

# The City Record

Official Publication of the City of Cleveland

November the Third, Nineteen Hundred and Ninety-Nine

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL-LEGISLATIVE

President of Council-Jay Westbrook

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

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

### MAYOR-Michael R. White

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

### DEPT. OF LAW - Cornell P. Carter, Director, Lessie M. Milton, Chief Counsel, Room 106

George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street  
Karen E. Martinez, Law Librarian, Room 100

### DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit

DIVISIONS - Accounts - Gayle Goodwin Smith, Commissioner, Room 19  
City Treasury - Algeron Walker, Treasurer, Room 115  
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122  
Purchases and Supplies - Myrana Branche, Commissioner, Room 128  
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue  
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue  
Financial Reporting and Control - Robert Dolan, Controller, Room 18  
Information Systems Services - Joyce Thomas, Acting Commissioner, 1404 E. 9th St.

### DEPT. OF PUBLIC UTILITIES - Michael Konicek, Director, 1201 Lakeside Avenue

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

### DEPT. OF PORT CONTROL - Solomon F. Balraj, Director,

Cleveland Hopkins International Airport, 5300 Riverside Drive;  
Cleveland Hopkins International Airport - Mark D. Vanloh, Commissioner  
Burke Lakefront Airport - Michael C. Barth, Commissioner

### DEPT. OF PUBLIC SERVICE - Mark Ricchiuto, Director, Room 113

DIVISIONS - Waste Collection and Disposal - Randell T. Scott, Acting Commissioner, 5600 Carnegie Avenue.  
Streets - Randell T. Scott, Commissioner, Room 25  
Engineering and Construction - Randall E. DeVaul, Commissioner, Room 518  
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards  
Architecture - Paul Burik, Acting Commissioner, Room 517

### DEPT. OF PUBLIC HEALTH - Michelle Whitlow, Acting Director, Mural Building, 1925 St. Clair Avenue

DIVISIONS - Health - Cheri Hahn, Acting Commissioner, Mural Building, 1925 St. Clair Avenue  
Environment - Robin Puriani-Rogers, Acting Commissioner, Mural Building, 1925 St. Clair Avenue  
Correction - Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

### DEPT. OF PUBLIC SAFETY - Henry Guzman, Director, Room 230.

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

### DEPT. OF PARKS, RECREATION & PROPERTIES - Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.

DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
Property Management - \_\_\_\_\_, Commissioner, East 49th & Harvard

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

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

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

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

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

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

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

### DEPT. OF AGING - Susan E. Axelrod, Director, Room 122

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, NOVEMBER 3, 1999

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## CITY COUNCIL

MONDAY, NOVEMBER 1, 1999

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Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

#### MONDAY

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

#### ORDINANCE

**Ord. No. 594-99.**  
By Councilman Coats.  
An ordinance to change the Use and Area Districts of lands on the westerly corner of Cliffview Road, N.E. and Belvoir Boulevard, N.E. (Map Change No. 1990, Sheet No. 7)

### BOARD OF CONTROL

October 27, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 27, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

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

On motion, the following resolutions were adopted.

#### Resolution No. 717-99.

By Director Carmody.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Woodhill Supply, Inc. for an estimated quantity of Dry Cell Batteries (all items) for the Division of various divisions of Government in the City of Cleveland, Department of Finance, for the period of two (2) years beginning with the date of execution of a contract, received on October 1st, 1999, pursuant to the authority of Ordinance No. 704-99, passed June 7th, 1999, which on the basis of the estimated quantity would amount to Sixteen Thousand One Hundred Forty-One and 80/100

Dollars (\$16,141.80) (2%, 10 Days, 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. 14654 which shall be certified against such contract in the sum of One Thousand and 00/100 Dollars (\$1,000.00).

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

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

#### Resolution No. 718-99.

By Director Konicek.  
Whereas, pursuant to the authority of Ordinance No. 1071-93, passed by the Council of the City of Cleveland on June 7, 1993, and Resolution Nos. 32-94, 73-97 and 680-98, adopted by the Board of Control on January 19, 1994, February 5, 1997 and October 7, 1998, the City, through its Director of Public Utilities, entered into an agreement with Clean-Land, Ohio ("Consultant") Contract No. 46971 and a first and second modification thereto, for project management services necessary for the Cleveland Public Power System Expansion Program; and  
Whereas, the City by Board of Control Resolution No. 197-99 adopted on April 14, 1999, acknowledged the name change and the assignment of Contract No. 46971 from Clean-Land, Ohio to ParkWorks, Inc.,

Whereas, the City desires to modify the scope of the project management services of the Consultant's contract to expand the management services through 2001; and

Whereas, Consultant has proposed by its letter dated August 2, 1999, to provide such additional project management services for an amount not to exceed \$39,765.00; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is hereby authorized to enter into a third modification to Contract No. 46971 with ParkWorks, Inc. for the additional project management services required to complete Cleveland Public Power's tree planting project on the basis of the Consultant's

August 2, 1999 proposal. The compensation for such additional services shall not exceed a total of \$39,765.00, thereby increasing the total compensation payable under Contract No. 46971 to \$1,913,534.00. The third modification authorized hereby shall be prepared by the Director of Law and shall include such additional provisions as said Director deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 719-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 468-99, adopted July 21, 1999, pursuant to the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, approving the bid of Lucier Chemical Industries, Ltd., d.b.a. LCI, Ltd., as lowest and best for sodium fluorosilicate and fluorosilicic acid (all items), for the Division of Water, Department of Public Utilities, is hereby amended by deleting "all items" and inserting "items I and II for the first year with an option exercisable by the Director of Public Utilities to renew for the second year".

Be it further resolved that all other provisions of said Resolution No. 468-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 720-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that that the bid of Victory White Metal Co. for the following: stop cock boxes (all items) for the Division of Water, Department of Public Utilities, received on the 9th day of September, 1999, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the order quantities would amount to Forty Two Thousand One Hundred Five Dollars (\$42,105.00), (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 721-99.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Woodhill Supply, Inc. for the following: copper pipe (all items) for the Division of Water, Department of Public Utilities, received on the 9th day of September, 1999, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the order quantities would amount to Forty

Four Thousand One Hundred Fifty Four Dollars (\$44,154.00), (2% 10 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 722-99.**

By Director Balraj.

