBER 8, 2001 AT 10:00 A.M., LOCATED AT 1300 LAKESIDE AVE., CLEVELAND, OHIO 44114.

Labor, Material, Equipment Necessary to Furnish Certain Areas of Courts, for the Department of Cleveland Municipal Court.

Keypunch Services, for the Division of Taxation, Department of Finance, as authorized by Ordinance No. 744-01, passed by the Council of the City of Cleveland, June 11, 2001.

October 31, 2001 and November 7, 2001

WEDNESDAY, NOVEMBER 28, 2001

Pre-Sort Mail (Re-Bid), for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 813-2000, passed by the Council of the City of Cleveland, June 19, 2000.

Rock Salt, for the Division of Streets, Department of Public Service, as authorized by Ordinance 1488-01.

Cleveland Flight Guide Project, for the various divisions of City Government, Department of Port Control, as authorized by Ordinance No. 1366-01.

Phase II-Residential Sound Insulation Program (RSIP) 2002 Group A-02, for the Department of Port Control, as authorized by Ordinance No. 469-98.

THERE WILL BE A **MANDATORY** PRE-BID MEETING ON THURSDAY, NOVEMBER 15, 2001 AT 12:00 NOON IN THE MAIN CONFERENCE ROOM AT C & S ENGINEERS OF OHIO, INC., 20445 EMERALD PARKWAY, SUITE 100, CLEVELAND, OHIO 44135.

THERE WILL BE A **REFUNDABLE** DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. ANY QUESTIONS AND/OR CONCERNS PLEASE FAX THEM OVER TO DEBORAH MIDGETT AT (216) 664-2177.

Phase II-Residential Sound Insulation Program (RSIP) 2002 Group B-02, for the Department of Port Control, as authorized by Ordinance No. 469-98.

THERE WILL BE A **MANDATORY** PRE-BID MEETING ON THURSDAY, NOVEMBER 15, 2001 AT 12:00 NOON IN THE MAIN CONFERENCE ROOM AT C & S ENGINEERS OF OHIO, INC., 20445 EMERALD PARKWAY, SUITE 100, CLEVELAND, OHIO 44135.

THERE WILL BE A **REFUNDABLE** DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. ANY QUESTIONS AND/OR CONCERNS PLEASE FAX THEM OVER TO DEBORAH MIDGETT AT (216) 664-2177.

November 7, 2001 and November 14, 2001

THURSDAY, NOVEMBER 29, 2001

Rehabilitation of East 110th Street (St. Clair Avenue to Dundee Drive), for the Division of Engi-

neering and Construction, Department of Public Service, as authorized by Ordinance No. 836-2000, passed by the Council of the City of Cleveland, June 19, 2000.

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

Clean-Up, Securing of Sites, for the Division of Building and Housing, Department of Community Development, as authorized by Ordinance No. 136-01, passed by the Council of the City of Cleveland, April 30, 2001.

Harvard Yards Painting Improvements, for the Department of Public Service, as authorized by Ordinance No. 2204-2000.

THERE WILL BE A PRE-BID MEETING ON TUESDAY, NOVEMBER 20, 2001 AT 10:00 A.M. AT HARVARD YARDS — ADMINISTRATION BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

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

Rockefeller Park Greenhouse Addition and Alteration, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1748-99 and 1727-2000, respectively.

THERE WILL BE A PRE-BID MEETING ON THURSDAY, NOVEMBER 15, 2001 AT 10:00 A.M. AT ROCKEFELLER PARK GREENHOUSE, 750 EAST 88TH STREET, CLEVELAND, OHIO.

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

November 7, 2001 and November 14, 2001

FRIDAY, NOVEMBER 30, 2001

Trench Water Management (Re-Bid), for the Division of Cleveland Hopkins International Airport, Department of Port Control.

THERE WILL BE A **NON-REFUNDABLE** DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER. (THIS PROJECT ID BEING RE-BID. PREVIOUS BIDDERS: PRESENT ORIGINAL VOUCHER AS PROOF OF PURCHASE TO THE PURCHASING DEPARTMENT TO RECEIVE A FREE RE-BID PACKAGE).

Laboratory Services for Water Quality Analysis, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 485-96, passed by the Council of the City of Cleveland, May 6, 1996.

Labor and Materials Necessary to Replace, Repair and Restore Existing Roofing Systems, for the Division of Cleveland Hopkins International Airport, Department

of Port Control, as authorized by Ordinance 1012-01, passed by the Council of the City of Cleveland, June 19, 2001.

THERE WILL BE A PRE-BID MEETING ON TUESDAY, NOVEMBER 13, 2001 AT 1:00 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM A, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135-3193.

November 7, 2001 and November 14, 2001

FRIDAY, DECEMBER 7, 2001

Vehicle Maintenance Equipment, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 843-01, passed by the Council of the City of Cleveland, June 11, 2001.

THERE WILL BE A **MANDATORY** PRE-BID MEETING ON TUESDAY, NOVEMBER 27, 2001 AT 10:00 A.M. AT CLEVELAND PUBLIC POWER, LOCATED AT 1300 LAKESIDE AVE., CLEVELAND, OHIO 44114.

November 7, 2001 and November 14, 2001

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1990-01.

By Councilman Britt.

An emergency resolution withdrawing objection to the renewal of a D1, D2 and D6 Liquor Permit to 1931 Coltman Rd., 1st Fl., and repealing Res. No. 1330-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2 and D6 Liquor Permit to 1931 Coltman Rd., 1st Fl. by Res. No. 1330-2000 adopted by Council on July 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a D1, D2 and D6 Liquor Permit to 1931 Coltman Rd., 1st FL., be and the same is hereby withdrawn and Res. No. 1330-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted October 22, 2001.
Effective November 1, 2001.

Res. No. 1991-01.
By Councilman Cimperman.
An emergency resolution with-
drawing objection to the renewal of
a C1 and C2 Liquor Permit to 761
Starkweather Ave., 1st Fl. & Bsmt.,
and repealing Res. No. 1438-2000
objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 761 Starkweather Ave., 1st Fl. & Bsmt. by Res. No. 1438-2000 adopted by Council on August 7, 2000; and

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

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

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

Section 1. That objection to the renewal of a C1 and C2 Liquor Permit to 761 Starkweather Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1438-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted October 22, 2001.

Effective November 1, 2001.

Res. No. 1992-01.
By Councilman Cintron.
An emergency resolution object-
ing to the issuance of ownership of
a D3A Liquor Permit to 3355 West
46th Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a D3A Liquor Permit to Permit No. 9256090, Verlies Café Inc., 3355 West 46th Street, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a D3A Liquor Permit to Permit No. 9256090, Verlies Café Inc., 3355 West 46th Street, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 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 October 22, 2001.

Effective November 1, 2001.

Res. No. 1993-01.
By Councilman Coats.
An emergency resolution declar-
ing Council's concern about the pos-
sible existence of mustard agent
located at the former Cleveland
Plant at 340 East 131st Street in
Ward 10, and urges the responsible
federal agencies to expeditiously
conduct epidemiological studies to
assess the health conditions of the
residents of the area.

Whereas, the former Cleveland Plant, located at 340 East 131st Street in Ward 10 of the City of Cleveland, was established as a research facility for the purpose of developing the process for large-scale manufacturing of mustard gas, a chemical warfare agent; and

Whereas, it was recently learned that the site produced mustard agent between March and November, 1918, and that the chemical was buried at the neighborhood site; and

Whereas, the US Army Corps of Engineers has completed an Archive Search Report and a Historical Photographic Analysis to identify the property's potential areas of environmental concern; and

Whereas, this Council became aware of this potentially dangerous matter only through media reports, as opposed to direct contact by the responsible federal officials; and

Whereas, the Corps of Engineers will be conducting soil and site evaluations that may take as long as two years, and

Whereas, this Council strongly urges the responsible investigating agencies to conduct epidemiological studies on the existing and potential health hazards to the residents in the vicinity of the former Cleveland plant; and

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

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

Section 1. That this Council declares its concern about the possible existence of mustard agent located at the former Cleveland Plant at 340 East 131st Street in Ward 10, and urges the responsible federal agencies to expeditiously conduct epidemiological studies to assess the health conditions of the residents of the area.

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 October 22, 2001.

Effective November 1, 2001.

Res. No. 1994-01.
By Councilman Coats.
An emergency resolution object-
ing to the transfer of ownership of
a C1 Liquor Permit to 831 East 140th
Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 3700511, Sabrina A. Head, DBA East 140th Food & Beverage, 831 East 140th Street, Cleveland, Ohio 44110 to Permit No. 8773177, T & N Beverage Inc., 831 East 140th Street, 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 a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 3700511, Sabrina A. Head, DBA East 140th Food & Beverage, 831 East 140th Street, Cleveland, Ohio 44110 to Permit No. 8773177, T & N Beverage Inc., 831 East 140th Street, 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 October 22, 2001.

Effective November 1, 2001.

Res. No. 1995-01.

By Councilman Reed.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 3744 East 144th Street, 1st Fl., and repealing Res. No. 1643-01 objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 3744 East 144th Street, 1st Fl. by Res. No. 1643-01 adopted by Council on August 15, 2001; and

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

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

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

Section 1. That objection to the renewal of a C2 and C2X Liquor Permit to 3744 East 144th Street, be and the same is hereby withdrawn and Res. No. 1643-01, 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 October 22, 2001.

Effective November 1, 2001.

Res. No. 1996-01.

By Councilman Willis.

An emergency resolution declaring Council's concern and opposition to the decision of the Cleveland Indians to broadcast its games exclusively on cable television for the 2002, 2003 and 2004 baseball seasons.

Whereas, the Cleveland Indians baseball team recently announced that it will broadcast its games exclusively on cable television for the 2002, 2003 and 2004 baseball seasons; and

Whereas, the Indians have been on broadcast, or free, television since 1948; and

Whereas, such decision by the Indians prevents many residents of the city from viewing the baseball games since over one-half of the residences in Cleveland do not have cable television; and

Whereas, since a bulk of the funding for Jacobs Field came from public sources and ticket prices continue to increase, this Council is disappointed in the decision of the Indians to exclude the public from participating in the national past-time by viewing the games; and

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

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

Section 1. That this Council declares its disappointment and opposition to the decision of the Cleveland Indians to broadcast its games exclusively on cable television for the 2002, 2003 and 2004 baseball seasons and urges the team owners to reconsider this ill-considered decision.

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 October 22, 2001.

Effective November 1, 2001.

Res. No. 2051-01.

By Councilman Cimperman.

An emergency resolution supporting Governor Taft in his opposition to making health boards obtain city council approval before banning smoking in public places and further supporting the governor's compromise which gives Ohio's Health District Advisory Councils the option of overriding any smoking ban passed by the local health boards.

Whereas, state representatives are threatening to pass a bill which would cause local health boards to win approval of the local city coun-

cil where said health boards recommend elimination of smoking in restaurants or other public places; and

Whereas, such a bill would make it harder for local health boards to ban smoking in public places; and

Whereas, gaining the approval of local city councils is extremely difficult if not impossible; and

Whereas, Governor Taft has threatened to veto the bill, but state representatives want to override any veto; and

Whereas, Governor Taft has proposed a compromise wherein Ohio's Health District Advisory Councils may override any smoking ban passed by local health boards; and

Whereas, such a compromise makes the health boards more accountable in that the Health District Advisory Councils would help determine impact on restaurants, bars and other establishments before allowing smoking bans; 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 supports Governor Taft in his opposition to making health boards obtain city council approval before banning smoking in public places and further supports the governor's compromise which gives Ohio's Health District Advisory Councils the option of overriding any smoking ban passed by the local health boards.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Governor Bob Taft and the leaders of the Ohio House of Representatives.

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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2052-01.

By Councilman Coats.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 17801 Euclid Avenue, and repealing Res. No. 1529-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 17801 Euclid Avenue by Res. No. 1529-2000 adopted by Council on August 28, 2000; and

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

Whereas, this resolution constitutes an emergency measure 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 objection to the renewal of a C2 and C2X Liquor Permit to 17801 Euclid Avenue, be and the same is hereby withdrawn and Res. No. 1529-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2053-01.

By Councilmen Reed and Jones.

An emergency resolution opposing House Bill 191 which provides that a municipality which collects over \$100 million in annual income tax receipts give back to each commuter's place of residence 25% of the income tax paid to the central city.

Whereas, pending House Bill 191 provides that a municipality which collects over \$100 million in annual income tax receipts must return to the commuter's place of residence 25% of the income tax paid to the central city; and

Whereas, Columbus, Dayton, Cleveland, Toledo and Cincinnati are cities that would be affected by such a bill; and

Whereas, initial estimates say that this would reduce the income tax receipts in Columbus, Dayton, Cleveland, Toledo and Cincinnati by 8 to 18%; and

Whereas, if H.B. 191 passes, the above cities could have to lay off police and fire personnel, and stop other day-to-day city services that would impact the safety, health and welfare of the citizens of such cities; and

Whereas, if H.B. 191 passes, the above cities' budgets would be reduced so drastically as to cause irreversible economic downturns in the regions of those cities; 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 opposes House Bill 191 which provides that a municipality which collects over \$100 million in annual income tax receipts give back to each commuter's place of residence 25% of the income tax paid to the central city.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the leaders of the General Assembly of the State of Ohio.

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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2054-01.

By Councilmen Reed and Jones.

An emergency resolution opposing House Bill 258 which provides that no municipal employee may be required to live in any specific area of the state.

Whereas, pending House Bill 258 provides that no municipal employee may be required to live in any specific area of the state; and

Whereas, if passed, House Bill 258 would overturn all charters, ordinances, civil service policies, employment contracts and collective bargaining agreements which contain provisions causing employees to live in certain areas; and

Whereas, House Bill 258 overturns local voter decisions and local personnel decisions and would open the door for abuse by state representatives; and

Whereas, this bill purports to eliminate the ability of local governments to set conditions of employment for municipal employees; and

Whereas, further, this bill overturns the decisions of local governments, local voters and local unions without the agreement of such bodies; and

Whereas, this bill is bad public policy in that it would eliminate future ability on the part of local voters and local governments to determine for themselves certain conditions of employment for municipal employees; 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 opposes House Bill 258 which provides that no municipal employee may be required to live in any specific area of the state.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the leaders of the General Assembly of the State of Ohio.

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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2055-01.

By Councilman Rybka.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 6506 Fleet Avenue, and repealing Res. No. 1182-01 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1

and C2 Liquor Permit to 6506 Fleet Avenue by Res. No. 1182-01 adopted by Council on June 11, 2001; 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 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 objection to the transfer of ownership of a C1 and C2 Liquor Permit to 6506 Fleet Avenue, be and the same is hereby withdrawn and Res. No. 1182-01, 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2056-01.

By Councilman Westbrook.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 8806 Almira Avenue, 1st Fl., and repealing Res. No. 39-01 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 8806 Almira Avenue, 1st Fl. by Res. No. 39-01 adopted by Council on January 8, 2001; 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 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 objection to the transfer of ownership of a C1 Liquor Permit to 8806 Almira Avenue, 1st Fl., be and the same is hereby withdrawn and Res. No. 39-01, 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 926-01.**By Councilman Rybka.**

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Slavic Village Development for the Master Plan for the Lower Worsted Mills Site, to promote the public purpose of conducting a planning study through the use of Ward 12 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with Slavic Village Development for the Master Plan for the Lower Worsted Mills Site, to promote the public purpose of conducting a planning study, through the use of Ward 12 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,950.00 and shall be paid from Fund No. 10 SF 166.

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

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

Passed October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1211-01.**By Councilman Brady.**

An emergency ordinance designating the Guardian Trust Bank Building — Lorain-West 117th Street Branch as a Cleveland Landmark.

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of the Guardian Trust Bank Building — Lorain-West 117th Street Branch as a landmark, and

Whereas, a public hearing pursuant to Chapter 161.04(b)(2) was held on June 14, 2001 to discuss the proposed designation of the Guardian Trust Bank Building — Lorain-West 117th Street Branch as a landmark; and

Whereas, the Commission has recommended designation of the Guardian Trust Bank Building — Lorain-West 117th Street Branch as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark, now therefore

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

Section 1. That the Guardian Trust Bank Building — Lorain-West 117th Street Branch, whose street address in the City of Cleveland is 11718-26 Lorain Avenue, N.W., also known as Cuyahoga County Auditor's permanent parcel numbers 021-22-013 and 021-22-014 and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1343-01.**By Councilmen Gordon and Paton (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Office of Criminal Justice Services — Byrne Memorial Grant for the Cleveland Community Re-entry Program; and to enter into contract with Community Re-entry, Inc. to implement the program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$46,195 from the Office of Criminal Justice Services — Byrne Memorial Grant, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purpose set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1343-01-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$15,399, from Fund No. 01-639905-500300, is hereby approved in all respects.

Section 3. That the Director of Public Health is hereby authorized to enter into contract with Community Re-entry, Inc., for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance and from the cash matching funds identified in Section 2 of this ordinance.

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

Passed October 22, 2001.

Effective November 1, 2001.

Ord. No. 1344-01.**By Councilmen Gordon and Paton (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Minority Health Commission for the Just Chillin' Club Grant.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$100,000, from the Ohio Minority Health Commission, to conduct the Just Chillin' Club Grant, for the purposes set forth in the budget narrative and project abstract and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the budget narrative and project abstract for said grant.

Section 2. That the budget narrative and project abstract for said grant, File No. 1344-01-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed October 22, 2001.

Effective November 1, 2001.

Ord. No. 1363-01.**By Councilmen Rybka and Paton (by departmental request).**

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept a cash donation from Dollar Bank for recreational purposes.

Whereas, Dollar Bank has indicated a desire to make a cash donation of \$15,000, resulting in proceeds generated by the Dollar Bank Jamboree held in Cleveland in 2000, to the Division of Recreation; 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 accept on behalf of the Division of Recreation, a cash donation in the amount of \$15,000, from Dollar Bank to be used for the following recreational purposes: to fund the youth ski program, to purchase various table games, including equipment, for use at City recreation centers, and to provide maintenance thereof, provided that the maintenance of table tennis tables shall be performed by City personnel. Said cash donation is hereby appropriated for the purposes set forth in this ordinance.

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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1365-01.

By Councilman Westbrook.

An emergency ordinance to vacate a portion of West 68th Street hereinafter described.

Whereas, on the 12th day of June 2000, the Council of the City of Cleveland adopted Resolution No. 377-2000 declaring, its intention to vacate a portion of West 68th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 377-2000 has been served upon the owners of all the property abutting West 68th Street affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 24th day of April, 2001, the Board of Revision of Assessments approved the vacation of West 68th Street, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating West 68th Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of West 68th Street (50.00 feet wide) extending Southerly from a point which is 46 feet Southerly from the Easterly prolongation of the center line of Camden Avenue (30 feet wide) to its Southerly terminus, be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland easements or charges to the Division of Water, Dominion East Ohio Gas, Division of Fire, and the

Division of Cleveland Public Power for existing equipment.

The description of the easement is as follows:

That portion of West 68th Street (50 feet wide) extending Southerly from a point which is 46 feet Southerly from the Easterly prolongation of the Center line of Camden Avenue (30 feet wide) to its Southerly terminus.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by the Dominion East Ohio Gas Company, the Division of Fire, Division of Water, and Cleveland Public Power of the City of Cleveland.

Section 3. That the Clerk of Council be and is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of West 68th Street, herein provided by sending him a copy of this Ordinance.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives 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 October 22, 2001.

Effective November 1, 2001.

Ord. No. 1366-01.

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

An emergency ordinance authorizing the Director of Public Service to accept a cash donation from the Western-Elmwood-Berea Corporation for the reconfiguration of the intersection of West 117th Street and Madison Avenue; and to amend Section 1 of Ordinance No. 520-2000, passed May 22, 2000, relating to causing payment of the City's share to the County of Cuyahoga for the cost of repairing and resurfacing West 117th Street from Bellaire Road to Edgewater Drive.

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 Public Service is hereby authorized to accept on behalf of the Division of Engineering and Construction, a cash donation in the amount of \$50,000, from the Western-Elmwood-Berea Corporation ("WEBECO") to be used for the reconfiguration of the intersection of West 117th Street and Madison Avenue.

Section 2. That Section 1 of Ordinance No. 520-2000, passed May 22, 2000, is hereby amended to read as follows:

Section 1. That this Council hereby authorizes payment to the County of Cuyahoga of the City's share of the cost of repairing and resurfacing West 117th Street from Bellaire Road to Edgewater Drive, from Fund No. 20 SF 334, 20 SF 353, 20 SF 364 and 20 SF 425, Request No. 4386.

Section 3. That existing Section 1 of Ordinance No. 520-2000, passed May 22, 2000, is hereby repealed.

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

Passed October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1489-01.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for replacing the Schaaf Road (CR-97) Bridge No. 6:034 over the CSXT railroad; authorizing the Director of Public Service to enter into any agreements relative thereto; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the County of Cuyahoga (the "County") to construct the following improvement in accordance with plans, specifications and estimates approved by the County; replacing the Schaaf Road (CR-97) Bridge No. 6:034 over the CSXT railroad (the "Improvement").

Section 2. That the City hereby proposes to cooperate with the County in the cost of the Improvement by cooperating to the extent of funds received by an allocation from the County Motor Vehicle \$5.00 License Tax Fund; and by applying to the Board of County Commissioners to use the License Tax Fund for said Improvement.

Section 3. That the Director of Public Service is hereby authorized to enter into such agreements with the County as are necessary to complete the planning and construction of the Improvement.

Section 4. That upon completion of the Improvement, the City thereafter will:

a) Keep the affected highway open to traffic at all times;

b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the County, hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

e) Prohibit all parking within the limits of the roadway which is a part of the Improvement in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by City ordinance or resolution.

Section 5. a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That in the event any additional right-of-way is required for the Improvement, the County will arrange for the acquisition thereof.

c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty (20) feet or greater) within the limits of the Improvement in accordance with applicable sections of the Ohio Revised Code.

d) That the street within the limits of the Improvement is hereby designated a through highway within the meaning of Section 4511.07(F) of the Ohio Revised Code.

e) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the County.

f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 28-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the County.

g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of ODOT Directive No. 28-A to the same extent that it participates in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

h) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the County.

i) That the City hereby agrees that the County shall be and hereby is saved harmless from any and all damages or claims arising from or growing out of the certification or obligations made or agreed to in divisions a), b), e), f) and h), of this section.

j) That stop signs affecting the movement of traffic on any street within the limits of the Improvement shall be removed and no stop signs will be erected on same except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met.

k) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is hereby rescinded.

Section 6. That the Council of the City hereby requests the Board to County Commissioners to proceed with the Improvement.

Section 7. That the Director of Public Service is hereby authorized to enter into an agreement with the Board of Commissioners of the County concerning the financing of the Improvement, which agreement shall contain without limitation terms substantially similar to the following:

a) That the County will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, under current County Engineer standards for construction of County roads and bridges.

b) That the County will arrange for the supervision and administration of the construction contract for the Improvement, and will review the construction plans for conformance with division a) of this section and make an inspection of the completed project.

c) That if, by ordinance of this Council, the City requests the County, to include in the Improvement the construction of sanitary sewers, water lines, sewers for drainage of the area surrounding the Improvement, sidewalks, alternate bid items or other items that are in addition to those now existing in the plans for the Improvement and not provided for elsewhere in the agreement, the Council will do so, provided that the construction of such additional items is approved by the County and the City, and provided further that the City agrees to pay or cause to be paid the cost of said additional construction and of preliminary and design engineering therefor, but the City shall not be responsible for the cost of supervision of said additional construction.

d) That the City hereby agrees to participate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project.

e) That if the project is financed as a Federal-aid project, eligible costs of the Improvement shall be financed from the aforesaid funds.

Section 8. That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

Section 9. That the Director of Public Service is hereby authorized to apply to the County Board of

Commissioners for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept said funds and to file all papers and execute all documents necessary to receive said funds; and that said funds be and are hereby appropriated for the purposes set forth above.

Section 10. That the Clerk of Council is hereby authorized and directed to transmit to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

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

Passed October 22, 2001.

Effective November 1, 2001.

Ord. No. 1498-01.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into contracts with various agencies to provide HIV/AIDS-related services.

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

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

Section 1. That the Director of Public Health is hereby authorized to enter into one or more contracts to provide HIV-AIDS-related services with the following agencies, in the following amounts:

Agency	Amount
AIDS Taskforce of Greater Cleveland	\$46,558.00
BlackOut Limited	\$41,140.00
Cleveland State University	\$11,400.00
Ohio AIDS Coalition	\$11,190.00

Section 2. That each agency entering into contract with the City pursuant to this ordinance shall be required to comply with the evaluation services provided by Cleveland State University's School of Social Work.

Section 3. That the costs of the contracts authorized above shall be paid from Fund No. 01-500501-638000, Request No. 40582.

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 October 22, 2001.

Effective November 1, 2001.

Ord. No. 1503-01.**By Councilman Polensek.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 19520 Shelton Drive to David G. Swintek.

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). 114-31-034, as more fully described below, to David G. Swintek.

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

P. P. No. 114-31-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 23 in the Elworthy-Helwick Company's Bungalow Park Allotment No. 2 of part of Original Euclid Township Track No. 14, as shown by the recorded plat in Volume 69 of Maps, Page 40 of Cuyahoga County Records, and being a triangular shaped parcel of land having a frontage of 127.88 on the Easterly curved side of Shelton Drive, N.E., and extending back 67.5 feet on the Northeasterly line, and 99.78 on the Southeasterly line, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest 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 October 22, 2001.

Effective November 1, 2001.

Ord. No. 1504-01.**By Councilmen Polensek and Patton (by departmental request).**

An emergency ordinance authorizing the Director of Public Safety to enter into a Memorandum of Understanding with Cuyahoga Metropolitan Housing Authority.

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 enter into a Memorandum of Understanding with Cuyahoga Metropolitan Housing Authority ("CMHA") for the hiring of a Scientific Examiner by CMHA to conduct forensic testing and other laboratory functions for CMHA at the Scientific Investigation Unit of the Cleveland Division of Police. The Director of Public Safety is authorized to execute any documents necessary to effectuate the intent of this Memorandum of Understanding and is authorized to amend the Memorandum of Understanding as may be necessary.

Section 2. That the Memorandum of Understanding shall be prepared by the Director of Law and shall contain such terms and provisions as he deems necessary to protect and benefit the public interest.

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

Passed October 22, 2001.

Effective November 1, 2001.

Ord. No. 1505-01.**By Councilman Rybka.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Union Avenue to International Refractory Services 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). 133-02-003 and 133-02-004, as more fully described below, to International Refractory Services Corporation.

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

P. P. No. 133-02-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 26 in C.C. Morgan's Allotment of part of Original One Hundred Acre Lot No. 319, as shown by the recorded plat in Volume 23 of Maps, Page 2 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly side of Union Avenue, S.E., (formerly Union Street), at the Northeast corner of said Sublot No. 26; thence Southerly along the Easterly line of said Sublot No. 26, 107 feet; thence Westerly on the line parallel to and 34 feet Northerly from the Southerly of said Sublot No. 26, 28 feet; thence Northerly about 107 feet to the Southerly line of Union Avenue, S.E.; thence Easterly along the Southerly line of Union Avenue, S.E., 28 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 133-02-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 319 bounded and described as follows:

Beginning at the intersection of the Southerly line of Union Avenue, S.E., with the Westerly line of land conveyed to John R. Wright, by deed dated August 21, 1908 and recorded in Volume 1168, Page 11 of Cuyahoga County Records; thence Westerly along the Southerly line of said Union Avenue, S.E., 41.89 feet to the Northeasterly corner of Sublot No. 26 of C.C. Morgan's Subdivision as shown by the recorded plat in Volume 23 of Maps, Page 2 of Cuyahoga County Records; thence Southerly along the Easterly line of said Sublot No. 26, 141 feet to the Northerly line of Sublot No. 25 in C.C. Morgan's Subdivision aforesaid; thence Easterly along the Northerly line of said Sublot No. 25, 42 feet to the Westerly line of land so conveyed to John R. Wright, as aforesaid; thence Northerly along the Westerly line of land so conveyed to John R. Wright,

about 141.51 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 October 22, 2001.

Effective November 1, 2001.

Ord. No. 1508-01.
By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 441-01, passed April 30, 2001, relating to the 2002 ski 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 Section 1 of Ordinance No. 441-01, passed April 30, 2001, is hereby amended to read as follows:

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract, in an amount not to exceed \$28,000.00 with Boston Mills Ski Resort to provide youth ski lessons for the 2002 ski season, payable from Fund Nos. 01-700401-638000, and from the fund or funds which are authorized and appropriated for this purpose, Request No. 32604.

Section 2. That existing Section 1 of Ordinance No. 441-01, passed April 30, 2001, 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 October 22, 2001.

Effective November 1, 2001.

Ord. No. 1510-01.
By Councilmen White, Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a sixteenth amendment to Lease Agreement No. 35620 to extend the term of the existing Lease Agreement for the rental of Broadway YMCA facilities at 11300 Miles Avenue; and to allow the City to utilize the Broadway YMCA gymnasium for a youth basketball program.

Whereas, pursuant to Ordinance No. 1759-85, passed June 24, 1985, the Director of Parks, Recreation and Properties entered into Lease Agreement No. 35620 with the Young Men's Christian Association for the rental of the Broadway YMCA facilities located at 11300 Miles Avenue for the purpose of providing recreational facilities and activities for the City's youth; and

Whereas, pursuant to various ordinances, this Council authorized modifications to the Lease Agreement; and

Whereas, the City wishes to further modify said Agreement; 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 sixteenth amendment to Lease Agreement No. 35620 with the Young Men's Christian Association ("YMCA") for the continued rental of the Broadway YMCA facilities located at 11300 Miles Avenue, Cleveland, Ohio, 44105 for the purpose of providing recreational facilities and activities for the City's youth and the continued utilization of the Broadway YMCA gymnasium for a youth basketball program.

Section 2. That said sixteenth amendment shall extend the term of the agreement for one year to December 31, 2001, and in consideration for the extension of the term, the City shall pay the YMCA an additional rental of \$55,000, for a total rental for the term, as extended, of \$895,000. Said extension shall be paid from Fund No. 01-700401-638000, Request No. 32611.

Section 3. That said sixteenth amendment shall be prepared and approved by the Director of Law and shall contain such provisions as the Director of Law shall deem necessary to protect the public 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 October 22, 2001.

Effective November 1, 2001.

Ord. No. 1729-01.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance to amend Section 505.11, as amended by Ordinance No. 537-2000, passed July 17, 2000, relating to the duty to repair sidewalks, curbs and gutters; duty to maintain certain sidewalks, 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 Section 505.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 837-2000, passed July 17, 2000, is 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, which amount shall be the full amount unless there exists a properly authorized program subsidizing these repair costs, to the City by a certain date and enter into an agreement with the City to effectuate the repairs. Funds submitted as an estimated amount shall be deposited in fund No. 10 SF 057 and said funds are appropriated for sidewalks, curb or gutter repair purposes.

es. 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 from Fund No. 10 SF 057 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 2. That existing Section 505.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 837-2000, passed July 17, 2000, 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 October 22, 2001.

Effective November 1, 2001.

Ord. No. 1730-01.

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance to amend Section 6 of Ordinance No. 593-2000, passed June 5, 2000, as amended by Ordinance No. 1382-01, passed July 18, 2001, relating to the public improvement of repairing and constructing sidewalks, driveway aprons, curbing, curb strips, intersections, bridge approaches, utility box and casting adjustments and appurtenances.

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 6 of Ordinance No. 593-2000, passed June 5, 2000, as amended by Ordinance No. 1382-01, passed July 18, 2001, is hereby amended to read as follows:

Section 6. That the cost of the improvement hereby authorized shall be paid from Fund No. 11 SF 401, 24 SF 025, 14 SF 026, 20 SF 364, 10 SF 166, 10 SF 057 and from the fund or funds to which are credited the proceeds of the sale of general obligations bonds issued for the purpose which includes the above improvement, Request No. 22515.

Section 2. That existing Section 6 of Ordinance No. 593-2000, passed June 5, 2000, as amended by Ordinance No. 1382-01, passed July 18, 2001, 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1735-01.

By Councilmen Jackson and Patmon (by departmental request).

An emergency ordinance to amend Sections 1 and 3 of Ordinance No. 615-01, passed May 14, 2001, relating to a grant from the State of Ohio to conduct the State Home Weatherization Assistance Program and to enter into contract with various entities to implement the program.

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

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

Section 1. That Sections 1 and 3 of Ordinance No. 615-01, passed May 14, 2001, are hereby amended to read, respectively, as follows:

Section 1. That the Director of Community Development is hereby authorized to apply for and accept a grant in the amount of \$2,758,890.99 from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program and to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 3. That the cost of said contracts shall not exceed, in the aggregate, \$2,758,890.99, and shall be paid from Fund Nos. 13 SF 925, 13 SF 926, 13 SF 927 and 13 SF 928.

Section 2. That existing Sections 1 and 3 of Ordinance No. 615-01, passed May 14, 2001, 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 October 22, 2001.