Whereas, pursuant to Resolution No. 323-98, adopted by the Board of Control on May 6, 1998, and Resolution No. 431-98, adopted by the Board of Control on June 17, 1998, the City of Cleveland entered into Contract No. 53295 with Landrum and Brown, Incorporated, to provide professional consulting services necessary for the preparation of an Environmental Impact Statement ("EIS") for the improvements included in the Cleveland Hopkins International Airport master plan/airport Layout plan as referenced in Ordinance No. 2264-87; and

Whereas, the Federal Aviation Administration has advised the City of Cleveland of the necessity to amend the scope of services of the EIS; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into a First Amendment to City Contract no. 53295 for an addition to the scope of work based on the consultant's letters dated July 9, 1999 and October 12, 1999, respectively. The amount to be paid for all consulting services shall be increased from an amount not to exceed Two Million Four Hundred Four Thousand Seventy-Five and No/100 Dollars (\$2,404,075.00) to an amount not to exceed Two Million Six Hundred Sixty Four Thousand One Hundred Ninety Seven and No/100 Dollars (\$2,664,197.00).

Be it further resolved by the Board of Control that the following subcontractors to Landrum and Brown, Incorporated are hereby approved:

Subcontractor	Service
North Coast Regional Council of Park Districts	Conceptual Planning and Design of Wetlands Mitigation
Kemron Environmental Services, Inc.	Phase 2 Environmental Due Diligence Audits

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 723-99.**

By Director Balraj.

Whereas, Hunger Network of Greater Cleveland wishes to promote and conduct the annual Walk for Hunger (the "Event") at Burke Lakefront Airport (the "Airport") on May 13, 2000; and

Whereas, the City is willing to grant Hunger Network of Greater Cleveland the privilege, permit and

license to promote and conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into a concession agreement (the "Agreement") granting Hunger Network of Greater Cleveland the privilege, permit and license to conduct the Event in the lobby area of the Airport terminal building from 6:00 a.m. to 3:00 p.m. on May 13, 2000 and to use and occupy the lobby area for such period of time before the Event as necessary for preparation. Hunger Network of Greater Cleveland shall reimburse the City for the cost of providing one (1) City employee to perform custodial work related to the conduct of the Event, shall arrange for the operation of the Event and such concessions as may be appropriate and incidental to the Event, and shall be responsible for providing traffic control, security and clean up.

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

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 724-99.**

By Director Balraj.

Resolved, by the Board of Control of the City of Cleveland that the bid of Spirit Communication & Contracting, Inc. for an estimated quantity of snow removal equipment and operators (all items) for the various divisions of the Department of Port Control for the period beginning with the execution of a contract and ending one year thereafter received on the 16th day of July 1999, pursuant to the authority of Ordinance No. 362-99, passed April 26, 1999, which on the basis of the estimated quantity should amount to Ninety Four Thousand One Hundred Ninety-Six and 00/100 Dollars (\$94,196.00) (2% at 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08426

which shall be certified against such contract in the sum of Seventy-Seven Thousand Three Hundred Three and 20/100 Dollars (\$77,303.20).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 725-99.**

By Director Ricchiuto.

Whereas, pursuant to the authority of Ordinance No. 1034-88, passed by the Council of the City of Cleveland on May 23, 1988, and Resolution No. 120-93, adopted by this Board of Control on February 24, 1993, the City through its Director of Public Service, entered into Contract No. 46067 with Robert P. Madison International Inc. (Engineer), to obtain professional engineering services required for the design and preparation of plans and specifications for the rehabilitation of Eagle Avenue Bridge — Phase III (West 3rd Street Ramp), City Bridge No. 1:009M; and

Whereas, the City desires to increase the original scope of services to include the design of emergency repairs; and

Whereas, Engineer has proposed by its September 9, 1999 proposal to perform the additional engineering services required; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Services hereby is authorized to enter into a first modification to Contract No. 46067 with Robert P. Madison International Inc. in accordance with its September 9, 1999 proposal for the additional engineering services required for the emergency plans and specifications for the emergency repairs of the West 3rd Street Ramp. The compensation for such additional services authorized hereby shall not exceed the amount of \$9,840.95, thereby increasing the total compensation under the agreement from \$90,877.00 to \$100,717.95. The modification authorized hereby shall be prepared by the Director of Law and shall include such provisions as said deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 726-99.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Jones Equipment, Inc. for an estimated quantity of one (1) 22' flared end runway plow (Item #1), for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on September 24, 1999, pursuant to the authority of Ordinance No. 1074-98, passed June 15, 1998, which on the basis of the estimated quantity would amount to approximately Twenty-Five Thousand Six Hundred Eighty-Five and no/100 Dollars (\$25,685.00), (Net 15 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 09692 which shall be certified against such contract in the sum of Twenty-Five Thousand Six Hundred Eighty-Five and no/100 Dollars (\$25,685.00).

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 Jones Equipment, Inc., for the purchase of an estimated quantity of 22' flared end runway plow is hereby approved:

Jordan Distributors, Inc.  
MBE — \$800.00 per unit

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 727-99.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Concord Road Equipment Mfg., Inc. for an estimated quantity of two (2) 14' multi-application plows (Item #2), for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on September 24, 1999, pursuant to the authority of Ordinance No. 1074-98, passed June 15, 1998, which on the basis of the estimated quantity would amount to approximately Thirty-Two Thousand Seven Hundred Eighty-Eight and 84/100 Dollars (\$32,788.84), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 09693 which shall be certified against such contract in the sum of Thirty-Two Thousand Seven Hundred Eighty-Eight and 84/100 Dollars (\$32,788.84).

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 Concord Road Equipment Mfg., Inc., for the purchase of an estimated quantity of 14' multi-application plows is hereby approved:

Johnson's Driveaway Service  
MBE — \$1,005.00 per unit

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 728-99.**

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland that the bid

of Valley Ford Truck Sales, Inc., (alternate bid) for an estimated quantity of two (2) single axis cab/chassis, 4 x 4, with dump body, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received October 1, 1999, pursuant to the authority of Ordinance No. 1074-98, passed by the Council of the City of Cleveland on June 15, 1998, which on the basis of the estimated quantity would amount to approximately One Hundred Nineteen Thousand Four Hundred Fifty and No/100 Dollars (\$119,450.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 09709 which shall be certified against such contract in the sum of One Hundred Nineteen Thousand Four Hundred Fifty and No/100 Dollars (\$119,450.00).

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 purchase of an estimated quantity of single axle cab/chassis, 4 x 4, with dump body is hereby approved:

Logical Services, Inc.  
MBE — \$800.00 per unit

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 729-99.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 668-99, adopted October 6, 1999 approving Asplundh Tree Expert Company, for urban forest maintenance services, is hereby amended by deleting the amount of "\$40,000.00" where appearing in the first paragraph and substituting therefor the amount "\$37,783.00".

Be it Further Resolved that all other terms and provisions of said Resolution No. 668-99 not hereby amended shall remain unchanged in full force and effect.

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

**Resolution No. 730-99.**

By Director Warren.