Effective November 1, 2001.

Ord. No. 1736-01.

By Councilmen Jackson and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend funds and to enter into contract with various non-profit agencies for the implementation of homeless assistance activities and with Cuyahoga County for the operation of the Cleveland/Cuyahoga County Office of Homeless Services.

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

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

Section 1. That the Director of Community Development is hereby authorized to expend funds and enter into contract with the following various non-profit agencies or their designees for the implementation of homeless assistance activities; Bridgeway, Inc., Catholic Charities, Continue Life, Domestic Violence Center, East Side Catholic Shelter, Family Transitional Housing, Mental Health Services, Inc., The Salvation Army, Transitional

Housing, Inc., University Settlement and West Haven Youth Shelter.

Section 2. That the aggregate cost authorized in Section 1 of this ordinance shall be in an amount not to exceed \$1,679,000.00 and shall be paid from Fund No. 13 SC 930, 14 SC 027 Request No. 104680.

Section 3. That the Director of Community Development is hereby authorized to enter into contracts with Cuyahoga County to operate the Cleveland/Cuyahoga County Office of Homeless Services.

Section 4. That the cost of said contract authorized in Section 3 of this ordinance shall be in an amount not to exceed \$45,000.00 and shall be paid from Fund No. 14 SC 027 and Request No. 104680.

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 October 22, 2001.

Effective November 1, 2001.

Ord. No. 1743-01.

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the procurement by requirement contract of the rental of laundry and work clothing, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, together with all subsequent procurements, 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 43045)

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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1744-01.
By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary for the maintenance of City of Cleveland telephones, products and ancillary equipment, for the Department of Finance, for a period of one year with two one-year options to renew.

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

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

Section 1. That the Director of Finance 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 of the necessary items of labor and materials necessary for the maintenance of City of Cleveland telephones, products and ancillary equipment, in the approximate amount as purchased during the preceding term, with two (2) options exercisable by the Director of Finance, to renew for an additional one-year consecutive term, and cancellable upon thirty days written notice by said Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Finance. 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 one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the 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 39912)

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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1748-01.
By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of equipment and maintenance of lighting control systems at Willard Garage, including removal and proper disposal, if necessary, for the Division of Parking Facilities, Department of Parks, Recreation and Properties, for a period not to exceed one year.

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 of the necessary items of equipment and maintenance of lighting control systems at Willard Garage, including removal and proper disposal, if necessary, in the estimated sum of \$40,000 to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Parking Facilities, 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 one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall not exceed \$20,000 and 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 105501)

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 October 22, 2001.

Effective November 1, 2001.

Ord. No. 1810-01.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the Cardiovascular Disease Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$60,190, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health, to conduct the Cardiovascular Disease Program, for the purposes set forth in the proposal and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in proposal for said grant.

Section 2. That the proposal for said grant, File No. 1810-01-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1811-01.

By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the Immunization Action Plan Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$104,876, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health, to conduct the Immunization Action Plan Program, for the purposes set forth in the executive summary and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in executive summary for said grant.

Section 2. That the executive summary for said grant, File No. 1811-01-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1813-01.
By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Federal AIDS Prevention Program; and to enter into contract with various agencies to implement the program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$878,532, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the Federal AIDS Prevention Program, for the purposes set forth in the executive summary and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in executive summary for said grant.

Section 2. That the executive summary for said grant, File No. 1813-01-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Health is hereby authorized to enter into one or more contracts for the implementation of the program as described in the executive summary contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance with the following agencies, in the following amounts:

Agency	Amount
AIDS Taskforce of Greater Cleveland	\$331,000.00
BlackOut Unlimited	20,000.00
Cleveland Treatment Center/Project SAFE	224,000.00
Free Clinic of Greater Cleveland	94,500.00
HUMADAOP	78,175.00
NEON	32,325.00
Recovery Resources	20,000.00

In addition, the sum of not more than \$78,532.00 is appropriated to the Department of Public Health for administrative costs of implementing this program.

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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1814-01.
By Councilmen Gordon and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the March of Dimes, Ohio Chapter for the March of Dimes Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$25,000, and any other funds as they become available during the grant term, from the March of Dimes, Ohio Chapter, to conduct the March of Dimes Program, for the purposes set forth in the executive summary and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in executive summary for said grant.

Section 2. That the executive summary for said grant, File No. 1814-01-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1865-01.
By Councilmen Jackson, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance to amend the second whereas clause and Section 5 of Ordinance No. 1226-01, passed July 18, 2001, relating to the up-front grant from the United States Department of Housing and Urban Development in connection with the development of Rainbow Terrace Apartments.

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 second whereas clause and Section 5 of Ordinance No. 1226-01, passed July 18, 2001, are hereby amended to read, respectively, as follows:

Whereas, pursuant to the Act and the Regulations, HUD has determined that it is necessary and appropriate to make available an up-front grant in an amount presently estimated not to exceed \$11,701,404.00 in connection with rehabilitation and development and other related development of the Property; and

Section 5. That the Mayor, the Director of Community Development, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are authorized to provide such information and to execute, certify or furnish such other documents, and do all other things as are necessary for or incidental to carrying out the conveyance of the Redevelopment Property pursuant to the terms of the HUD Contract for Sale and the Redevelopment Agreement. The loan of the HUD up-front grant may be made as one loan in multiple installments or as multiple loans in an aggregate amount not to exceed \$11,701,404.00 and the obligation of the Developer to repay the loan may be subordinate to the obligations of the Developer under any other financing arrangements for the Property improvements. Notwithstanding and as an exception to any provision of any Codified Ordinances of Cleveland, Ohio, 1976, if determined by the Director of Finance to be advantageous to the financing of the Property improvements, the City may evidence all or a portion of the loan by accepting obligations exempt from federal income tax under Section 103 of the Internal Revenue Code of 1986, as amended, and issued for the purpose of funding the Property improvements. The Mayor, the Director of Community Development, the Director of Finance, the Director of Law and other City officials, as appropriate, are hereby authorized to accept such security instruments and execute and deliver such agreements as may be necessary to secure repayment of the loans consistent with the provisions of this Ordinance.

Section 2. That the existing second whereas clause and Section 5 of Ordinance No. 1226-01, passed July 18, 2001, 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1870-01.
By Councilman Lewis.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Cleveland Housing Network, Inc. or designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-16-027 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-16-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 89.97 feet of the Southerly 26.01 feet of Sublot No. 136 in a Re-Survey of the White Manufacturing Company's Allotment of part of Original One Hundred Acre Lots Nos. 340, as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records, and being 26.01 feet front on the Westerly side of East 59th Street (formerly East 59th Place, and formerly Corwin Street), and extending back of equal width 89.97 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-16-028 as more fully described below to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-16-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 135 and 136 in Re-Survey of White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records, bounded and described as follows:

Beginning in the Westerly line of East 59th Street, at the Northeastly corner of parcel of land conveyed to Martha Berkenbein by deed dated August 26, 1943, and recorded in Volume 5625, Page 543 of Cuyahoga County Records; thence Northerly along the Westerly

ly line of said East 59th Street 24.99 feet to the Southeastly corner of a parcel of land conveyed to Nick Das by deed dated March 2, 1943, and recorded in Volume 5492, Page 372 of Cuyahoga County Records; thence Westerly along the Southerly line of said parcel so conveyed to Nick Das, 135 feet to the Westerly line of said Sublot No. 135; thence Southerly along said Westerly line and along the Westerly line of said Sublot No. 136, 51 feet to the Northerly line of Page Court; thence Easterly 45.03 feet to the Southwestly corner of the parcel conveyed to Martha Berkenbein, as aforesaid; thence Northerly along the Westerly line of said parcel so conveyed to Martha Berkenbein, 26.01 feet to the Northwesterly corner of said parcel; thence Easterly along the Northerly line of said parcel so conveyed to Martha Berkenbein, 89.97 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-16-029 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-16-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 23 feet of Sublot No. 135 in the White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340 forming a frontage of 23 feet on the Westerly side of East 59th Street and extending back of equal width, 135 feet according to the plat of said Allotment as recorded in Volume 12, Page 14 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-16-030 as more fully described, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-16-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 134 in White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records, and being 39 feet front on the Westerly side of East 59th Street (formerly Clara Street) and extending back 135 feet on the Northerly line, 135 feet on the Southerly line and having a rear line of 40 feet, as appears by said plat.

Subject to zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-16-031 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-16-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 133 in the Re-Survey of White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Survey in Volume 12 of Maps, Page 14 of Cuyahoga County Records, said Sublot No. 133 has a frontage of 40 feet on the Westerly side of East 59th Street (formerly Clara Street), and extends back between parallel lines 135 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-16-059 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-16-059

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in John Kelley's Subdivision of Original One Hundred Acre Lot No. 343 as shown by the recorded plat of said Subdivision in Volume 12 of Maps, Page 47 of Cuyahoga County Records, and having a frontage of 40 feet on the Northerly side of Luther Avenue (formerly Luther Street) and extending back 166.40 feet on the Easterly line, 166.43 feet on the Westerly line, and is 40 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-16-060 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-16-060

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 32 in the John Kelly Subdivision of part of Original One Hundred Acre Lot No. 343, as shown by the recorded plat in Volume 12 of Maps, Page 47 of Cuyahoga County Records and being 40 feet front on the Northerly side of Luther Avenue, N.E., and extending back 166.40 feet on the

Westerly line, 166.34 feet on the Easterly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-16-103 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-16-103

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in Hays and Others Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 13 of Maps, Page 1 of Cuyahoga County Records and forming a parcel of land 40 feet front on the Easterly side of East 57th Street and extending back between parallel lines 125 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-16-104 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-16-104

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 27.8 feet of Sublot No. 28 in Hays and Others Re-Subdivision of part of Original One Hundred Acre Lot No. 340, comprising a part of Lot No. 2 and Lot Nos. 3 to 7 inclusive, of the E.N. Hays Subdivision, as shown by the recorded plat in Volume 13 of Maps, Page 1 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-007 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 25 in Lewis Dibble's Subdivision of part of Original One Hundred Acre Lot No. 343, as shown by the recorded plat in Volume 9 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Dibble Avenue, N.E., 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.

Subject to zoning ordinances, if any.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-008 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 26 in Lewis Dibble's Allotment of part of Original One Hundred Acre Lot No. 343, as shown by the recorded plat in Volume 9, Page 9 of Cuyahoga County Records and being 40 feet front on the Southerly side of Dibble Avenue, and extending back of equal width 140 feet as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-047 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 92 in the White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, parallel 14 of Cuyahoga County Records and being 45 feet front on the Northerly side of White Avenue, N.E., (formerly White Avenue), and extending back of equal width 144 feet along the Westerly line of East 63rd Street (formerly Addison Avenue) to the Southerly line of Page Court, N.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-048 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 93 in a Re-Survey of The White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page

14 of Cuyahoga County Records and being 45 feet front on the Northerly side of White Avenue, N.E. and extending back of equal width 144 feet deep as appears by said plat.

Subject to zoning ordinances, if any.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-096 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 71 in White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 5 of Maps, Page 32 and Re-Surveyed in Volume 12, Page 14 of Cuyahoga County Records, Sublot No. 71 has a frontage of 36 feet on the Westerly side of East 63rd Street (formerly Addison Street) and extends back between parallel lines about 135 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-097 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 72 in White Manufacturing Company's Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records and being 36 feet front on the Westerly side of East 63rd Street and extending back of 134.70 feet deep on the Northerly line, 134.75 feet on the Southerly line and having a rear line of 36 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-107 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-107

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 57 in the White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No.

340, as shown by the recorded plat in Volume 5 of Maps, Page 32 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 63rd Street (formerly North Street), and extending back of equal width about 135.50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-108 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 58 in the Re-Survey of the White Manufacturing Company's Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat of said Re-Survey in Volume 12 of Maps, Page 14 of Cuyahoga County Records. Said Sublot No. 58 has a frontage of 36 feet on the Easterly side of East 63rd Place (formerly Addison Street) and extends back 135-45/100 feet on the Northerly line, 135-50/100 feet on the Southerly line and is 36 feet wide in the rear, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-111 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 61 in White Manufacturing Company's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records and being 36 feet front on the Easterly side of East 63rd Street (formerly Addison Street) and extending back 135.30 feet on the Northerly line, 135.35 feet on the Southerly line and having a rear line of 36 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-112 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-112

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 62 in the Re-Survey of the White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records, and being a parcel of land 36 feet front on the Easterly side of Addison Street (now called 63rd Street, N.E.), and extending back 135.25 feet on the Northerly line, 135.30 feet on the Southerly line, and having a rear line of 36 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-17-113 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-17-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 63 in a Re-Survey of the White Manufacturing Company's Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records, and being 36 feet front on the Easterly side of East 63rd Street (formerly Addison Street), 135.20 feet deep on the Northerly line, 135.25 feet deep on the Southerly line and 36 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-093 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-18-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 9 in White Manufacturing Company Re-Subdivision as made by Thomas J. White and R.C. White as recorded in Volume 12, Page 14 of White Manufacturing Company Subdivision of part of Original One Hundred Acre Lot No. 340 in said site recorded in Volume 5 Page 32 of Cuyahoga County Records of Maps and Subdivisions. Said Lot has a 40.06 feet front in White Avenue and is 140 feet deep, according to said plat of Re-Subdivisions.

Subject to zoning ordinances, if any.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell

Permanent Parcel No. 104-18-094 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-18-094

Situated in the City of Cleveland County of Cuyahoga and State of Ohio, and known as being the Northerly 140 feet of Sublot No. 8 in a Re-Survey of White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, and shown by said Re-Survey in Volume 12 of Maps, Page 14 of Cuyahoga County Records, and being 40.06 feet front on the Southerly side of White Avenue (now known as White Avenue, N.E.) and extending back of equal width 140 feet deep, as appears by said plat.

Subject to zoning ordinances, if any.

Section 45. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-095 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-18-095

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 7 in the White Manufacturing Company's Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records and being 40.06 feet front on the Southerly side of White Avenue, N.E., and extending back of equal width 150 feet as appears by said plat.

Subject to zoning ordinances, if any.

Section 47. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-096 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-18-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in the White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340. Said Sublot No. 6 has a frontage of 47 feet on the Southerly side of White Avenue and 150 feet deep as per plat of said Allotment recorded in Volume 5 of Maps, Page 32 of Cuyahoga County Records. A Re-Survey of said White Manufacturing Company's Allotment as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records show Sublot No. 6 as being 47.07 feet front on the Southerly side of White Avenue, and extending back of equal width, 150 feet as appears by said plat.

Subject to zoning ordinances, if any.

Section 49. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-097 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-18-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 5 in the White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records, and being 47.07 feet front on the Southerly side of White Avenue (now known as White Avenue, N.E.) and extending back of equal width 150 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 51. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-017 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-19-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 34 in the White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records, and being 40 feet front on the Southerly side of White Avenue, N.E., and extending back of equal width 150 feet, as appears by said plat.

Also subject to Zoning Ordinances, if any.

Section 53. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-018 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-19-018

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 35 in White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 14 of Cuyahoga County Records, and being 40 feet front on the Southerly side of White Avenue, N.E., and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 55. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-19-019 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 104-19-019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36 in the Re-Survey of White Manufacturing Company's Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Re-Survey in Volume 12 of Maps, Page 14 of Cuyahoga County Records, said Sublot No. 36 has a frontage of 40 feet on the Southerly side of White Avenue, N.E., and extends back between parallel lines 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to Zoning Ordinances, if any.