Whereas, pursuant to the authority of Ordinance No. 1088-99, passed June 14, 1999, as amended by Ordinance No. 1857-99, passed October 18,

1999, the Commissioner of Purchases and Supplies ("Commissioner") is authorized, by and at the direction of the Board of Control, to sell certain City-owned property in the Village of Highland Hills ("Highland Hills") no longer needed for public use, described therein, ("Sale Parcels") to Cartech Company, Ltd., for Development for Gliatech Medical Inc. ("Gliatech") at a price of not less than One Hundred, Twenty-five Thousand Dollars (\$125,000.00) per acre; and

Whereas, pursuant to the authority of said Ordinances, the Project Agreement shall provide that Gliatech shall have an option to purchase certain City-owned property in Highland Hills no longer needed for public use, described therein, ("Option Parcel") which option shall expire three (3) years from the date of recording of conveyance of the Sale Parcels ("Option Period"). The project agreement shall provide for an annual fee to be paid by Gliatech for said option ("Option Fee"), which Option Fee shall be applied to the purchase price of the Option Parcel; and

Whereas, pursuant to the authority of said Ordinances, the Commissioner is authorized, by and at the direction of the Board of Control, to sell the Option Parcel to Gliatech during the Option Period for a price of not less than One Hundred Twenty-Five Thousand Dollars (\$125,000.00) per acre; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to authorization of Ordinance No. 1088-99, passed June 14, 1999 by Cleveland City Council, as amended by Ordinance No. 1857-99, passed October 18, 1999, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property, no longer needed for public use, described therein, ("Sale Parcels") to Cartech Company, Ltd. ("Cartech"); the consideration to be paid for the Sale Parcels is fixed at One Million, Three Hundred Twenty-four Thousand, One Hundred Twenty-five Dollars (\$1,324,125.00), which amount is determined to be not less than the fair market value when taking into account all restrictions and encumbrances placed by the City in the deed of Conveyance. The quit claim deed from the City to Cartech shall contain such terms and conditions as the Director of Economic Development and the Director of Law deem appropriate and necessary to protect and benefit the interest of the City of Cleveland.

Be it further resolved by the Board of Control of the City of Cleveland that, pursuant to authorization of said Ordinance Nos. 1088-99 and 1857-99, the Commissioner of Purchases and Supplies is hereby directed, if and when authorized by the Director of Economic Development, to sell the Option Parcel to Gliatech within three (3) years of conveyance of the Sale Parcel ("Option Period"), for the consideration of Six Hundred Forty-Five Thousand Dollars (\$645,000.00) during the first year of the Option Period, or such higher amount during the Option Period as determined by the project agreement, less the Option Fee, which amount is determined to be not less than the fair market value, when taking into account all restrictions and encumbrances placed by the City in the deed of Conveyance. The quit claim deed from the City to Gliatech shall

contain such terms and conditions as the Director of Economic Development and the Director of Law deem appropriate and necessary to protect and benefit the interest of the City of Cleveland.

Be it further resolved by the Board of Control of the City of Cleveland that the Mayor and the Commissioner of Purchases and Supplies are hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property.

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

#### Resolution No. 731-99.

By Directors Balraj and Warren. Be it resolved by the Board of Control of the City of Cleveland that Resolution Number 375-99, approved by this Board of Control on June 16, 1999, as amended by Resolution Number 642-99, approved by this Board of Control on September 22, 1999, directing the Commissioner of Purchases and Supplies to sell certain City-owned land to Cleveland Business Park, Ltd., is hereby amended by increasing the consideration to be paid for said land as follows:

"Twenty-Five Thousand, Five Hundred Thirty-five Dollars (\$25,535.00)" is deleted, and "Twenty-Nine Thousand, Two Hundred Fifty Dollars (\$29,250.00)" is inserted in lieu thereof, where appearing; and

"Thirty Thousand, Five Hundred Thirty-Five Dollars (\$30,535.00)" is deleted and "Thirty-Six Thousand, Four Hundred Seven Dollars (\$36,407.00)" is inserted in lieu thereof, where appearing.

Be it further resolved that all other provisions of said Resolution Number 375-99 and Resolution Number 642-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Directors Fennessey, Frank, Directors Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Patterson, Warren, Axelrod.

Nays: None.

Absent: Director Hudecek.

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 15, 1999

9:30 A.M.

Calendar No. 99-286: 10723 Magnolia Drive (Ward 9)

Mt. Zion Congregational U.C.C., owner, and Arthur Saunders, agent, appeal to install a 42' high steeple to the roof of an existing 42' tall church situated on an approximate 122' x 239' parcel and located in a limited One-Family District on the northwest corner of Magnolia Drive and East 108th Street at 10723 Magnolia Drive, said installation being contrary to the Area Requirements Regulations where the proposed height of the building in question is 84' and the building is not to exceed the 35' height limit as stated in Section 353.01 of the Codified Ordinances.

Calendar No. 99-287: 3407 Poe Avenue (Ward 15)

Wilfredo Galarza, owner, appeals to construct an 8'-4" x 22' front porch enclosure to an existing two-dwelling house situated on a 33' x 129' parcel located in a Two-Family District on the south side of Poe Avenue at 3407 Poe Avenue; said porch enclosure being contrary to the Yards and Courts Requirements of Section 357.13(b)(4) where a front porch projecting 4' is permitted and an 8'-4" projection is proposed and the proposed enclosure will reduce setback to 9.92' and the required setback is 20' or line of existing buildings as stated in Section 357.04(a) of the Codified Ordinances.

Calendar No. 99-288: 3386 East 119th Street (Ward 3)

Memorial Missionary Baptist Church, owner c/o Reverend Kennedy Godbold, appeal to construct an approximate 13' x 13' one story women's restroom addition to an existing 26' x 82' masonry church building situated on a 40' x 152' parcel located in a Two-Family District on the west side of East 119th Street at 3386 East 119th Street; said construction being contrary to the Yards and Courts Requirements of Section 357.04(a) where the required front yard setback is 29' or line of existing buildings and the proposed front yard setback is 23' and subject to the existing non-conforming use limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 99-289: 735 East 128th Street (Ward 10)

Northeastern Neighborhood Development Corporation c/o Bruce Jackson, agent, appeal to construct a 20' x 34' one dwelling unit with a 10' x 12' attached garage on an approximate 35' x 124' corner parcel located in a Multi-Family District on the northeast corner of Brackland

Avenue and East 128th Street at 735 East 128th Street; said construction being contrary to the Area Requirements Regulations of Section 355.04 where a 40' frontage is required and 35.9' is proposed and where a 4800 sq. ft. lot is required and an approximate 4300 sq. ft. lot is proposed, contrary to the Yards and Courts Requirements of Section 357.09(2)(B) where a 3' minimum side yard and a 10' aggregate side yard is required and a 0' side yard is proposed and the proposed building will be 0' from a main building and no building shall be erected within 10' from a main building on an adjoining lot as stated in Section 357.09(2)(A) of the Codified Ordinances.