Section 57. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-04-063 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-04-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 30 feet of Sublot No. 28 in Richard D. Reynold's Subdivision of part of Original One Hundred Acre Lot No. 345, a parcel 30 feet front on the Southerly side of Decker Avenue, and extending back 160.11 feet deep on the Westerly line, 160.60 feet deep on the Easterly line, and 30 feet wide in the rear, as shown by the recorded plat or said Subdivision recorded in Volume 10 of Maps, Page 19 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 59. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-04-064 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-04-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 and the Easterly 5 feet of Sublot No. 28 in Anna and Richard D. Reynold's Subdivision of part of Original One Hundred Acre Lot No. 345 as shown by the recorded plat in Vol-

ume 10 of Maps, Page 19 of City and together forming a parcel of land 40 feet front on the Southerly side of Decker Avenue, N.E., and extending back 159 feet 9 inches deep on the Easterly line, 160 feet 6 inches deep on the Westerly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 61. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-05-075 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-05-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 9 in D. Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 10 of Maps, Page 19 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Decker Avenue, N.E., and extending back 183 feet 1- 1/8 inches deep on the Westerly line, 183 feet 1 inch deep on the Easterly line, and having a rear line of 35 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 63. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-05-081 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-05-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in D. Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 10 of Maps, Page 19 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Decker Avenue, N.E. and extending back of equal width, 183 feet 1 3/4 inches deep on the Easterly line, and 183 feet, 1 7/8 inches deep on the Westerly line, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 65. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-05-082 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-05-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in Dinceman Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 10 of Maps, Page 19 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Decker Avenue, N.E., and extending back 183 feet 1-7/8 inches deep on the Easterly line, 183 feet 2 inches on the Westerly line and being 35 feet, in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 67. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-07-108 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-07-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 383, bounded and described as follows:

Beginning on the Westerly line of East 84th Street (formerly Van Ness Avenue) at a point 140 feet Northerly, measured along said Westerly line, from its intersection with the Northerly line of Wade Park Avenue, N.E.; thence Northerly along the Westerly line of East 84th Street, 40 feet; thence Westerly along a line parallel with the Northerly line of Wade Park Avenue, N.E., 132 feet; thence Southerly on a line parallel with the said Westerly line of East 84th Street, 40 feet; thence Easterly along a line parallel with the Northerly line of Wade Park Avenue, N.E., 132 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 69. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-07-135 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-07-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 383, and bounded and described as follows:

Beginning on the Northerly line of Decker Avenue, N.E., at a point distant 42 feet Westerly, measured along said Northerly line from its intersection with the Easterly line of East 82nd Street; thence Easterly along said Northerly line of Decker Avenue, N.E., 32 feet; thence Northerly parallel with the Easterly line of East 82nd Street, 102 feet;

thence Westerly parallel with the Northerly line of Decker Avenue, N.E., 32 feet; thence Southerly 102 feet to the place of beginning, and being further known as Parcel No. 229 in L.M. Southern's proposed Wade Park Avenue Subdivision of part of Original One Hundred Acre Lots Nos. 383 and 391, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 71. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-07-136 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-07-136

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 383, and bounded and described as follows:

Beginning at the intersection of the Northerly line of Decker Avenue, N.E., (formerly Gale Avenue) with the Easterly line of East 82nd Street (formerly Genesee Avenue), thence Easterly along the Northerly line of Decker Avenue, N.E., 42 feet, thence Northerly parallel with East 82nd Street, 102 feet, thence Westerly parallel with Decker Avenue, N.E., 42 feet to the Easterly line of East 82nd Street, thence Southerly along the Easterly line of East 82nd Street, 102 feet to the place of beginning, and further known as Parcel 174 in L.M. Southern's Proposed Wade Park Subdivision of part of Original One Hundred Acre Lots Nos. 383 and 391, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 73. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-22-051 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-22-051

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

Beginning on the Easterly line of East 85th Street, as dedicated in Volume 19 of Maps, Page 20 of Cuyahoga County Records at a point 817 17/100 feet Southerly from its point of intersection with the Southerly line of Wade Park Avenue, N.E.; thence Southerly along said Easterly line of East 85th Street, 86 feet; thence Easterly on a line parallel to said Southerly line of Wade Park Avenue, N.E., 102 feet; thence Northerly on a line parallel to said Easterly line of East 85th Street, 86 feet; thence Westerly 102 feet to the place of beginning, land being further known as the

Southerly 86 feet from front to rear of Parcel No. 201 in L.M. Southern's proposed Wade Park Avenue Subdivision of part of Original One Hundred Acre Lots Nos. 383 and 391, be the same more or less, but subject to all legal highways.

Section 75. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-22-054 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-22-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Lots Nos. 383 and 391, and bounded and described as follows: Beginning on the Easterly line of East 85th Street (formerly Commonwealth Avenue), at a point 703.17 feet South of the Intersection of the Southerly line of Wade Park Avenue, N.E., and the Easterly line of East 85th Street; thence Southerly along said Easterly line of East 85th Street 38 feet; thence Easterly parallel with Wade Park Avenue, N.E., 102 feet; thence Northerly parallel with East 85th Street, 38 feet; thence Westerly 102 feet to the place of beginning, and being further known as part of Parcel No. 201, in L. M. Southern's Wade Park Allotment of part of Original One Hundred Lots Nos. 383 and 391.

Section 77. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-22-055 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-22-055

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

Beginning on the Easterly line of East 85th Street 663.17 feet Southerly measured along said Easterly line from its point of intersection with the Southerly line of Wade Park Avenue; thence Southerly along said Easterly line of East 85th Street, 40 feet; thence Easterly and parallel to said Southerly line of Wade Park Avenue, 102 feet; thence Northerly and parallel with said Easterly line of East 85th Street, 40 feet; thence Westerly and parallel with said Southerly line of Wade Park Avenue, 102 feet to the place of beginning, and being further known as the Northerly 40 feet of Parcel No. 201 in L. M. Southern's proposed Wade Park Allotment of part of Original One Hundred Acre Lot Nos. 383 and 391, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 79. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-22-058 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-22-058

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

Beginning on the Easterly line of East 85th Street (formerly Commonwealth Avenue) at a point 543.17 feet distant Southerly from its intersection with the Southerly line of Wade Park Avenue, N.E.; thence Easterly parallel to the said Southerly line of Wade Park Avenue, N.E., a distance of 102 feet to a point; thence Southerly parallel to the said Easterly line of East 85th Street, a distance of 40 feet to a point; thence Westerly parallel to the said Southerly line of Wade Park Avenue, N.E., a distance of 102 feet to the said Easterly line of East 85th Street; thence Northerly along said Easterly line of East 85th Street, a distance of 40 feet to the place of beginning and being further known as Sublot No. 109 in L.M. Southern's Proposed Subdivision of part of Original One Hundred Acre Lots Nos. 383 and 391.

Section 81. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-22-059 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-22-059

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

Beginning on the Easterly line of East 85th Street, 503.17 feet Southerly from the point of intersection of said Easterly line with the Southerly line of Wade Park Avenue, N.E.; thence Southerly along said Easterly line of East 85th Street, 40 feet; thence Easterly on a line parallel to said Southerly line of Wade Park Avenue, N.E., 102 feet; thence Northerly on a line parallel to said Easterly line of East 85th Street; 40 feet; thence Westerly on a line parallel to said Southerly line of Wade Park Avenue, N.E., 102 feet to the place of beginning, and being further known as Parcel No. 77 in L.M. Southern's proposed Wade Park Avenue Allotment of part of Original One Hundred Acre Lots Nos. 383 and 391.

Also subject to all zoning ordinances, if any.

Section 83. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-23-070 as

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

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

P. P. No. 106-23-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 31 and 32 in T.M. Irvine's Re-Allotment of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 8 of Maps, Page 20 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 85th Street (formerly Commonwealth Avenue), at a point distant 10 feet Northerly from the Northwesterly corner of said Sublot No. 31; thence Southerly, along the Easterly line of East 85th Street, 40 feet; thence Easterly on a line parallel to the Northerly line of said Sublot No. 32, 83 feet; thence Northerly parallel to the Easterly line of East 85th Street, 40 feet; thence Westerly, on a line parallel to the Northerly line of said Sublot No. 32, 83 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 85. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-23-071 as more fully described below, to Cleveland Housing Network, Inc. or designee.

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

P. P. No. 106-23-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot Nos. 30 and 31 in T.M. Irvine's Re-Allotment of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 8 of Maps, Page 20 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point on the Easterly line of East 85th Street, (formerly known as Commonwealth Avenue), 20 feet North of the intersection of said Easterly line with the Southerly line of said Sublot No. 31; thence Easterly parallel with the Southerly line of said Sublot to a point 110 feet Westerly from the Westerly line of East 86th Street, (formerly known as Marcy Avenue); thence Southerly parallel with the Westerly line of East 86th Street, 40 feet; thence Westerly parallel with the first described line to the Easterly line of East 85th Street; thence Northerly along the Easterly line of East 85th Street, 40 feet to the place of beginning, and being a parcel of land 40 feet front and rear on the Easterly side of East 85th Street, and extending back of equal width about 88 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 87. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and

Supplies is hereby authorized to sell Permanent Parcel No. 106-23-072 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 88. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-23-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 29 and 30 in T.M. Irvine's Re-Allotment of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 8 of Maps, Page 20 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of East 85th Street at the Southwesterly corner of land conveyed to Ruby M. Thayer by deed dated September 20, 1950 and recorded in Volume 7078, Page 356 of Cuyahoga County Records; thence Southerly along the Easterly line of East 85th Street, 40 feet to the Northwesterly corner of land conveyed to Malcom M. Chavers and Cornelius Chavers by deed dated September 15, 1952 and recorded in Volume 7806, Page 11 of Cuyahoga County Records; thence Easterly along the Northerly line of land so conveyed, about 90 feet 5-1/2 inches to the Southwesterly corner of land conveyed to L. Ethel McIntier by deed dated June 6, 1902 and recorded in Volume 832, Page 474 of Cuyahoga County Records; thence Northerly along the Westerly line of land so conveyed, 40 feet to the Southerly line of land conveyed to Ruby M. Thayer as aforesaid; thence Westerly along the Southerly line of land conveyed about 89 feet 2-2/5 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 89. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-23-083 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 90. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-23-083

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 4 in Louisa J. Roberts Subdivision of a part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 25 of Maps, Page 25 of Cuyahoga County Records, and being 35 feet front on the Westerly side of East 85th Street (formerly known as Commonwealth Avenue) and extending back between parallel lines 79.70 feet, as appears by said plat, be the same more or less, but subject to all legal highways. Said Sublot No. 4 has been previously bounded and described as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot Nos. 5 and 6 in Eliza Hough's Subdivision of a part of Original East Cleveland Township, now known as One Hundred Acre Lots

Nos. 391 and 392 as recorded plat in Volume 3 of Maps, Page 21 and bounded and described as follows:

Beginning in the West line of proposed Commonwealth Street, said Westerly line being 80 feet distant Easterly from and parallel to the Westerly line of land conveyed by S.K. Davis to Louisa J. Roberts, Volume 164, Page 635 of deed and at a point 280 feet Northerly from the intersection of said Westerly line of said proposed street with the North line of Hough Avenue, thence North along said West line of the said proposed street 35 feet; thence West at right angles 80 feet to said Robert's West line, thence south along said Roberts' West line 35 feet, thence East on a line at right angles 80 feet to the place of beginning.

Subject to zoning ordinances, if any.

Section 91. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-23-084 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 92. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-23-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and further described as follows: Sublot No. 5 in the Louisa J. Roberts' Subdivision of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat of said Subdivision in Volume 25 of Maps, Page 25 of Cuyahoga County Records. Said Sublot No. 5 has a frontage of 35 feet on the Westerly side of East 85th Street (formerly Commonwealth Avenue) and extends back between parallel lines 79.90 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 93. 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. 107-16-077 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 94. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-16-077

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 33 33/100 feet from front to rear of Sublot No. 29 in the W.J. Crawford and James Parmelee's Subdivision of part of Original One Hundred Acre Lot No. 392 as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records, and being 33 33/100 feet front on the Northerly side of Kenmore Street (now known as Kenmore Avenue, N.E.) and extending back of equal width 105 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 95. 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. 107-16-078 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 96. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-16-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 6 2/3 feet of Sublot No. 29 and the Easterly 26 2/3 feet of Sublot No. 30 in the W.J. Crawford and James Parmelee's Subdivision of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records and together forming a parcel of land having a frontage of 33 1/3 feet on the Northerly side of Kenmore Avenue, N.E., (formerly Kenmore Street) and extending back of equal width 105 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 97. 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. 107-16-081 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 98. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-16-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 25 feet of the Easterly 30 feet of Sublot No. 32 in Crawford and Parmelee's Subdivision of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records and being 25 feet front on the Northerly side of Kenmore Avenue, N.E., and extending back of equal width 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 99. 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. 107-16-082 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 100. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-16-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 10 feet of Sublot No. 32 and the Easterly 15 feet of Sublot No. 33 in the Crawford and Parmelee Subdivision of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records, and together forming a parcel of land 25 feet front on the Northerly side of Kenmore Avenue, N.E., and extending back of equal width 105 feet, be the same more or less, but subject to all legal highways.

Section 101. 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. 107-16-137 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 102. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-16-137

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 119, in W.J. Crawford and James Parmelee's Subdivision of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records and being 40 feet front on the Southwesterly side of Meridian Avenue, N.E., (formerly Meridian Street) and extending back 160.55 feet on the Northwesterly line, 140.22 feet on the Southeasterly line and being 44.83 feet in the rear, as appears by said plat.

Subject to Zoning Ordinances, if any.

Section 103. 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. 107-16-138 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 104. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-16-138

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 120 in W.J. Crawford and James Parmelee's Subdivision of a part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat of said Subdivision in Volume 14 of Maps, Page 19 of Cuyahoga County Records. Said Sublot No. 120 has a frontage of 40 feet on the Southwesterly side of Meridian Avenue, N.E., and extends back at right angles 120 feet on the Southeasterly line 140.22 feet deep on the Northwesterly line and has a rear line of 44.38 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 105. 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. 107-16-139 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 106. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-16-139

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 121 in W.J. Crawford and J. Parmelee's Subdivision of part of Original One Hundred Acre Lot No. 392 as shown by the recorded plat in Volume 14 of Maps, Page 19 of

Cuyahoga County Records, and being 40 feet on the Southerly side of Meridian Avenue (50 feet wide) and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 107. 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. 107-16-140 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 108. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-16-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 122 in W.J. Crawford and James Parmelee's Subdivision of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records and being 40 feet front on the Southerly side of Meridian Street, now known as Meridian Avenue, N.E., 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 109. 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. 107-16-141 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 110. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-16-141

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 123 in W. J. Crawford and James Parmelee's Subdivision of part of Original 100 Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records, and being 40 feet front on the Southwesterly side of Meridian Avenue, N.E., 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.

Section 111. 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. 107-16-142 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 112. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-16-142

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 124 in W.J. Crawford and James Parmelee's Subdivision of part of Original One Hundred Acre Lot No. 392 as shown by the recorded plat

in Volume 14 of Maps, Page 19 of Cuyahoga County Records and being 40 feet front on the Southwesterly side of Meridian Avenue N.E., (formerly Meridan Street) and extending back of equal width 120 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Title acquired from Hans A. Luedecke and Eva Luedecke by deed dated January 25, 1965 and filed for record January 28, 1965 in Volume 11378, Page 617 of Cuyahoga County Records.

Section 113. 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. 107-17-069 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 114. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-17-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 26 in W.J. Crawford and James Parmelee's Subdivision of a part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Kenmore Street, (now known as Kenmore Avenue, N.E.) and extending back of equal width 105 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 115. 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. 107-17-070 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 116. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-17-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in W.J. Crawford and James Parmelee's Subdivision of a part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Kenmore Street, (now known as Kenmore Avenue, N.E.) and extending back of equal width 105 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 117. 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. 107-17-071 as more fully described below, to Cleveland Housing Network, Inc. or designee.

Section 118. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-17-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 28 in W.J. Crawford's and other's Allotment of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records and being 40 feet front on the Northerly side of Kenmore Avenue (formerly Kenmore Street), and extending back of equal width 105 feet, as appears by said plat.

Subject to zoning ordinances, if any.

Section 119. 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 120. 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 121. 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 122. 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1987-01.

By Councilman Johnson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 4. (Kenneth Aguolu)

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 4; 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 4: Kenneth Aguolu.

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

Passed October 22, 2001.

Effective November 1, 2001, without the signature of the Mayor.

Ord. No. 1988-01.

By Councilman Jones.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 1. (Seti Martinez)

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 1; 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 1: Seti Martinez.

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

Passed October 22, 2001.

Effective November 1, 2001, without the signature of the Mayor.

Ord. No. 1989-01.
By Councilmen Polensek and Westbrook.

An emergency ordinance to repeal Sections 670B.01 through 670B.08 and 670B.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 933-A-97 passed June 16, 1997, and to supplement said ordinances by enacting new Sections 670B.01 through 670B.08 and 670B.99 thereof, relating to outdoor pay telephones, and to amend Sections 3109.02, 325.71 and 349.05 of the Codified Ordinances of Cleveland, Ohio, 1976 as enacted by various ordinances.

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 670B.01 through 670B.08 and 670B.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 933-A-97, passed June 16, 1997 are hereby repealed.

Section 2. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 670B.01 through 670B.08 and 670B.99 thereof, to read, respectively, as follows:

Section 670B.01 Definitions

As used in this chapter:

(a) "Director" means the Director of Finance or the Director's designee.

(b) "Commissioner" means the Commissioner of Assessments and Licenses or the Commissioner's designee.

(c) "Outdoor Pay Telephone" means any self-service, coin-operated, credit card-operated or other similar telephone that is available outdoors for use by the general public. "Outdoor Pay Telephone" shall include outdoor pay telephone booths and stands, outdoor pay telephone drive-up and walk-up units, and outdoor pay telephones which are affixed to the exterior walls of a building or structure.