**Calendar No. 99-290:** 733 East 128th Street (Ward 10)

Northeastern Neighborhood Development Corporation c/o Bruce Jackson, agent, appeal to construct a 20' x 34' one dwelling unit with a 10' x 12' attached garage on an approximate 20' x 124' corner parcel located in a Multi-Family District on the east side of East 128th Street at 733 East 128th Street; said construction being contrary to the Area Requirement Regulations of Section 355.04 where a 40' frontage is required and 35.9' is proposed and where a 4800 sq. ft. lot is required and an approximate 4300 sq. ft. lot is proposed and contrary to the Yards and Courts Requirements of Section 357.09(2)(B) where a 3' minimum side yard and a 10' aggregate side yard is required and a 0' side yard is proposed and the proposed building will be 0' from a main building and no building shall be erected within 10' from a main building on an adjoining lot as stated in Section 357.09(2)(A) of the Codified Ordinances.

**Calendar No. 99-291:** 731 East 128th Street (Ward 10)

Northeastern Neighborhood Development Corporation c/o Bruce Jackson, agent, appeal to construct a 20' x 34' one dwelling unit with a 10' x 12' attached garage on an approximate 20' x 124' corner parcel located in a Multi-Family District on the east side of East 128th Street at 731 East 128th Street; said construction being contrary to the Area Requirement Regulations of Section 355.04 where a 40' frontage is required and 35.9' is proposed and where a 4800 sq. ft. lot is required and an approximate 4300 sq. ft. lot is proposed and contrary to the Yards and Courts Requirements of Section 357.09(2)(B) where a 3' minimum side yard and a 10' aggregate side yard is required and a 0' side yard is proposed and the proposed building will be 0' from a main building and no building shall be erected within 10' of a main building on an adjoining lot as stated in Section 357.09(2)(A) of the Codified Ordinances.

**Calendar No. 99-292:** 729 East 128th Street (Ward 10)

Northeastern Neighborhood Development Corporation c/o Bruce Jackson, agent, appeal to construct a 20' x 34' one dwelling unit with a 10' x 12' attached garage on an approximate 20' x 124' corner parcel located in a Multi-Family District on the east side of East 128th Street at 729 East 128th Street; said construction being contrary to the Area Requirement Regulations of Section 355.04 where a 40' frontage is required and

35.9' is proposed and where a 4800 sq. ft. lot is required and an approximate 4300 sq. ft. lot is proposed and contrary to the Yards and Courts Requirements of Section 357.09(2)(B) where a 3' minimum side yard and a 10' aggregate side yard is required and a 0' side yard is proposed and the proposed building will be 0' from a main building and no building shall be erected within 10' from a main building on an adjoining lot as stated in Section 357.09(2)(A) of the Codified Ordinances.

**Calendar No. 99-293:** 727 East 128th Street (Ward 10)

Northeastern Neighborhood Development Corporation c/o Bruce Jackson, agent, appeal to construct a 20' x 34' one dwelling unit with a 10' x 12' attached garage on an approximate 20' x 124' corner parcel located in a Multi-Family District on the east side of East 128th Street at 727 East 128th Street; said construction being contrary to the Area Requirement Regulations of Section 355.04 where a 40' frontage is required and 35.9' is proposed and where a 4800 sq. ft. lot is required and an approximate 4300 sq. ft. lot is proposed and contrary to the Yards and Courts Requirements of Section 357.09(2)(B) where a 3' minimum side yard and a 10' aggregate side yard is required and a 0' side yard is proposed and the proposed building will be 0' from a main building and no building shall be erected within 10' from a main building on an adjoining lot as stated in Section 357.09(2)(A) of the Codified Ordinances.

**Calendar No. 99-294:** 725 East 128th Street (Ward 10)

Northeastern Neighborhood Development Corporation c/o Bruce Jackson, agent, appeal to construct a 20' x 34' one dwelling unit with a 10' x 12' attached garage on an approximate 20' x 124' corner parcel located in a Multi-Family District on the east side of East 128th Street at 725 East 128th Street; said construction being contrary to the Area Requirement Regulations of Section 355.04 where a 40' frontage is required and 35.9' is proposed and where a 4800 sq. ft. lot is required and an approximate 4300 sq. ft. lot is proposed and contrary to the Yards and Courts Requirements of Section 357.09(2)(B) where a 3' minimum side yard and a 10' aggregate side yard is required and a 0' side yard is proposed and the proposed building will be 0' from a main building and no building shall be erected within 10' from a main building on an adjoining lot as stated in Section 357.09(2)(A) of the Codified Ordinances.

**Calendar No. 99-303:** 5400 Whiskey Island (Ward 17)

Edward J. Hauser, et al., appeal under Section 76-6 and the Charter of the City of Cleveland and Section 161.05 of the Codified Ordinances from the approval of a Certificate of Appropriateness for the demolition and removal from the C&P Ore Dock located at or about 5400 Whiskey Island two Hulett Unloaders and the careful systematic disassembly of one Hulett Unloader, related shunt engines and trackage and their retention for five years on a secure laydown site on the C&P Ore Dock, the demolition and removal from the C&P Ore Dock, one Hulett Unloader

being delayed for an additional approximate seven months from June 10, 1999 through January 15, 2000, the demolition of the Powerhouse and all accessory buildings and structures, and the removal from the C&P Ore Dock of all machines, tools, equipment related to the Hulett Unloaders as issued on July 8, 1999 by the Cleveland Landmarks Commission upon the recommendation of Hunter Morrison, Director of City Planning.

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, NOVEMBER 1, 1999**

At the meeting of the Board of Zoning Appeals on Monday, November 1, 1999, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 99-274:** 3020 Carroll Avenue

Jack Ricchiuto, owner, appealed to construct a 21' x 3' one-story front open porch to the front of an existing one dwelling unit on a 32' x 107' parcel in a Two-Family District.

**Calendar No. 99-283:** 14916 Aspinwall Avenue

Greater New Calvary Missionary Baptist Church, owner, appealed to change the use of an existing 4,284 sq. ft. two-story masonry church facility situated on a 282' x 140' parcel into a school for grades kindergarten through eight in a Two-Family District.

**Calendar No. 99-260:** 3645 West 117th Street

Daniel Slane, owner, appealed to change the use of an existing 123' x 167' one-story masonry building situated on a 258' x 240' parcel in a Local Retail District into a day-care facility.

The following appeals were **Denied:**

**Calendar No. 99-269:** 1845 West 52nd Street

William R. Peppers III, owner, appealed from a Notice of Violation issued on August 3, 1999 by the Division of Building and Housing.