(d) "Owner" means a person in whom is vested ownership, dominion, control or title of an outdoor pay telephone.

(e) "Person" means any individual, firm, partnership, association, corporation, company, organization or legal entity of any kind.

(f) "Public Property" means all City-owned property, and does not include the right-of-way of the City or property owned by a person other than the City.

(g) "Public right-of-way" means any way which has been deeded to the public or dedicated to the public use for pedestrian or vehicular travel, and does not include public property or property owned by a person other than the City.

(h) "Private property" means any property other than the public right-of-way or public property.

(i) "PUCO" means the Public Utilities Commission of Ohio.

(j) "Special telephone service features" include the blocking of incoming calls to a telephone, installation of telephones that do not permit "touch tone" dialing, restricting coin access to a telephone during late evening and night hours, and such other service features as are acceptable to the Director.

Section 670B.02 Requirements for License and Contracts; Permits; Location Requirements

(a) No person shall engage in the business of providing and installing outdoor pay telephones on private property, and no person shall install, place or maintain an outdoor pay telephone on private property, unless the owner has a biennial outdoor pay telephone license. This prohibition applies to any outdoor pay telephone installed prior to or after the effective date of this Chapter.

(b) No person shall engage in the business of providing and installing outdoor pay telephones in the public right-of-way, and no person shall install, place or maintain an outdoor pay telephone within the public right-of-way unless the owner of the telephone has entered into a biennial contract with the Director that grants to such owner the privilege of installing and maintaining outdoor pay telephones in the public right-of-way. This prohibition applies to any outdoor pay telephone installed prior to or after the effective date of this Chapter. This prohibition also applies to any outdoor pay telephone that is attached to or mounted on a building or other structure when such telephone extends above or into the right-of-way, and any outdoor pay telephone located in the right-of-way that is attached to a building or structure by a wire or cable.

(c) No person shall engage in the business of providing and installing outdoor pay telephones on private property or in the right-of-way, and no person shall install, place or maintain an outdoor pay telephone on private property or in the right-of-way unless the owner has a biennial permit for each telephone installed, placed or maintained, issued in accordance with the requirements of this Chapter. Any permit issued, either pursuant to Chapter 670B or to a contract, prior to the effective date of this Chapter shall expire on the effective date of this Chapter, if it had not yet expired, though any fee paid for a permit that had not yet expired by its terms may be applied to any new permit for that owner.

(d) It shall be unlawful for any person to install, own or maintain, or to allow the installation or maintenance of, an outdoor pay telephone on private property or the public right-of-way under any of the following circumstances:

(1) On any vacant private property;

(2) On any private property where any or all buildings are vacant;

(3) On any private property that has a premises licensed for the sale of alcoholic liquor (other than beer or wine);

(4) In a residential use district as defined in the Zoning Code of the City, or within 50 feet of a residential dwelling unit in a residential use district;

(5) At a location where use from a vehicle is possible which would cause the vehicle to stand in a driveway or aisle in a parking lot or in the right-of-way;

(6) Within 5 feet of any area used for vehicular ingress or egress or an aisle way in a parking area for vehicular travel;

(7) Within 5 feet of the entrance or exit to any structure, a cross-

walk, a bus shelter, a fire exit or escape, a mail box, parking meter, police or fire call box, traffic control box, fire hydrant or sidewalk elevator, or that blocks or restricts free passage of pedestrians or vehicles; or

(8) On any property or at any location that has been determined by the Director of Public Safety to create a nuisance based upon prior actual use.

(e) No dial tone provider shall provide dial tone to any outdoor pay telephone on private property or in the right-of-way without first verifying that the pay telephone has been permitted by the City pursuant to this Chapter.

(f) All outdoor pay telephones on private property or in the right-of-way must: automatically block all incoming calls and provide outgoing only service; prevent the use of pagers or beepers; use electric wiring, not telephone wire, for electric connections; be well lighted if available for use during hours between sunset and sunrise, which may include ambient lighting; and be kept free from graffiti and stickers not placed by the owner, and kept clean.

(g) Any outdoor pay telephone placed or installed on private property or in the right-of-way shall be either a so-called "smart phone" equipped with a built in computer or a "smart line" phone, and shall have the capability to make the telephone inoperative for designated periods of time, to provide lists of each outgoing call as to the number called, its duration, and the date and time of the call, shall have built in volume control and shall have a key pad that prevents the use of pagers or beepers.

(h) No more than one pay telephone shall be placed or installed on private property within 500 feet of any other pay telephone on private property, and no more than one pay telephone shall be placed or installed in the right-of-way within 500 feet of any other pay telephone in the right-of-way.

(i) The 500 feet restrictions in this Section shall not apply to any retail gas service station. The 500 feet restrictions shall also not apply to: the Central Business District as defined in Section 325.12 of the Codified Ordinances; the Flats Oxbow Revitalization District; the University Circle institutional area defined as the area included within and bounded by both sides of East 105 Street, East Boulevard, Ford Road, and Euclid Avenue; Regional Transit Authority rapid stations and the adjacent right-of-way; hospitals, universities, and Cuyahoga Community College and the adjacent right-of-way; and strip shopping centers and the adjacent right-of-way. All other requirements of this Chapter apply to outdoor pay telephones in the areas named in this division.

(j) An owner may apply in writing to the Commissioner for an exemption from the 500 feet restriction to place multiple outdoor pay telephones at one location, due to a demonstrated appropriate use or need for additional outdoor pay telephones as a result of a high level of pedestrian and automobile traffic, and a concentration of heavy usage of pay telephones at that location. Any such application shall be referred to the Director of Planning for review and approval, and if so approved, shall be submitted to Council for action.

If Council passes an ordinance approving the exemption, such ordinance shall be forwarded to the Commissioner who shall attach the approved exemption to the license of the owner or as an amendment to the owner's contract, and the owner then may apply for permits for additional phones, as approved.

(k) For the purposes of this section, the submission of a completed application for a permit for a telephone on private property or in the right-of-way, shall be considered a placement of a pay telephone.

Section 670B.03 Contracts with Outdoor Pay Telephone Owners; Public Right-of-Way

(a) Any owner may enter into a biennial contract with the Director that grants to the owner the privilege of installing and maintaining outdoor pay telephones in the public right-of-way for a period of two years, subject to the terms and conditions set forth in the contract and this Chapter.

(b) Any contract entered into pursuant to division (a) of this section must include as terms and conditions at a minimum all of the requirements of this Chapter applicable to pay telephones in the right-of-way; however, the City may impose additional requirements and restrictions on pay telephones in the right-of-way in the contract with an owner, but no such requirements may unnecessarily discriminate in favor of or against any owner.

(c) Owners with a contract to install telephones in the right-of-way shall apply for permits under Section 670B.05 for each telephone. All applications submitted for permits for the right of way within 30 days after the effective date of this Chapter shall be considered at the same time, and will be subject to a lottery, with each application chosen in order establishing the points of measurement for purposes of meeting the distance requirement. Applications for permits submitted after the 30th day after the effective date of this Chapter shall be given preference for purposes of determining compliance with the distance requirements in the order that they are received.

(d) The Director shall determine whether to approve the proposed location of all outdoor pay telephone to be installed and maintained in the right-of-way, and in doing so shall consider the following factors in addition to other requirements of this Chapter:

- (1) Possible obstruction of pedestrian and vehicular traffic;
- (2) The size of the telephone and any booth stand, or pole;
- (3) The ability to provide access by disabled persons;
- (4) The proliferation of visual clutter; and
- (5) Such other factors as are delineated in the contract.

(e) Any outdoor pay telephone installed and maintained in the right-of-way must:

- (1) Allow a "direct dial" of 911 without the need to first use a coin or a credit card or the need to dial the operator;
- (2) Have a functioning coin return mechanism;
- (3) Have affixed in a readily visible place a notice setting forth the name of the owner, the owner's telephone number for repair and the telephone number or serial number of the outdoor pay telephone;

(4) Be maintained in a properly functioning, clean, neat and attractive condition, free of rust and free of danger of electrical shock;

(5) Not be used for advertising signs or publicity of any sort; and

(6) Be in full compliance with all state and federal laws and regulations, including this Chapter.

(f) The owner of each outdoor pay telephone shall hold the City harmless from any and all liability, for any reason whatsoever, occasioned upon the installation and use of such telephone, other than liability arising from any negligent act or omission which is solely attributable to the City, and shall furnish, at said owner's expense, such general commercial liability insurance as shall protect said owner and the City from all claims for damage to property or bodily injury, including death, which may arise from installation, maintenance and operation of the telephone or in connection therewith. Such policy shall name the City as an additional insured, shall be in an amount to be determined by the Director but not less than one hundred thousand dollars (\$100,000) combined single limit for any injury to persons and/or damage to property, and shall provide that the insurance coverage shall not be canceled or reduced by the insurance carrier without thirty (30) days' prior written notice to the City. A certificate of such insurance shall be provided to the Director at the time of execution of the contract and shall be maintained before and during the installation of any telephone in accordance with the contract and throughout the period that the contract for any telephone is in effect.

Section 670B.04 Biennial Outdoor Pay Telephone License Required

(a) Prior to engaging in the business of installing, placing and maintaining outdoor pay telephones on private property in the City, and biennially thereafter, a person shall submit an application for a license, or the renewal of a license, to the Commissioner upon forms to be prescribed by the Commissioner. The application shall include the following information:

(1) The name, address, telephone number and federal tax identification or social security number of the person;

(2) The name, address and telephone number of the individual or other persons to whom the City shall serve in person or by mail any order required by Section 670B.05;

(3) An affidavit that the business will be and remain in compliance with all relevant City, State and federal laws and regulations and this Chapter;

(4) A disclosure of any violations, or license or permit suspensions or revocations, involving the business or licensee, with regard to pay telephone laws and regulations in other jurisdictions in which the business or licensee conducts a pay telephone business;

(5) Any other information as the Commissioner deems necessary to ensure compliance with this Chapter.

(b) One license application may be submitted regardless of the number of outdoor pay telephones the owner has or that will be installed. The application for and the issuance of a license do not authorize the person to install, place or maintain any outdoor pay telephone without a permit required by this Chapter.

(c) A biennial license fee of two hundred dollars (\$200.00) shall be submitted with the application. This license fee is for the purpose of defraying the expenses incident to the administration of the provisions of this Chapter.

(d) The owner shall promptly notify the Commissioner in writing of any change in the information required by division (a) of this section. Any misrepresentation or false information contained in a license application, and any failure to disclose information required by this Chapter, shall be considered a violation of this Chapter and the license, and may be the basis of a violation notice or a suspension or revocation of a license, permit or contract.

(e) A copy of each application for a license shall be provided by the Commissioner to the Director of Public Safety and the Clerk of Council. These officials shall notify the Director in writing of any objections to the license within ten business days after receiving the application.

(f) Upon receipt of a completed application that is in compliance with this Chapter and all required information and fees, the Commissioner shall issue to the owner an outdoor pay telephone license, except that a license may be denied if the applicant has a significant history of non-compliance with this Chapter, or if the applicant's license was revoked or an appeal of such a revocation was denied within the previous year.

Section 670B.05 Biennial Outdoor Pay Telephone Permits Required

(a) Prior to the installation or placement of an outdoor pay telephone on private property or in the right-of-way, and biennially thereafter, the owner of the telephone shall submit an application for a permit to the Commissioner upon forms to be prescribed by the Commissioner. The applicant may request that documents and information provided to the Commissioner be considered confidential and not public records by labeling such documents or information as "Confidential and Proprietary," and the Commissioner shall disclose such documents or information only to those parties to whom disclosure is necessary to carry out the provisions of this Chapter, unless otherwise required by law. The application shall include the following information:

(1) The name, address, telephone number and federal tax identification or social security number of the owner;

(2) The number of the owner's outdoor pay telephone license or contract, as applicable;

(3) The serial number or telephone number and dimensions of the outdoor pay telephone and any enclosure;

(4) A description of the services provided for the users of the outdoor pay telephone, including any special telephone features or restrictions;

(5) If the telephone was or will be placed, installed and maintained by a licensee, the name, address and telephone number of the property owner and any lessees of the property where the outdoor pay telephone is or will be located;

(6) A drawing of the location of the telephone for which the permit is requested and the location of any

telephone within 500 feet of that telephone;

(7) A description of the source and brightness of lighting of the telephone by built-in or ambient lighting;

(8) Any other information as the Commissioner deems necessary to ensure compliance with this Chapter.

(b) A biennial permit fee of sixty dollars (\$60.00) per telephone installed or to be installed shall be submitted with the application. This permit fee is for the purpose of defraying the expenses incident to the administration of the provisions of this Chapter.

(c) The owner shall promptly notify the Commissioner in writing of any change in the information required by division (a) of this Section. The owner must submit a written notice of the removal of any telephone to the Commissioner prior to the removal. No refund of fees previously paid shall be made for telephones removed by the owner, the City or otherwise. If the owner plans to change the location of a telephone that is already permitted, or install a new phone at the same location, the owner must submit a new application for a permit and the fee to defray the expenses incident to the administration of the provisions of this Chapter. No additional fee or permit application is required to replace a broken or defective telephone, or to permanently relocate a telephone 10 feet or less once per permit period or to relocate a telephone temporarily on the same property for a period of less than 90 days. An owner must notify the Commissioner of any relocation allowed by this division within 30 days of the relocation.

(e) A copy of each application for a permit and any notice of a removal shall be provided by the Commissioner to the Director of Public Safety, the Director of Public Service, and the Council member in whose ward the telephone is proposed to be installed. The Commissioner shall refer each application for a permit to the Commissioner of Building and Housing for review and approval. The Commissioner of Building and Housing shall determine whether or not the provisions of the Building or Zoning Codes would be violated by the installation of the telephone, and particularly, set back requirements, use restrictions, restrictions as to attachments to structures, and if located in a parking lot, the Zoning requirement that a specified number of parking spaces be available for use by the business. These officials shall notify the Director in writing of any objections to the permit within ten business days after receiving the application.

(f) A permit application shall be disapproved if a telephone has been determined to be a nuisance pursuant to this Chapter within 500 feet of the proposed telephone location within the previous twelve months, and may be disapproved if the applicant has violated this Chapter within the previous one year.

(g) Upon receipt of a completed application that demonstrates that the telephone will be in compliance with this Chapter and all required information and fees, the Commissioner shall issue to the owner an outdoor pay telephone permit and shall provide the owner with a label

to be affixed to each telephone identifying the registration number and location of the telephone. A permit shall either be approved or disapproved within 30 days of the receipt of a completed application and fee. A telephone for which a permit is issued shall be installed within 30 days of the issuance of the permit or the permit is void and no longer effective. No refund of permit fees shall be given if the permit becomes void.

Section 670B.06 Inspection; Enforcement; Removal Orders; License and Permit Suspension and Revocation; Appeal

(a) It shall be the responsibility of the Commissioner to perform an annual inspection of all pay telephones that are installed on private property and in the right-of-way in the City, to ensure that they are in compliance with this Chapter. The Commissioner will provide a report to the Director listing all pay telephones not in compliance with this Chapter, the owners of such telephones, and the owners of the properties where such telephones are located.

(b) Any owner of a pay telephone who is not in compliance with this Chapter shall be notified in writing by the Commissioner of the violation, a copy of which shall be sent to the property owner where such violations exist. The owner of the pay telephone must correct the violations within five (5) business days of the mailing of such notice. If the owner fails to correct the violations within the time required, the Commissioner may order the telephone removed, and the license or permit of the owner suspended, until all violations are corrected, or revoked.

(c) An order of removal, or license or permit suspension or revocation, shall be sent in writing to the pay telephone owner, and a copy shall be sent to the property owner where such violations exist. The City may remove the phone within five (5) business days of the mailing of such notice, at the owner's expense. The owner shall reimburse the City for the cost of removing and storing the telephone before the owner may reclaim the telephone. Such costs shall also include the cost of removing any installation ancillary to the outdoor pay telephone and the cost of restoring the public right-of-way to its original condition.

(d) An owner may appeal a violation notice, a removal order, or an order of suspension or revocation to the Board of Zoning Appeals within 14 days of the date of receipt of the notice or order. The Board shall promptly notify the Clerk of Council of any appeal and of the hearing date. The Board shall hear the appeal within 14 days after the appeal is filed, and the Board shall issue a decision within 14 days after the conclusion of the hearing. No notice of the hearing is required to be provided to adjoining property owners.

(e) If the license, contract or permit of an owner is suspended or revoked, the owner must remove all telephones installed pursuant to that license, contract or permit, and the owner may not install any more telephones until the suspension is lifted or a new license or permit is issued or contract is executed. An appeal to the Board of Zoning Appeals of a removal order, or of a suspension

or revocation, shall stay such removal order.

(f) If an owner's license, contract or permit is revoked, the owner must apply for a new license, contract or permit and pay all fees required for a license or permit prior to the installation of any telephone. After the revocation of a permit, the owner may not reapply for a permit for the same location for one year after the date the revocation is effective and after the conclusion of any appeal therefrom.

(g) If an owner does not comply with an order to correct a violation of the requirements to maintain a telephone clean or free of graffiti, stickers or advertising within five (5) business days from the mailing of such an order, the Commissioner may take action necessary to clean or remove graffiti, stickers or advertising from the telephone at the owner's expense. The owner shall reimburse the City for such expenses.

Section 670B.07 Public Nuisance; Removal of Outdoor Pay Telephones

(a) Upon request in writing by the member of Council in whose ward an outdoor pay telephone is located in the right-of-way or on private property, or upon receipt of verbal or written citizen complaints concerning such an outdoor pay telephone, the Director of Public Safety shall conduct an investigation into whether the installation and maintenance of the outdoor pay telephone constitutes a public nuisance. Upon determination by the Director of Public Safety that a particular outdoor pay telephone constitutes a public nuisance, the Director shall order that special telephone service features as are acceptable to the Director shall be provided by the outdoor pay telephone or, if the Director determines it is necessary, that the telephone be removed. Nothing in this Section shall preclude the Director from ordering the removal of a telephone without first requiring the implementation of special features. A particular outdoor pay telephone shall constitute a public nuisance when the Director of Public Safety determines that one or more of the following conditions exist:

(1) The outdoor pay telephone has been used in the commission of illegal drug transactions or other criminal activity, or substantially contributes by its presence to the commission of illegal drug transactions or other criminal activity as evidenced by significant numbers of such crimes occurring in the vicinity of the telephone;

(2) The existence of the outdoor pay telephone has substantially contributed by its presence to the congregation of persons who have made loud noises and other disturbances that have disrupted persons residing near the telephone or disrupted business enterprises located near the telephone;

(3) The existence of the outdoor pay telephone has substantially contributed by its presence to the congregation of persons consuming alcoholic beverages, except where such consumption is expressly authorized by a state license, or consuming illegal or controlled substances;

(4) The existence of the outdoor pay telephone has substantially contributed by its presence to the con-

gregation of persons who have interfered with pedestrian or vehicular traffic in the public right-of-way near the telephone;

(5) Usage of the outdoor pay telephone between the hours of 1:00 a.m. and 5:00 a.m. is significantly and repeatedly above normal usage for similarly situated outdoor pay telephones during the same hours so as to indicate that the telephone is being used in the commission of illegal drug activity or other criminal activity;

(6) The pay telephone has been used to abuse the 911 system.

(b) The special features shall be instituted, or the owner shall remove the telephone, and restore the right-of-way to its original condition, if applicable, within five (5) business days of an order to institute special features or remove the telephone. Removal of a nuisance pay telephone shall be governed by the provisions of Section 670B.06.

(c) If the Director determines that the nuisance may be abated by the reduction in the total number of pay telephones in an area, the removal of pay telephones shall be ordered based upon the total period of time that a telephone has been permitted by the City, with the telephones permitted for the least amount of time being ordered removed first.

(d) The Director of Public Safety will inform in writing the member of Council who made the complaint regarding the pay telephone the result of such investigation and the Director shall notify the member in writing of any order issued by the Director.

(e) If an outdoor pay telephone has been removed from a location because it is a nuisance, no other pay telephone may be installed at the same location or within 500 feet of that location for a minimum of one year.

(f) The owner of an outdoor pay telephone may appeal from the determination of a nuisance and the order of special features or removal as set forth in Section 670B.06.

Section 670B.08 PUCO Regulations

Nothing in this Chapter shall be read so as to limit the authority of the PUCO to regulate outdoor pay telephones within the City of Cleveland, nor to conflict with the authority of the PUCO to approve any special services for pay telephones.

Section 670B.99 Penalty

Any owner as defined in this Chapter, or any owner, lessee, or person in possession or control of private property where an outdoor pay telephone is or has been located, who violated any part of this Chapter shall be guilty of a misdemeanor and fined one hundred (\$100.00) dollars for a first offense and five hundred dollars (\$500.00) for a second or subsequent offense. Each day that a violation occurs or continues constitutes a separate offense.

Section 3. That the contracts for pay telephones in the right-of-way authorized by Section 670B.03, which section is enacted by this ordinance, shall be in the form as set forth in File No. 1989-01-A on file with the Clerk of Council.

Section 4. All requirements and prohibitions set forth in Chapter 670B enacted by this ordinance shall be effective for pay telephones placed or installed on private prop-

erty or the right of way prior to the introduction of this ordinance beginning thirty (30) days after the effective date of Chapter 670B enacted by this ordinance.

Section 5. That Section 3109.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1116-A-85 passed February 10, 1986, Section 325.71 as enacted by Ordinance No. 845-62 passed April 26, 1964 and Section 349.05 as enacted by Ordinance No. 1236-A-67 passed June 28, 1971, are amended to read, respectively, as follows:

Section 3109.02 Relations to Other Code Provisions

(a) For provisions governing the installation and maintenance of signs consult OBBC, Chapter 3113 of this Building Code and the Zoning Code (Chapters 325 to 359.)

(b) For provisions governing the use of sidewalks and streets during construction, demolition or moving of buildings consult Chapter 3115.

(c) No installation permitted by this Chapter shall be made so as to violate any provision of the Zoning Code (Chapters 325 to 359.)

(d) The provisions of this Building Code, including its enforcement and penalty provisions, shall apply to any violation of Chapter 670B related to:

(1) An outdoor pay telephone that is attached to a building or structure by any means, including the attachment of any portion of a pay telephone, a frame or post to which a pay telephone is attached, or a wire or conduit connecting a pay telephone or its lighting source to a building or structure; or

(2) An outdoor pay telephone that is located on a parking lot, yard, or any other part of a premises where such pay telephone is available for public use.

An outdoor pay telephone shall be considered a structure for the purposes of the Building Code to the extent that it is erected on a stand alone basis on a premises, and it shall be considered an appurtenance that is a part of a building or other structure for purposes of this Chapter to the extent that it is attached or connected to a building or other structure.

No building or encroachment permit shall be required for a pay telephone that is permitted under Chapter 670B.

Section 325.71 Structure

"Structure" means anything built or erected including, among other things, outdoor pay telephones, buildings, stadia, reviewing stands, bandstands, bleachers, booths, swimming pools, platforms, towers, bridges, trestles, bins, fences, barriers, poles, tanks above or below ground and signs, and also means the supporting framework or supporting parts of a building. "Structure" shall be construed as if followed by "or parts thereof."

Section 349.05 Location of Required Space

(a) The required accessory off-street parking facility shall be located on the same lot as the use for which it is provided or on a lot within 400 feet of the nearest boundary of the lot upon which the use is located measured by a straight line between the two points; or, the Off-Street Parking Committee may determine that the building or use

in question is served adequately by a Municipal or private parking facility. All such parking spaces shall be located behind the setback building line. No such parking space shall be located within ten feet of any wall of a residential building or structure if such wall contains a ground floor opening designed to provide light or ventilation for such building or structure.

(b) The separate lot upon which such accessory parking facilities are provided shall be in the same ownership or control as the building or use to which the parking facilities are accessory.

(c) No required accessory off-street parking space shall be occupied by a pay telephone or any other structure.

Section 6. That existing Section 3109.02 as enacted by Ordinance No. 1116-A-85 passed February 10, 1986, Section 325.71 as enacted by Ordinance No. 845-62 passed April 26, 1964 and Section 349.05 as enacted by Ordinance No. 1236-A-67 passed June 28, 1971 are hereby repealed.

Section 7. That the provisions of the existing Chapter 670B repealed by this Ordinance shall remain in effect until January 1, 2002, and new Chapter 670B enacted by this Ordinance shall be effective beginning January 1, 2002.

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 October 22, 2001.

Effective November 1, 2001, without the signature of the Mayor.

Ord. No. 2040-01.

By Councilman Cimperman.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Tremont West Development Corp. to stretch a banner on CPP utility poles (by separate permission) which will encroach into the right-of-way of W. 14th St. for the period of Nov. 21, 2001 to Jan. 4, 2002, inclusive, for their special event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Tremont West Development Corporation, 2190 Professor Avenue, Cleveland, Ohio 44113, to stretch, maintain and remove one (1) banner using Cleveland Public Power utility poles, (by separate permission) publicizing their special event, for the period of November 21, 2001 to January 4, 2002, inclusive, for their special event, and which banner is to be stretched at the following pole locations and on the following pole numbers: On West 14th Street, at Grace Hospital (E) HOM-1-17 and at Grace

Hospital (W) HOM-1-24; and which poles location 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 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 stretched 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2041-01.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Vanetta Jackson)

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

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

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

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

Section 1. That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 5: Vanetta Jackson.

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

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

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2042-01.

By Councilman Jackson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Hospital Health System for St. Michael's Hospital to hang 7-banners on CPP utility poles (by separate permission) which will encroach into the right-of-way of Broadway between McBride and Pershing Aves. for the period of Nov. 1, 2001 to Dec. 31, 2001, inclusive, for their special event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to University Hospital Health System, 5163 Broadway, Cleveland, Ohio 44127, to hang, maintain and remove seven (7) banners using Cleveland Public Power utility poles, (by separate permission) publicizing their special event, for the period of November 1, 2001 to December 31, 2001, inclusive, for their special event, and which banners are to be hung at the following pole locations and on the following pole numbers: Broadway between McBride and Pershing Avenues on the 1st pole N. of McBride Ave. (E), #SE4-112; on the 2nd pole N. of McBride Ave. (E), #SE4-113; on the 1st pole S. of Fowler Ave. (E), #SE4-114; on the 1st pole N. of Fowler Ave. (E), #SE4-115; on the 2nd pole N. of Fowler Ave. (E), #SE4-116; on the 1st pole S. of Pershing Ave. (E), #SE4-117; on the 1st pole N. of Pershing Ave. (E), #SE4-118; and which poles location 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2043-01.

By Councilman Johnson.

An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with Rudy's Mini Mart, Ltd. for the renovation of Rudy's Mini Mart, Ltd. through the use of Ward 4 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 Economic Development is authorized to enter into an agreement with Rudy's Mini Mart, Ltd. for the renovation of Rudy's Mini Mart, Ltd., for the public purpose of providing economic development and new job creation for City residents.

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

Passed October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2044-01.

By Councilmen Johnson, Gordon, O'Malley, Melena, Westbrook, Brady and Dolan.

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Cleveland Restoration Society for the Home Heritage Home Loan Program through the use of Ward 4, 15, 16, 17, 18, 19, and 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 the Cleveland Restoration Society for the Heritage Home Loan Program for the public purpose of promoting restoration and preservation of historic homes in the City of Cleveland for Cleveland residents through the use of Wards 4, 15, 16, 17, 18, 19, and 21 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$120,000 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2045-01.

By Councilman Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program located in Ward 7 to Joyce Kinney.

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 the Codified Ordinances of Cleveland, Ohio, 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 Number 118-09-081 to Joyce Kinney.

Section 2. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six months of the effective date of this ordinance. If all of the documents are not executed within six 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 not be 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 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2046-01.

By Councilman Melena.

An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with C.T. Products., L.L.C. for the retention and creation of jobs through the use of Ward 17 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Economic Development is authorized to enter into an agreement with C.T. Products., L.L.C. for the public purpose of providing business assistance, which will provide for the retention and creation of jobs for City residents.

Section 2. That the cost of said contract shall be in an amount not to exceed \$262,923.87 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2047-01.

By Councilman Patmon.

An emergency ordinance to amend the Title and Section 1 of Ordinance 1553-01 passed August 15, 2001 relating to the construction of the Bradley Construction Company Headquarters and Hardware store 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 Title and Section 1 of Ordinance 1553-01 passed August 15, 2001 are hereby amended to read respectively as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Bradley Construction Company for the construction of the Bradley Construction Company Headquarters and Hardware store through the use of Ward 8 Neighborhood Equity Funds.

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Bradley Construction Company for the construction of the Bradley Construction Company Headquarters and Hardware store, through the use of Ward 8 Neighborhood Equity Funds for the public purpose of creating new jobs and employment opportunities for Cleveland residents.

Section 2. That the Title and existing Section 1 of Ordinance 1553-01 passed August 15, 2001, 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2048-01.
By Councilmen Polensek and Patmon.

An emergency ordinance authorizing and directing the Director of Finance to seek an amended Official Certificate of Resources for the 2001 Budget year from the Office of the Budget Commission of Cuyahoga County due to errors statement of unencumbered balances as of January 1, 2001.

Whereas, pursuant to Section 5705.36 of the Ohio Revised Code, the

Director of Finance is required to file an Official Certificate of Estimated Resources of the City of Cleveland with the Office of the Budget Commission of Cuyahoga County; and

Whereas, the Official Certificate of Estimated Resources sets forth, among other things, the annual estimated amount of revenues to be collected by the City and the unencumbered balances of funds of the City; and

Whereas, upon examination of records of the City, this Council has discovered that the unencumbered balance as of January 1, 2001 as reported in the Official Certificate of Estimated Resources certified by the Director of Finance to the County Budget Commission is in error; and

Whereas, Council has by letter dated October 29, 2001, attached hereto as File No. 2048-01-A, notified the Director of Finance of the need to file an amended Official Certificate of Resources with the Office of the Budget Commission of Cuyahoga County in order to rectify the error contained in the 2001 Certificate; and

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

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

Section 1. That the Director of Finance is authorized and directed to seek an amended Official Certificate of Estimated Resources from the Office of the Budget Commission of Cuyahoga County to rectify errors contained in the unencumbered balances of funds set forth in the 2001 Official Certificate.

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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2049-01.

By Councilman Westbrook (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Cudell Improvement, Inc. (on behalf of the Detroit Merchants) to encroach into the right-of-way of Detroit Ave. between W. 117th St. and Berea Rd. with 24 Lighted Christmas Trees to be hung on CPP utility poles (by separate permission) every year for the Christmas Season during the period beginning November 12, (2001) to January 31, (2002), inclusive.

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

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

Section 1. That 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 Cudell Improvement, Inc. (on behalf of the Detroit Merchant's) 11650 Detroit Avenue, Cleveland, Ohio 44102, its successors and assigns, for the construction, use and maintenance of twenty-four (24) Lighted Christmas Trees to be hung on Cleveland Public Power utility poles (by separate permission) for the Christmas Season during the period beginning November 12, 2001 to January 31, 2002, inclusive, which will encroach into the public right-of-way of Detroit Avenue between West 117th Street to Berea Road at the locations described as follows:

LOCATION:

- 1) 10427 Detroit (N)
- 2) 10603 Detroit (N)
- 3) 10603 Detroit (S)
- 4) W. 107 & Detroit (S)
- 5) 10717 Detroit (S)
- 6) W. 110 & Detroit (S)
- 7) 11000 Detroit (N)
- 8) 11029 Detroit (S)
- 9) 11100 Detroit (N)
- 10) 11119 Detroit (S)
- 11) 11200 Detroit (N)
- 12) 11200 Detroit (S)
- 13) 11210 Detroit (N)
- 14) 11225 Detroit (S)
- 15) 11310 Detroit (N)
- 16) 11409 Detroit (S)
- 17) 11510 Detroit (N)
- 18) 11600 Detroit (S)
- 19) 11600 Detroit (N)
- 20) 11603 Detroit (S)
- 21) 11611 Detroit (S)
- 22) 11616 Detroit (N)
- 23) 11645 Detroit (S)
- 24) 11650 Detroit (N)

POLE NUMBER & ATTACHMENT:

- E-7-5 / Lighted Christmas Tree
- E-7-7 / Lighted Christmas Tree
- E-8-18 /Lighted Christmas Tree
- E-8-17 /Lighted Christmas Tree
- E-8-16 /Lighted Christmas Tree
- E-8-15 /Lighted Christmas Tree
- E-7-11 /Lighted Christmas Tree
- E-8-14 /Lighted Christmas Tree
- E-7-13 /Lighted Christmas Tree
- E-8-12 /Lighted Christmas Tree
- E-7-14 /Lighted Christmas Tree
- E-8-27 /Lighted Christmas Tree
- E-7-15 /Lighted Christmas Tree
- E-8-10 /Lighted Christmas Tree
- E-7-16 /Lighted Christmas Tree
- E-8-8 /Lighted Christmas Tree
- E-7-18 /Lighted Christmas Tree
- E-8-6 /Lighted Christmas Tree
- E-7-20 /Lighted Christmas Tree
- E-8-5 /Lighted Christmas Tree
- E-8-4 /Lighted Christmas Tree
- E-7-22 /Lighted Christmas Tree
- E-8-2 /Lighted Christmas Tree
- E-7-24 /Lighted Christmas Tree

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

Section 3. That said Lighted Christmas Trees will be placed within the public right-of-way as aforesaid in Section 1., and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before said Lighted Christmas Trees are installed.