**Calendar No. 99-270:** 1851 West 52nd Street

William R. Peppers III, owner, appealed from a Notice of Violation issued on August 3, 1999 by the Division of Building and Housing.

**Calendar No. 99-273:** 2408 Denison Avenue (front building)

John W. Hickey, owner, and John Rakauskas, agent, appealed to change the use of an existing 20' x 41' one-story masonry commercial building situated on a 40' x 140' parcel into a hot dog restaurant in a Local Retail Business District.

The following appeals were **Postponed:**

**Calendar No. 99-272:** 11601 Shaker Boulevard postponed to November 29, 1999.

**Calendar No. 99-275:** 14301 Sylvia Avenue postponed to November 22, 1999.

**On Monday, November 1, 1999, in Executive Session:**

The following appeals were heard on Monday, October 25, 1999 and said decisions were approved and adopted by the Board on November 1, 1999.

The following appeals were **Approved:**

**Calendar No. 99-264:** 17528 Tarkington Avenue

Lisa Wallace, owner, appealed to change the use of an existing 27' x 38' one dwelling house on a 50' x 140' parcel in a One-Family District into a daycare facility for children ages 6 months to 12 years; approval upon input from Council rep and with restriction that no more than 12 children be on the premises at any given time day or night.

**Calendar No. 99-265:** 17209 Lorain Avenue

Kamms Plaza, owner c/o Lisa Hanna, appealed to construct approximately 23 linear feet of 6' high chain link fencing to enclose a 12'-6" x 10'-6" area for a dumpster in a General Retail District; chain link fencing to be upscaled with inclusion of green heavy vinyl basket weave.

**Calendar No. 99-279:** 1018 Huron Road, a.k.a. 1008-1020 Huron Road

Osborn Square Ltd., owner c/o Thomas Knapp, appealed to change the use of an existing 7 floors, 81,297 sq. ft. office building into retail space and 67 apartment units on a 65' x 165' parcel in a General Retail District.

**Calendar No. 99-284:** 13920 Triskett Road

Aniello Miele, owner, appealed to change the use of an existing 50' x 27' one-story gas station building into a retail store and auto maintenance shop situated on a 150' x 120' parcel in a General Retail District; approval upon condition that auto repair be limited to strictly minor maintenance, that the Council rep is in agreement that no more than 10 vehicles may be kept on the premises at one time; that the barbed wire on fencing to the rear be removed and a detailed landscaping plan submitted for approval.

**Calendar No. 99-207:** 781 East 185th Street

Jane Boltz, a.k.a. Jane McGill and Olga Stech, owners, appealed to expand an existing tavern by removing a first floor dwelling unit located to the rear of an existing barber shop in a 42' x 62' stores and suites building in a Local Retail District.

The following appeal was **Denied:**

**BOARD OF APPEALS**

**Calendar No. 99-214:** Appeal of Lynda J. Gillinov

Lynda J. Gillinov, owner, appealed under Section 209.01 of the Codified Ordinances from the decision of Richard L. Silva, Commissioner of Park Maintenance and Properties, that parcel numbers 124-02-032, 124-03-075, 124-03-076, 124-05-038, 124-05-045, 124-

05-046 and 126-31-043 were in violation of Codified Ordinance Section 209.01 and for which violations city maintenance services were required and appellant was billed accordingly.

EUGENE CRANFORD, JR.,  
Secretary

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

Re: Report of the Meeting of  
October 27, 1999

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

\* \* \*

**Docket L-37-99.**

RE: Appeal of John C. Shippitka, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated September 22, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

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

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

\* \* \*

**Docket L-38-99.**

RE: Appeal of James Kovach, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated September 20, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

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

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

\* \* \*

**Docket A-99-99.**

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

No action; to be rescheduled in four (4) to six (6) weeks.

**Docket A-145-99.**

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

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's VACATE/CONDEMNATION ORDERS and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three (3) months in which to vacate the property. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the VACATE/CONDEMNATION ORDERS and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by February 10, 2000. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

\* \* \*

**Docket A-188-99.**

RE: Appeal of Theresa Eady, Owner of the Two Story Residential Property located on the premises known as 6002 Belvidere Avenue from a NOTICE OF VIOLATION/EXTERIOR MAINTENANCE/30 DAY GARAGE CONDEMNATION of the Commissioner of the Division of Building and Housing dated July 12, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three (3) months in which to do any carpentry work on the property, and to require that any painting be done before June 1, 2000; the property is REMANDED at this time to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

\* \* \*

**Docket A-201-99.**

RE: Appeal of Alliance of Poles of America, Owner of the Property located on the premises known as 6966 Broadway Avenue from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated July 16, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action; the Appellant is required to obtain quotes for an interior fire alarm system for the property and to submit a report of those findings to the Board for review; the Docket will be rescheduled if any further action is required.



**Docket A-202-99.**

RE: Appeal of New Mt. Zion Baptist Church, Owner of the Six (6) Dwelling Units Three Story Masonry Property located on the premises known as 1512 East 71st Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 21, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant one (1) year in which to obtain permits and abate the violations on the property; the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by November 10, 2000. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

\* \* \*

**Docket A-204-99.**

RE: Appeal of Joan M. Dolfi, Owner of the Two Story Frame Residential Property and Swimming Pool located on the premises known as 3498 West 47th Street from a NOTICE OF VIOLATION/NO PERMIT of the Commissioner of the Division of Building and Housing dated July 7, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that the permit for the addition is in order; and to grant the variance for the ten (10) foot requirement and permit the pool to remain in its present location, noting that there is a vacant lot next door and that there is a fence adjacent to the pool. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

\* \* \*

**Docket A-209-99.**

RE: Appeal of Joseph Grant, Owner of the Eleven (11) Dwelling Unit Three Story Masonry Property located on the premises known as 794 East 125th Street from a CONDEMNATION ORDER dated July 28, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-209-99 has been POSTPONED; to be rescheduled for November 24, 1999.

**Docket A-212-99.**

RE: Appeal of Third Federal Savings & Loan Association of Cleveland, Mortgagee of the Two & One-half Story Residential Frame Property located on the premises known as 2070 West 85th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated February 8, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 2070 West 85th Street to the Division of Building and Housing for any required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

\* \* \*

**Docket A-214-99.**

RE: Appeal of Statler Arms, Owner of the Commercial Strip Mall One Story Commercial Property located on the premises known as 1127 Euclid Avenue from a SUPPLEMENTARY CONDITIONS FOR PERMIT APPROVAL of the Commissioner of the Division of Building and Housing dated August 17, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-214-99 has been POSTPONED; to be rescheduled for December 22, 1999.

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**Docket A-215-99.**

RE: Appeal of Third Federal Savings & Loan Association of Cleveland, Mortgagee of the Two Dwelling Units/Two & One-half Story Two Family Residential Frame Property located on the premises known as 3913 West 23rd Street from a 72 HOUR FIRE (OVV) CONDEMNATION ORDER/MAIN STRUCTURE of the Commissioner of the Division of Building and Housing dated August 23, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's 72 HOUR FIRE (OVV) CONDEMNATION ORDER/MAIN STRUCTURE and LETTER OF INTENTION TO DEMOLISH by requiring the Appellant to board and secure the property within two (2) weeks; and to grant the Appellant six (6) months in which to obtain permits and abate the violations; the property must remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the 72 HOUR FIRE (OVV) CONDEMNATION ORDER/MAIN STRUCTURE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of

the violations is not completed by May 10, 2000. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

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**Docket A-216-99.**

RE: Appeal of Lee James Wilborn, Owner of the One Dwelling Unit/Two & One-half Story Frame Residential Property located on the premises known as 831 East 95th Street from a CONDEMNATION ORDER/HVAC/ELECTRICAL/PLUMBING of the Commissioner of the Division of Building and Housing dated September 8, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION ORDER/HVAC/ELECTRICAL/PLUMBING and LETTER OF INTENTION TO DEMOLISH by requiring the Appellant to board and secure the property and clean the grounds immediately, and to grant the Appellant three (3) months in which to obtain permits and complete abatement of the violations. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the CONDEMNATION ORDER/HVAC/ELECTRICAL/PLUMBING and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by February 10, 2000. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

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**Docket A-217-99.**

RE: Appeal of Richard Hauenstein, Owner of the Property located on the premises known as 3570 East 71st Street from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated August 5, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-217-99 has been WITHDRAWN at the request of the Appellant.

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**Docket A-223-99.**

RE: Appeal of Bessie Wentz, Owner of the Twenty-eight (28) Dwelling Units/Six (6) Stores Three Story Masonry Property located on the premises known as 16500-16 Euclid Avenue from a VACATE/CONDEMNATION ORDERS/CONDEMNATION ORDER I-6/HVAC/EXTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated September 1, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 16500-16 Euclid Avenue to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

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**Docket A-229-99.**

RE: Appeal of Bessie Wentz, Owner of the Twenty-eight (28) Dwelling Units/Six (6) Stores Three Story Masonry Property located on the premises known as 16500-16 Euclid Avenue from a VACATE/CONDEMNATION ORDERS/CONDEMNATION ORDER I-6/HVAC/EXTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated September 1, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's VACATE/CONDEMNATION ORDERS/CONDEMNATION ORDER I-6/HVAC/EXTERIOR MAINTENANCE by granting the Appellant permission to occupy the tenant space (Maxines Lounge) until December 31, 1999, with the provision that gas service be re-established immediately to Maxines Lounge and that an inspection be conducted to assure that that area of the building will be safe to occupy, noting that this ruling applies to Maxines Lounge **only** and with the concurrence of the new owner. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

\* \* \*

**Docket A-239-99.**

RE: Appeal of Lonnie Burton, Owner of the Residential Property located on the premises known as 4264 East 96th Street from an ORDER TO VACATE of the Commissioner of the Division of Building and Housing dated October 7, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's ORDER TO VACATE by granting the Appellant three (3) months in which to complete abatement of all the violations on the property, noting that the Appellant may occupy the property for security purposes as long as the sanitary facilities and related facilities are in proper working order. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

\* \* \*

**APPROVAL OF RESOLUTIONS:**

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

L-36-99—John P. Mohar.  
A-143-99—George Davis, Jr.  
A-146-99—Charles C. Pearson.  
A-155-99—Timothy Spencer.  
A-160-99 to A-200-99—Zaremba Cleveland Community, Inc.  
A-203-99—Tammy Hupcej.  
A-206-99—Sal Alaimo.  
A-207-99—Clifford R. Walker, Sr.  
A-208-99—Thomas Faykus.

Yeas: Messrs. Denk, Bowes, Saunders. Nays: None. Not Voting: Messrs. Williams, Sullivan.

\* \* \*

**APPROVAL OF AMENDED RESOLUTION:**

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

**Docket A-144-99 — Seaway Acceptance Corporation — 1946 St. Clair Avenue:**

**FROM:** ....to grant the variance to (OBBC 1014.12 — Exterior Stairways) and permit the stair to remain, with the provision that an approved maintenance agreement be enforced and that the document giving that authority and responsibility be submitted to the Board of Building Standards and Building Appeals to be kept in the Board's records and be maintained for future tenants of the property; the Board is also requesting the Appellant to submit a commentary for the record....

**TO:** ....to require a cover at the horizontal over the stairway, but not to require a cover over the patio as a means of protecting the exit; and to grant the variance to (OBBC 1014.12 — Exterior Stairways) and permit the stair to remain, with the provision that an approved maintenance agreement be enforced and that the document giving that authority and responsibility be submitted to the Board of Building Standards and Building Appeals to be kept in the Board's records and be maintained for future tenants of the property; the Board is also requesting the Appellant to submit a commentary for the record....

Yeas: Messrs. Denk, Bowes, Saunders. Nays: None. Not Voting: Messrs. Williams, Sullivan.

\* \* \*

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

**Docket A-224-99 — Julia Curry — 1955 West 105th Street:**

**FROM:** ....modify the Commissioner's VACATE ORDER and LETTER OF INTENTION TO DEMOLISH by requiring the Appellant to remove the debris in the yard within thirty (30) days, and to grant the Appel-

lant eight (8) months in which to obtain permits and complete abatement of the violations; the Appellant is given permission to remain on the premises as long as progress is satisfactory and remain suitable subject to the inspector's opinion. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the VACATE/CONDEMNATION ORDERS and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by July 13, 2000.....

**TO:** ....modify the Commissioner's ORDER TO VACATE and LETTER OF INTENTION TO DEMOLISH by requiring the Appellant to remove the debris in the yard, within thirty (30) days; and to state that the trailer is not permitted to be occupied and **must** be abandoned as an occupancy, including all relevant utilities within thirty (30) days; and to grant the Appellant eight (8) months in which to obtain permits and complete abatement of the violations; the Appellant is given permission to remain on the premises as long as progress is satisfactory and remain suitable subject to the inspector's opinion. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the ORDER TO VACATE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by July 13, 2000.....

Yeas: Messrs. Denk, Bowes, Saunders. Nays: None. Not Voting: Messrs. Williams, Sullivan.

\* \* \*

**APPROVAL OF MINUTES:**

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

October 13, 1999

Yeas: Messrs. Denk, Bowes, Saunders. Nays: None. Not Voting: Messrs. Williams, Sullivan.