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

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

Passed October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2050-01.
By Councilman Willis.
An emergency ordinance to amend the Title and Section 1 of Ordinance 2208-99 passed December 15, 1999 relating to a second mortgage program through the use of Ward 9 Neighborhood Equity Funds.

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

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

Section 1. That the Title and Section 1 of Ordinance No. 2208-99 passed 12/15/1999 are hereby amended to read respectively as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agree-

ment with the Northeastern Neighborhood Development Corporation as the City's agent in carrying out a second mortgage program as an incentive for homeownership in Ward 9, through the use of Ward 9 Neighborhood Equity Funds.

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Northeastern Neighborhood Development Corporation as the City's agent in carrying out a second mortgage program for the public purpose of providing housing opportunities for City residents through the use of Ward 9 Neighborhood Equity Funds.

Section 2. That the Title and existing Section 1 of Ordinance No. 2208-99, passed December 15, 1999, 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 October 29, 2001.

Awaiting the approval or disapproval of the Mayor.

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

Index

O—Ordinance; R—Resolution; F—File

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;

Bold type in sections indicates amendments

AIDS

AIDS Prevention Program, Federal — Ohio Department of Health — grant
(O 1813-01).....2682

Banners

Tremont West Development Corp. (O 2040-01).....2695
University Hospital Health System — St. Michael's Hospital (O 2042-01).....2695

Board of Control – Cleveland Hopkins International Airport Division

Employee Parking lot design and relocation – amend BOC Res. 669-01 – Dept. of Port
Control (BOC Res. 797-01)2668
Environmental services for disposition of soils – amend BOC Res. 714-01 – Division
of Cleveland Hopkins International Airport, Dept. of Port Control
(BOC Res. 796-01)2667

Board of Control – Engineering and Construction Division

Scanner, wide format color – contract pursuant to Ord. 1198-2000 to Canton City Blue
Print, Inc. – Division of Engineering and Construction, Dept. of Public Service
(BOC Res. 800-01)2668
Surveying equipment – contract pursuant to Ord. 1074-98 and 1263-01 to Anderson
Instruments – Division of Engineering and Construction, Dept. of Public Service
(BOC Res. 801-01)2668

Board of Control – Environment Division

Analyzers, portable lead – contract pursuant to Ord. 11496-01 to Niton Corporation
– Division of Environment, Dept. of Public Health
(BOC Res. 802-01)2668

Board of Control – Finance Department

Cab / chassis with tire repair service truck – contract pursuant to Ord. 1264-01
to Valley Ford Truck Sales, Inc. – Dept. of Finance
(BOC Res. 793-01)2667
Hoists, roll-off – pursuant to Ord. 1264-01 – all bids rejected – Dept. of Finance
(BOC Res. 791-01)2667
Income Tax forms – contract pursuant to Ord. 1066-01 to Miami Systems Corporation/Shelby
Division – Division of Taxation, Dept. of Finance
(BOC Res. 788-01)2666

Janitorial supplies – contract pursuant to Ord. 1058-01 to Hough Supply & Specialty Co.
 – Dept. of Finance (BOC Res. 789-01) 2666

Lift trucks, 12,000 lb. capacity – pursuant to Ord. 1264-01 – all bids rejected – Dept.
 of Finance (BOC Res. 790-01) 2666

Lift trucks, 8,000 lb. capacity – contract pursuant to Ord. 1264-01 to Clarklift of
 Cleveland, Inc. – Dept. of Finance (BOC Res. 794-01) 2667

Truck, hammer flat bed body – contract pursuant to Ord. 1264-01 to Smith Truck Cranes &
 Equipment Co., Inc. – Dept. of Finance (BOC Res. 795-01) 2667

Vehicles, aircraft rescue and firefighting – contract pursuant to Ord. 1685-2000
 and 99-01 to Oshkosh Truck Corporation – Dept. of Finance
 (BOC Res. 792-01) 2667

Board of Control – Motor Vehicle Maintenance Division

Mower parts and labor – approve name change and amend Contract #57933 per BOC Res. 349-01
 – Division of Motor Vehicle Maintenance, Dept. of Public Service
 (BOC Res. 798-01) 2668

Board of Control – Police Division

Aircraft maintenance – contract pursuant to Ord. 1354-01 to Helicopter Minit-Men, Inc.
 – Division of Police, Dept. of Public Safety (BOC Res. 803-01)..... 2668

Board of Control – Port Control Department

Employee Parking lot design and relocation – amend BOC Res. 669-01 – Dept. of Port
 Control (BOC Res. 797-01) 2668

Environmental services for disposition of soils – amend BOC Res. 714-01 – Division
 of Cleveland Hopkins International Airport, Dept. of Port Control
 (BOC Res. 796-01) 2667

Board of Control – Professional Service Contracts

Employee Parking lot design and relocation – amend BOC Res. 669-01 – Dept. of Port
 Control (BOC Res. 797-01) 2668

Environmental services for disposition of soils – amend BOC Res. 714-01 – Division
 of Cleveland Hopkins International Airport, Dept. of Port Control
 (BOC Res. 796-01) 2667

Improvements at various city buildings – amend BOC Res. 673-01 – Dept. of Public Service
 (BOC Res. 799-01) 2668

Board of Control – Public Health Department

Analyzers, portable lead – contract pursuant to Ord. 11496-01 to Niton Corporation
 – Division of Environment, Dept. of Public Health
 (BOC Res. 802-01) 2668

Board of Control – Public Safety Department

Aircraft maintenance – contract pursuant to Ord. 1354-01 to Helicopter Minit-Men, Inc.
 – Division of Police, Dept. of Public Safety (BOC Res. 803-01)..... 2668

Board of Control – Public Service Department

Improvements at various city buildings – amend BOC Res. 673-01 – Dept. of Public Service
 (BOC Res. 799-01) 2668

Mower parts and labor – approve name change and amend Contract #57933 per BOC Res. 349-01
 – Division of Motor Vehicle Maintenance, Dept. of Public Service
 (BOC Res. 798-01) 2668

Scanner, wide format color – contract pursuant to Ord. 1198-2000 to Canton City Blue
 Print, Inc. – Division of Engineering and Construction, Dept. of Public Service
 (BOC Res. 800-01) 2668

Surveying equipment – contract pursuant to Ord. 1074-98 and 1263-01 to Anderson
 Instruments – Division of Engineering and Construction, Dept. of Public Service
 (BOC Res. 801-01) 2668

Board of Control – Requirement Contracts

Aircraft maintenance – contract pursuant to Ord. 1354-01 to Helicopter Minit-Men, Inc. – Division of Police, Dept. of Public Safety (BOC Res. 803-01)	2668
Cab / chassis with tire repair service truck – contract pursuant to Ord. 1264-01 to Valley Ford Truck Sales, Inc. – Dept. of Finance (BOC Res. 793-01)	2667
Income Tax forms – contract pursuant to Ord. 1066-01 to Miami Systems Corporation/Shelby Division – Division of Taxation, Dept. of Finance (BOC Res. 788-01)	2666
Janitorial supplies – contract pursuant to Ord. 1058-01 to Hough Supply & Specialty Co. – Dept. of Finance (BOC Res. 789-01)	2666
Lift trucks, 8,000 lb. capacity – contract pursuant to Ord. 1264-01 to Clarklift of Cleveland, Inc. – Dept. of Finance (BOC Res. 794-01)	2667
Mower parts and labor – approve name change and amend Contract #57933 per BOC Res. 349-01 – Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 798-01)	2668
Scanner, wide format color – contract pursuant to Ord. 1198-2000 to Canton City Blue Print, Inc. – Division of Engineering and Construction, Dept. of Public Service (BOC Res. 800-01)	2668
Surveying equipment – contract pursuant to Ord. 1074-98 and 1263-01 to Anderson Instruments – Division of Engineering and Construction, Dept. of Public Service (BOC Res. 801-01)	2668
Truck, hammer flat bed body – contract pursuant to Ord. 1264-01 to Smith Truck Cranes & Equipment Co., Inc. – Dept. of Finance (BOC Res. 795-01)	2667
Vehicles, aircraft rescue and firefighting – contract pursuant to Ord. 1685-2000 and 99-01 to Oshkosh Truck Corporation – Dept. of Finance (BOC Res. 792-01)	2667

Board of Control – Standard Purchase Contracts

Analyzers, portable lead – contract pursuant to Ord. 11496-01 to Niton Corporation – Division of Environment, Dept. of Public Health (BOC Res. 802-01)	2668
---	------

Board of Control – Taxation Division

Income Tax forms – contract pursuant to Ord. 1066-01 to Miami Systems Corporation/Shelby Division – Division of Taxation, Dept. of Finance (BOC Res. 788-01)	2666
--	------

Board of Zoning Appeals – Report

Archmere Avenue, 5811, (Ward 16) – Shelley Patena, owner – appeal granted and adopted on 11/5/01 (Cal. 01-279)	2670
Denison Avenue, 9614, (Ward 18) – Iglesia Pentecostal, owner, c/o Francisco Rosario, agent – appeal granted and adopted on 11/5/01 (Cal. 01-242)	2670
East 145th Street, 1087, (Ward 10) – Dortha Nickerson, owner – appeal heard on 11/5/01 (Cal. 01-262)	2670
Elk Avenue, 19918, (Ward 8) – Classic Funding LLC, owner – appeal denied and adopted on 11/5/01 (Cal. 01-229)	2670
Hosmer Avenue, 5909, (Ward 12) – Cynthia Mazza, owner – appeal denied and adopted on 11/5/01 (Cal. 01-261)	2670
Lorain Avenue, 10330, (Ward 19) – Giachetti Brothers Inn Inc., owner, c/o Manuel Baez, agent – appeal heard on 11/5/01 (Cal. 01-257)	2670
St. Clair Avenue, 13608, (Ward 11) – Norman Kirchner, owner – appeal postponed to 11/19/01 on 11/5/01 (Cal. 01-248)	2670
Sweeney Avenue, 5227, (Ward 13) – Industrial Properties 2nd, owner and Tyroler Scrap Metals Inc., tenant, c/o Henrietta Becker, agent – appeal heard on 11/5/01 (Cal. 01-260)	2670
Trafalgar Avenue, 16405, (Ward 11) – Henry Masten, owner – appeal dismissed on 11/5/01 (Cal. 01-246)	2670
West 10th Street, 2016, (Ward 13) – Tremont Ridge Phase II Limited Partnership, owner, c/o Keith Sutton – appeal withdrawn on 11/5/01 (Cal. 01-228)	2670
West 25th Street, 3256, (Ward 14) – Jim Denkins, owner – appeal postponed to 11/19/01 on 11/5/01 (Cal. 01-259)	2670
West Clinton Avenue, 6415, (Ward 17) – Bethany Presbyterian Church, owner – appeal granted and adopted on 11/5/01 (Cal. 01-247)	2670
Whitman Avenue, 3925, (Ward 14) – David Filmer, owner – appeal heard on 11/5/01 (Cal. 01-264)	2670

Board of Zoning Appeals – Schedule

Addison Road, 1147, (Ward 7) – Pamela Murray, owner – appeal to be heard on 11/19/01 (Cal. 01-295)	2669
East Boulevard, 1563, (Ward 9) – Northeastern Neighborhood Development Corporation, owner, c/o Chris Auvil, agent – appeal to be heard on 11/19/01 (Cal. 01-296)	2669
Lena Avenue, 12625, (Ward 20) – Judy Chamberlain, owner – appeal to be heard on 11/19/01 (Cal. 01-285)	2669
Ottawa Road, 7505, (Ward 12) – Jadwiga Slabbicki, owner – appeal to be heard on 11/19/01 (Cal. 01-274)	2669
Superior Avenue, 3620, (Ward 13) – Judy Chiu, owner – appeal to be heard on 11/19/01 (Cal. 01-304)	2669
West 25th Street, 3159, (Ward 14) – Hector Burgos, owner – appeal to be heard on 11/19/01 (Cal. 01-273)	2669

Bradley Construction Co.

Headquarters — construction — Neighborhood Equity Funds (Ward 8) (O 2047-01)	2696
--	------

Bridges

Schaaf Road Bridge — replace - Cuyahoga County Motor Vehicle License Tax Funds — Public Service Dept. (O 1489-01)	2676
--	------

Budget Commission

Certificate of Resources, 2001 Budget Year, Official — amend — Cuyahoga County (O 2048-01)	2697
---	------

City of Cleveland Bids

Cleveland Flight Guide project – Department of Port Control – per Ord. 1366-01 – bid due November 28, 2001(advertised 11/7/2001 and 11/14/2001)	2671
East 110th Street rehabilitation (St. Clair Avenue to Dundee Drive) – Department of Public Service – Division of Engineering and Construction – per Ord. 836-2000 – bid due November 29, 2001(advertised 11/7/2001 and 11/14/2001)	2671
Fencing – Department of Port Control – per Ord. 949-99 – bid due November 21, 2001(advertised 10/31/2001 and 11/7/2001)	2670
Furnish areas of court – Cleveland Municipal Court – bid due November 22, 2001(advertised 10/31/2001 and 11/7/2001)	2671
Harvard Yards painting improvements – Department of Public Service – per Ord. 2204-2000 – bid due November 29, 2001(advertised 11/7/2001 and 11/14/2001)	2671
HVAC/R controls and equipment – Department of Parks, Recreation and Properties – Division of Property Management – per Ord. 890-99 – bid due November 21, 2001 (advertised 10/31/2001 and 11/7/2001)	2670
Keypunch services – Department of Finance – Division of Taxation – per Ord. 744-01 – bid due November 22, 2001(advertised 10/31/2001 and 11/7/2001)	2671
North Terminal Expansion / Upper Roadway rehabilitation project – Department of Port Control – Division of Cleveland Hopkins International Airport – bid due November 16, 2001(advertised 10/31/2001 and 11/7/2001)	2670
Painting of streetside elements – Department of Public Utilities – Division of Cleveland Public Power – per Ord. 616-01 – bid due November 22, 2001 (advertised 10/31/2001 and 11/7/2001)	2670
Pre-sort mail – Department of Finance – per Ord. 813-2000 – bid due November 28, 2001(advertised 11/7/2001 and 11/14/2001)	2671
Residential Sound Insulation Program (RSIP), Phase II, 2002, Group A-02 – Department of Port Control – Division of Cleveland Hopkins International Airport – per Ord. 469-98 – bid due November 28, 2001(advertised 11/7/2001 and 11/14/2001)	2671
Rock salt – Department of Public Service – Division of Streets – per Ord. 1488-01 – bid due November 28, 2001(advertised 11/7/2001 and 11/14/2001)	2671
Rockefeller Park Greenhouse addition and alterations – Department of Parks, Recreation and Properties – per Ord. 1748-99 and 1727-2000 – bid due November 29, 2001(advertised 11/7/2001 and 11/14/2001)	2671
Roofing systems, replace, repair and restore – Department of Port Control – Division of Cleveland Hopkins International Airport – per Ord. 1012-01 – bid due November 30, 2001 (advertised 11/7/2001 and 11/14/2001)	2671

Site clean-up / secure – Department of Community Development – Division of Building and Housing – per Ord. 136-01 – bid due November 29, 2001 (advertised 11/7/2001 and 11/14/2001).....	2671
Trench Water management – Department of Port Control – Division of Cleveland Hopkins International Airport – bid due November 30, 2001 (advertised 11/7/2001 and 11/14/2001).....	2671
Turnout clothing – Department of Public Safety – Division of Fire – per C.O. Sec. 135.06 – bid due November 21, 2001(advertised 10/31/2001 and 11/7/2001)	2670
Vehicle maintenance equipment – Department of Public Utilities – Division of Cleveland Public Power – per Ord. 843-01 – bid due December 7, 2001 (advertised 11/7/2001 and 11/14/2001).....	2671
Water Quality Analysis laboratory services – Department of Public Utilities – Division of Water – per Ord. 485-96 – bid due November 30, 2001 (advertised 11/7/2001 and 11/14/2001).....	2671

City Planning Commission

Cleveland Housing Network, Inc. — various parcels — Land Reutilization Program (Ward 7) (O 1870-01).....	2682
Guardian Trust Bank Building — Lorain - West 117th Street Branch — Landmark (O 1211-01).....	2675
The Arab American Community Center for Economic & Social Services In Ohio — contract — Community Development Dept. (O 1725-01).....	2666