JOSEPH F. DENK,  
CHAIRMAN

**PUBLIC NOTICE**

The following are in violation of C.O. 623.14:

Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

Richard Norris, last known address, 10127 South Blvd., Apartment 2, Cleveland, Ohio 44108.

**NOTICE OF PUBLIC HEARING****Notice of Public Hearing  
By the Council Committee  
On City Planning**

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, November 17, 1999  
1:00 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, November 17, 1999, at 1:00 P.M., to consider the following ordinances now pending in the Council:

**Ord. No. 1270-99.**

By Councilman O'Malley.

An ordinance to change the Use District of lands on the southerly side of Carlos Ave., S.W., and the easterly side of W. 47 Street (Map Change No. 1997, Sheet No. 2).

**Ord. No. 1271-99.**

By Councilman Jones.

An ordinance to change the Use District of lands on the southerly side of the Erie Railroad tracks between E. 146 Street and west of E. 154 Street (Map Change No. 1994, Sheet No. 10).

**Ord. No. 1433-99.**

By Councilman Cintron.

An ordinance to establish a Planned Unit Development Overlay District and approve the corresponding Planned Unit Development project on properties located on the northwest and southwest corners of Center Street and Riverbed and the southeast corner of Center Street and Washington, and shown as Map Change No. 1991, Sheet No. 1; and to change the use and area districts on said parcels of land. (Map Change No. 1991, Sheet No. 1)

**Ord. No. 1434-99.**

By Councilman O'Malley.

An ordinance to change the Use District of lands on the northwest, southwest, and northeast corners of Carlos Ave., S.W., and W. 47 Street (Map Change No. 1998, Sheet No. 2).

**Ord. No. 1600-99.**

By Councilman Melena.

An ordinance to change the Use and Area Districts of lands on the north side of Bridge Avenue, N.W. and the west side of West 52 Street. (Map Change No. 1999, Sheet No. 1)

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

ODELIA V. ROBINSON,  
Chairman  
Committee on City Planning

November 3, 1999 and November 10, 1999

**CITY OF CLEVELAND BIDS****For All Departments**

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

**read in Room 128, City Hall, immediately thereafter.**

**Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.**

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

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

**THURSDAY, NOVEMBER 11, 1999**

**Rental and/or Purchase of Flashers, Safety Lights, Arrow Bars and Traffic Control Devices,** for the Divisions of Water Pollution Control and Water, Department of Public Utilities, as authorized by Ordinance No. 1945-98, passed by the Council of the City of Cleveland, December 14, 1998.

**A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, NOVEMBER 3, 1999, 9:30 A.M. AT THE OFFICE OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE. BIDDERS WHO DO NOT ATTEND WILL NOT BE CONSIDERED.**

**Biological Testing Media and Appurtenances,** for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of the City of Cleveland, 1976.

**Physiocontrol Lifepak 500 Automated External Defibrillators and AFD Trainer Units,** for the Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 14, 1998.

October 27, 1999 and November 3, 1999

**WEDNESDAY, NOVEMBER 17, 1999**

**Labor and Materials to Repair or Replace Fire Hydrants,** for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1071-99, passed by the Council of the City of Cleveland, June 14, 1999.

**Glycol Collection Services,** for the Department of Port Control, as authorized by Ordinance No. 991-98, passed by the Council of the City of Cleveland, June 15, 1998.

**A MANDATORY PRE-BID MEETING WILL BE HELD ON MONDAY, NOVEMBER 8, 1999, 10:00 A.M. AT THE ENGINEERING OFFICES OF CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5 POINTS AND CARGO ROAD.**

October 27, 1999 and November 3, 1999

**FRIDAY, NOVEMBER 19, 1999**

**Pharmaceutical Supplies,** for the Division of Correction, Department of Public Health, as authorized by Ordinance No. 1070-99, passed by the Council of the City of Cleveland, June 14, 1999.

November 3, 1999 and November 10, 1999

**WEDNESDAY, NOVEMBER 24, 1999**

**Streets Service Facility at Seville Road,** for the Division of Architecture, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 502-99, passed by the Council of the City of Cleveland.

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

**A PRE-BID MEETING WILL BE HELD ON MONDAY, NOVEMBER 15, 1999, 10:00 A.M., IN ROOM 517 OF CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO.**

**Labor and Materials to Repair Lamp Poles,** for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 781-98, passed by the Council of the City of Cleveland, May 18, 1998.

**A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, NOVEMBER 11, 1999, 10:00 A.M. IN THE CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO.**

**Three Hundred (300) Laminated Top Seminar Tables,** for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 781-98, passed by the Council of the City of Cleveland, May 18, 1998.

**Servers and Workstations,** for the Department of Finance, on behalf of the Cleveland Municipal Court, as authorized by Ordinance Nos. 1249-95 and 275-97, passed by the Council of the City of Cleveland, September 25, 1995 and March 24, 1997, respectively.

**A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, NOVEMBER 10, 1999, 10:00 A.M., IN THE JUSTICE CENTER, 1300 ONTARIO STREET, 10TH FLOOR, BAILIFF'S CONFERENCE ROOM.**

November 3, 1999 and November 10, 1999

**ADOPTED RESOLUTIONS  
AND ORDINANCES**

**Res. No. 1918-99.**  
**By Councilman Rybka.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 3578 Independence Road, and repealing Res. No. 1349-99, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 3578 Independence Rd., by Res. No. 1349-99, adopted July 14, 1999; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a D5 Liquor Permit to 3578 Independence Rd., be and the same is hereby withdrawn and Res. No. 1349-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted October 25, 1999.  
Effective October 29, 1999.

**Res. No. 1919-99.**

**By Councilman Coats.**

**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 14625 Woodworth Ave.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 4422150, KT Woodworth Corp., 14625 Woodworth Ave., Cleveland, Ohio 44112, to Permit No. 4618855, Khalil Inc., DBAWoodworth Food Mart, 14625 Woodworth Ave., Cleveland, Ohio 44112; 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 rea-

sonable access to the establishment; and

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 4422150, KT Woodworth Corp., 14625 Woodworth Ave., Cleveland, Ohio 44112, to Permit No. 4618855, Khalil Inc., DBAWoodworth Food Mart, 14625 Woodworth Ave., Cleveland, Ohio 44112; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 25, 1999.  
Effective October 29, 1999.