Cleveland Housing Network

Various parcels — Land Reutilization Program (Ward 7) (O 1870-01)	2682
---	------

Cleveland Indians

Broadcast games exclusively on cable television — oppose (R 1996-01).....	2673
---	------

Cleveland Metropolitan Housing Authority

Scientific Examiner — Public Safety Dept. (O 1504-01)	2678
---	------

Codified Ordinances

Sidewalks, curbs and gutters — repair — amend Code Sec. 505.11 — Service Dept. (O 1729-01).....	2679
Telephones, outdoor pay — repeal various / enact new Code Sections (O 1989-01).....	2691

Community Development Department

Cleveland Housing Network, Inc. — various parcels — Land Reutilization Program (Ward 7) (O 1870-01).....	2682
Cleveland Restoration Society — Home Heritage Home Loan Program — Neighborhood Equity Funds (Ward 4, 15, 16, 17, 18, 19, and 21) (O 2044-01).....	2696
Homeless Services, Cleveland/Cuyahoga County Office — funds — expend (O 1736-01).....	2680
LaGrange Ave., 7609 — Joyce Kinney — Land Reutilization Program (Ward 7) (O 2045-01).....	2696
Rainbow Terrace Apartments — grant — United States Dept. Housing & Urban Development — amend O.1226-01 (O 1865-01).....	2682
Shelton Drive, 19520 — David G. Swintek — Land Reutilization Program (O 1503-01).....	2678
Slavic Village Development Corp. — lower Worsted Mills site — Master Plan — Neighborhood Equity Funds (Ward 12) (O 926-01).....	2675
State Home Weatherization Assistance Program — grant — amend O.615-01 (O 1735-01).....	2680
The Arab American Community Center for Economic & Social Services In Ohio — contract (O 1725-01).....	2666
Union Avenue — Slavic Village Development Corp. — Land Reutilization Program (Ward 12) (O 1505-01).....	2678

Contracts

The Arab American Community Center for Economic & Social Services In Ohio —
Community Development Dept. (O 1725-01).....2666

Cudell Improvement

Christmas trees w/ lights — encroachment (O 2049-01).....2697

Cuyahoga County

Cardiovascular Disease Program — grant — Cuyahoga County Board of Health
(O 1810-01).....2681
Homeless Services, Cleveland/Cuyahoga County Office — funds — expend — Community
Development Dept. (O 1736-01).....**2680**
Immunization Action Plan Program — grant — Cuyahoga County Board of Health
(O 1811-01).....2681
Schaaf Road Bridge — replace - Cuyahoga County Motor Vehicle License Tax Funds —
Public Service Dept. (O 1489-01).....**2676**

Economic Development Department

C.T. Products., L.L.C. — job retention & creation — Neighborhood Equity Funds
(Ward 17) (O 2046-01).....2696
Rudy's Mini Mart, Ltd. — renovate — Neighborhood Equity Funds (Ward 4)
(O 2043-01).....2695

Encroachments

Cudell Improvement, Inc. — Christmas trees w/ lights (O 2049-01).....2697

Finance Department

Certificate of Resources, 2001 Budget Year, Official — amend — Cuyahoga County Office,
Budget Commission (O 2048-01).....2697
Laundry and work clothing — rental — contract — various divisions
(O 1743-01).....2680
Telephones, City — products and ancillary equipment — maintenance materials — contract
(O 1744-01).....2681
W. 117th St., resurface Bellaire Rd. to Edgewater Dr. — cause payment of City's share
— amend 0.520-00 (O 1366-01).....2676

Gifts

Dollar Bank — cash donation — Parks, Recreation & Properties Dept.
(O 1363-01).....2675

Grants

AIDS Prevention Program, Federal — Ohio Department of Health (O 1813-01).....2682
Cardiovascular Disease Program — Cuyahoga County Board of Health
(O 1810-01).....2681
Community Access Program — Ohio Department of Health (O 1812-01).....2666
Community Re-entry, Inc. — Cleveland Community Re-entry Program — Office of
Criminal Justice Services (O 1343-01).....**2675**
Immunization Action Plan Program — Cuyahoga County Board of Health
(O 1811-01).....2681
March of Dimes Program — Ohio Department of Health (O 1814-01).....2682
Ohio Minority Health Commission — Just Chillin' Club Grant — Health Dept.
(O 1344-01).....**2675**
Rainbow Terrace Apartments — United States Dept. Housing & Urban Development — amend
O.1226-01 — Community Development Dept. (O 1865-01).....2682
Recycle Ohio! Program, 2002 — Ohio Department of Natural Resources — Public Service
Dept. (O 1490-01).....2665
State Home Weatherization Assistance Program — amend O.615-01 — Community Development
Dept. (O 1735-01).....**2680**

Health Department

AIDS Prevention Program, Federal — Ohio Department of Health — grant (O 1813-01).....	2682
Cardiovascular Disease Program — grant — Cuyahoga County Board of Health (O 1810-01).....	2681
Community Access Program — Ohio Department of Health — grant (O 1812-01).....	2666
Community Re-entry, Inc. — Cleveland Community Re-entry Program — grant — Office of Criminal Justice Services (O 1343-01).....	2675
HIV/AIDS-related services — contracts (O 1498-01).....	2677
Immunization Action Plan Program — grant — Cuyahoga County Board of Health (O 1811-01).....	2681
March of Dimes Program — Ohio Department of Health — grant (O 1814-01).....	2682
Ohio Minority Health Commission — grant — Just Chillin' Club Grant (O 1344-01).....	2675

HIV/AIDS

HIV/AIDS-related services — contracts — Public Health Dept. (O 1498-01).....	2677
---	-------------

Homeless

Homeless Services, Cleveland/Cuyahoga County Office — funds — expend — Community Development Dept. (O 1736-01).....	2680
--	-------------

Housing and Urban Development (HUD)

Rainbow Terrace Apartments - grant — amend O.1226-01 — Community Development Dept. (O 1865-01).....	2682
--	------

Land Reutilization Program

Cleveland Housing Network, Inc. — various parcels (Ward 7) (O 1870-01).....	2682
LaGrange Ave., 7609 — Joyce Kinney (Ward 7) (O 2045-01).....	2696
Shelton Drive, 19520 — David G. Swintek (O 1503-01).....	2678
Union Avenue — Slavic Village Development Corp. (Ward 12) (O 1505-01).....	2678

Landmark Commission

Guardian Trust Bank Building — Lorain - West 117th Street Branch — Landmark (O 1211-01).....	2675
---	------

Lease Agreement

YMCA, Broadway Ave. — youth basketball program — amend — Parks, Recreation and Properties Dept. (O 1510-01).....	2679
---	-------------

Liquor Permits

Almira Ave., 8806 — transfer ownership — withdraw objection (Ward 18) (R 2056-01).....	2674
Coltman Rd., 1931 — renewal — withdraw objection (Ward 6) (R 1990-01).....	2671
E. 140th St., 831 — transfer ownership — objection (Ward 10) (R 1994-01).....	2672
E. 144th St., 3744 — renewal — withdraw objection (Ward 3) (R 1995-01).....	2673
Fleet Ave., 6506 — transfer ownership — withdraw objection (Ward 12) (R 2055-01).....	2674
Starkweather Ave., 761 — renewal — withdraw objection (Ward 13) (R 1991-01).....	2672
W. 46th St., 3355 — issuance — objection (Ward 14) (R 1992-01).....	2672

Neighborhood Equity Funds

Bradley Construction Co. Headquarters — construction (Ward 8) (O 2047-01)2696
 C.T. Products., L.L.C. — job retention & creation — Economic Development Dept.
 (Ward 17) (O 2046-01).....2696
 Cleveland Restoration Society — Home Heritage Home Loan Program (Ward 4, 15, 16, 17,
 18, 19, and 21) (O 2044-01).....2696
 Northeastern Neighborhood Development Corp. — Second Mortgage Program
 (Ward 9) (O 2050-01).....2698
 Rudy's Mini Mart, Ltd. — renovate (Ward 4) (O 2043-01).....2695
 Slavic Village Development Corp. — lower Worsted Mills site — Master Plan (Ward 12)
 (O 926-01)2675

Ohio Department of Natural Resources

Recycle Ohio! Program, 2002 — grant — Public Service Dept.
 (O 1490-01).....2665

Ohio Department of Public Health

AIDS Prevention Program, Federal — grant (O 1813-01).....2682
 Community Access Program — grant (O 1812-01).....2666
 March of Dimes Program — grant (O 1814-01)2682

Parking Facilities Division

Willard Garage — lighting control systems — equipment & maintenance — contract
 — Parks, Recreation and Properties Dept. (O 1748-01).....2681

Parks, Recreation and Properties Department

Boston Mills Ski Resort — Ski Program, 2001 — amend O.441-01
 (O 1508-01).....2679
 Dollar Bank — cash donation (O 1363-01).....2675
 Willard Garage — lighting control systems — equipment & maintenance — contract
 — Parking Facilities Div. (O 1748-01)2681
 YMCA, Broadway Ave. — youth basketball program — Lease Agreement — amend
 (O 1510-01).....2679

Peddlers

Aguolu, Kenneth (Ward 4) (O 1987-01)2690
 Jackson, Vanetta (Ward 5) (O 2041-01).....2695
 Martinez, Seti (Ward 1) (O 1988-01)2691

Police Department

Scientific Examiner — Cuyahoga Metropolitan Housing Authority — Public Safety Dept.
 (O 1504-01).....2678

Public Utilities Commission (PUCO)

Telephones, outdoor pay — repeal various / enact new Code Sections
 (O 1989-01).....2691

Purchases and Supplies Division

Laundry and work clothing — rental — contract — various divisions
 (O 1743-01).....2680

Resolutions - Miscellaneous

Cleveland Indians — broadcast games exclusively on cable television — oppose
 (R 1996-01)2673
 Cleveland Plant — 340 E. 131st St. — mustard agent — concern
 (R 1993-01)2672
 Commuter income tax — House Bill 191 — oppose (R 2053-01).....2674
 Residency — House Bill 258 — oppose (R 2054-01).....2674
 Smoking — banning in public places — support (R 2051-01).....2673

Safety Department

Scientific Examiner — Cuyahoga Metropolitan Housing Authority (O 1504-01)2678

Service Department

Recycle Ohio! Program, 2002 — Ohio Department of Natural Resources — grant
(O 1490-01).....2665
Rock salt — requirement contract — Streets Division (O 1488-01).....2665
Schaaf Road Bridge — replace - Cuyahoga County Motor Vehicle License Tax Funds
(O 1489-01).....2676
Sidewalks, curbs and gutters — repair — amend Code Sec. 505.11
(O 1729-01).....2679
Sidewalks, driveway aprons, curbing & curb strips, intersections, bridge approaches,
utility box, casting adjustments & appurtenances — repair & construct — amend
O.593-2000 (O 1730-01).....2680
W. 117th St., resurface Bellaire Rd. to Edgewater Dr. — cause payment of City's share
— amend 0.520-00 (O 1366-01)2676

Sidewalks

Sidewalks, curbs and gutters — repair — amend Code Sec. 505.11 — Service Dept.
(O 1729-01).....2679
Sidewalks, driveway aprons, curbing & curb strips, intersections, bridge approaches,
utility box, casting adjustments & appurtenances — repair & construct — amend
O.593-2000 — Service Dept. (O 1730-01).....2680

State of Ohio

State Home Weatherization Assistance Program — grant — amend O.615-01 — Community
Development Dept. (O 1735-01)2680

Street Vacation

West 68th Street (Ward 18) (O 1365-01)2676

Streets - Resurface

W. 117th St., resurface Bellaire Rd. to Edgewater Dr. — cause payment of City's share
— amend 0.520-00 (O 1366-01)2676

Streets Division

Rock salt — contract (O 1488-01).....2665

Utilities Department

Telephones, outdoor pay — repeal various / enact new Code Sections
(O 1989-01).....2691

Ward 01

Martinez, Seti — peddling (O 1988-01)2691

Ward 03

E. 144th St., 3744 — renewal — withdraw objection — Liquor Permit
(R 1995-01)2673

Ward 04

Aguolu, Kenneth — peddling (O 1987-01)2690
Cleveland Restoration Society — Home Heritage Home Loan Program — Neighborhood Equity
Funds (Ward 4, 15, 16, 17, 18, 19, and 21) (O 2044-01).....2696
Rudy's Mini Mart, Ltd. — renovate — Neighborhood Equity Funds
(O 2043-01).....2695

Ward 05

Jackson, Vanetta — peddling (O 2041-01)2695
 University Hospital Health System — St. Michael's Hospital — banners
 (O 2042-01).....2695

Ward 06

Coltman Rd., 1931 — renewal — withdraw objection — Liquor Permit (R 1990-01).....**2671**

Ward 07

Cleveland Housing Network, Inc. — various parcels — Land Reutilization Program
 (O 1870-01).....2682
 LaGrange Ave., 7609 — Joyce Kinney — Land Reutilization Program
 (O 2045-01).....2696

Ward 08

Bradley Construction Co. Headquarters — construction — Neighborhood Equity Funds
 (O 2047-01).....2696

Ward 09

Northeastern Neighborhood Development Corp. — Second Mortgage Program — Neighborhood
 Equity Funds (O 2050-01).....2698

Ward 10

E. 140th St., 831 — transfer ownership — objection — Liquor Permit
 (R 1994-01)**2672**
 Euclid Ave., 17801 — renewal — withdraw objection — Liquor Permit
 (R 2052-01)2673

Ward 12

Fleet Ave., 6506 — transfer ownership — withdraw objection — Liquor Permit
 (R 2055-01)2674
 Slavic Village Development Corp. — lower Worsted Mills site — Master Plan
 — Neighborhood Equity Funds (O 926-01)2675
 Union Avenue — Slavic Village Development Corp. — Land Reutilization Program
 (O 1505-01).....**2678**

Ward 13

Starkweather Ave., 761 — renewal — withdraw objection — Liquor Permit
 (R 1991-01)**2672**
 Tremont West Development Corp. — banner (O 2040-01).....2695

Ward 14

W. 46th St., 3355 — issuance — objection — Liquor Permit (R 1992-01)**2672**

Ward 15

Cleveland Restoration Society — Home Heritage Home Loan Program — Neighborhood Equity
 Funds (Ward 4, 15, 16, 17, 18, 19, and 21) (O 2044-01).....2696

Ward 16

Cleveland Restoration Society — Home Heritage Home Loan Program — Neighborhood Equity
 Funds (Ward 4, 15, 16, 17, 18, 19, and 21) (O 2044-01).....2696

Ward 17

C.T. Products., L.L.C. — job retention & creation — Neighborhood Equity Funds —
 Economic Development Dept. (O 2046-01)2696
 Cleveland Restoration Society — Home Heritage Home Loan Program — Neighborhood Equity
 Funds (Ward 4, 15, 16, 17, 18, 19, and 21) (O 2044-01).....2696

Ward 18

Almira Ave., 8806 — transfer ownership — withdraw objection — Liquor Permit (R 2056-01)	2674
Cleveland Restoration Society — Home Heritage Home Loan Program — Neighborhood Equity Funds (Ward 4, 15, 16, 17, 18, 19, and 21) (O 2044-01)	2696
Cudell Improvement, Inc. — encroachment — Christmas trees w/ lights (O 2049-01)	2697
West 68th Street — vacate (O 1365-01)	2676

Ward 19

Cleveland Restoration Society — Home Heritage Home Loan Program — Neighborhood Equity Funds (Ward 4, 15, 16, 17, 18, 19, and 21) (O 2044-01)	2696
Guardian Trust Bank Building — Lorain - West 117th Street Branch — Landmark (O 1211-01)	2675

Ward 20

Cleveland Restoration Society — Home Heritage Home Loan Program — Neighborhood Equity Funds (Ward 4, 15, 16, 17, 18, 19, and 21) (O 2044-01)	2696
---	------

Ward 21

Cleveland Restoration Society — Home Heritage Home Loan Program — Neighborhood Equity Funds (Ward 4, 15, 16, 17, 18, 19, and 21) (O 2044-01)	2696
---	------

Weatherization Program

State Home Weatherization Assistance Program — grant — amend O.615-01 — Community Development Dept. (O 1735-01)	2680
--	-------------

Willard Park Garage

Lighting control systems — equipment & maintenance — contract — Parking Facilities Div., Parks, Recreation and Properties Dept. (O 1748-01)	2681
--	-------------

YMCA - Broadway Branch

Youth basketball program — Lease Agreement — amend — Parks, Recreation and Properties Dept. (O 1510-01)	2679
--	-------------