**Res. No. 1920-99.**

**By Councilman Lewis.**

**An emergency resolution objecting to the transfer of location of a C2 and C2X Liquor Permit to 8812 Hough Ave.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a C2 and C2X Liquor Permit from Permit No. 1901813, Dana Distributors, Inc., DBAHough Beverage & Deli, 8800 Hough Ave., 1st Fl., Cleveland, Ohio 44106, to Permit No. 19018130001, Dana Distributors Inc., DBAHough Beverage & Deli, 8812 Hough Ave., Cleveland, Ohio 44106; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of location of a C2 and C2X Liquor Permit from Permit No. 1901813, Dana Distributors, Inc., DBA Hough Beverage & Deli, 8800 Hough Ave., 1st Fl., Cleveland, Ohio 44106, to Permit No. 19018130001, Dana Distributors Inc., DBA Hough Beverage & Deli, 8812 Hough Ave., Cleveland, Ohio 44106; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 25, 1999.  
Effective October 29, 1999.

**Ord. No. 270-99.**

**By Councilman Westbrook.**

**An ordinance to change the Use and Area Districts of lands on the north side of Madison Avenue, N.W. between West Boulevard and West 100th Street. (Map Change No. 1987, Sheet No. 1)**

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

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

Beginning at the intersection of the center line of West 100 Street and the center line of Madison Avenue, N.W.; thence westerly

along said center line of Madison Avenue, N.W. to its intersection with the center line of West Boulevard, N.W.; thence northerly along said center line of North Boulevard, N.W. to its intersection with the westerly prolongation of the center line of Mueller Court, N.W., thence easterly along said westerly prolongation and along said center line of Mueller Court, N.W. and along its easterly extension to the center line of West 100 Street; thence southerly along said center line of West 100 Street to the place of beginning, and as outlined in red on the map hereto attached be and the same are hereby changed to a Local Retail Use District and a 'C' Area District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1987, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed October 25, 1999.

Effective December 4, 1999.

**Ord. No. 898-99.**

**By Councilman Cimperman.**

**An ordinance to change the Use, Area, and Height Districts of lands on the southeasterly side of Glass Avenue, N.E. between E. 61 Street and Norwood Avenue, N.E. (Map Change No. 1992, Sheet No. 4)**

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

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

Beginning at the intersection of the northeasterly extension of a line located one hundred forty (140) feet southeast of the southeasterly line of Glass Avenue, N.E. and the center line of Norwood Avenue, N.E.; thence southeasterly along said cen-

ter line of Norwood Road, N.E. to its intersection with the northeasterly extension of a line located one hundred eighty (180) feet southeast of said southeasterly line of Glass Avenue, N.E.; thence southwesterly along said northeasterly extension and along said line which is parallel to and one hundred eighty (180) feet southeast of said southeasterly line of Glass Avenue, N.E. and along its southwesterly extension to its intersection with the center line of East 61 Street; thence northwesterly along said center line of East 61 Street to the center line of Glass Avenue, N.E.; thence northeasterly along said center line of Glass Avenue, N.E. to its intersection with the northwesterly extension of a line located two hundred (200) feet northeast of the northeasterly line of East 61 Street; thence southeasterly along said northwesterly extension and along said line which is parallel to and two hundred (200) feet northeast of said northeasterly line of East 61 Street to its intersection with said line located one hundred forty (140) feet southeast of said southeasterly line of Glass Avenue, N.E.; thence northeasterly along said line which is parallel to and one hundred forty (140) feet southeast of said southeasterly line of Glass Avenue, N.E. and along its northeasterly extension to the place of beginning,

and as outlined in red on the map hereto attached be and the same are hereby changed to a Multi Family Use District, an 'E' Area District and a '2' Height District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1992, Sheet 4 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed October 25, 1999.

Effective December 4, 1999.

**Ord. No. 1082-99.**

**By Councilmen Westbrook and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to enter into a First Amendment to Leases By Way of Concession with Host International, Inc. City Contract Nos. 42575 and 33958.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to enter into a First Amendment to Leases By Way of Concession with Host International, Inc. City Contract Nos. 42575 and 33958 to provide that all employees working at Cleveland Hopkins International Airport, including flight crews, shall receive a ten percent (10%) discount on food and beverage items, excluding alcohol and tobacco products, specified in the lease purchased from Host vendors. The City shall receive five percent (5%) of gross revenues from the sale of these items to such employees. Every six months during the term of these two Leases, Contract Nos. 42575 and 33958, the Director of Port Control shall provide a written report to the Clerk of Council detailing the financial impact of this ordinance. The first such report will be due on June 1, 2000, and a report will thereafter be due each December 1 and June 1 during the term of these Leases.

**Section 2.** That the First Amendments shall be prepared by the Director of Law and shall contain other such terms and conditions as said director deems necessary to protect and benefit the public interest.

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

Passed October 25, 1999.

Effective October 29, 1999.

**Ord. No. 1092-99.**

**By Councilman O'Malley.**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 347.16 thereof, relating to drive-through establishments.**

Whereas, drive-through establishments produce noise, light and traffic that is disruptive to residents who live near to the drive-through establishments and is a threat to public health, safety and welfare, and

Whereas, drive-through establishments including existing drive-through establishments, are hereby declared to constitute a public nuisance; and

Whereas, this public nuisance may be abated by regulation of noise, light and traffic; 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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 347.16 thereof, to read as follows:

**Section 347.16 Drive-Through Establishments**

(a) Purpose. This section establishes regulations concerning the location and operation of drive-through establishments to achieve the following:

(1) promote safe and efficient vehicular and pedestrian circulation at drive-through establishments to protect the health and safety of patrons, employees and nearby residents;

(2) protect adjacent properties from the adverse effects of drive-through operations, including noise, light and traffic, and

(3) prohibit the placement of drive-through establishments in locations which could be hazardous to children and pedestrians.

(b) Definitions.

(1) For purposes of this section, "drive-through establishment" means any business establishment which engages in the retail sale of products through a drive-through window or other device to motorists in their vehicles.

(2) For purposes of this section, "bypass lane" means a lane allowing motor vehicle traffic to enter and exit the site without using the drive-through lane.

(c) Location. To prevent conditions hazardous to pedestrian children, no drive-through establishment shall be erected on any lot that abuts an elementary or junior high school, park, playground or public library.

(d) Lane Requirements.

(1) All drive-through establishments shall have no fewer than the following number of off-street stacking spaces for customer vehicles in each drive-through lane at the locations indicated:

<u>Number of Spaces</u>	<u>Required Between: (location)</u>	<u>And: (location)</u>
5	Entrance Street [a]	First Station [b]
2[e]	First Station [b]	Last Station [c]
1	Last Station [c]	Exit Street [d]

[a] The right-of-way of the street from which vehicles enter the drive-through lane

[b] The drive-through station abutting each drive-through lane closest to the entrance to the such lane from the street.

[c] The drive-through station abutting each drive-through lane closest to the exit from such lane to the street.

[d] The right-of-way of the street onto which vehicles exit from the drive-through lane

[e] Requirement shall not apply to establishments having only one drive-through station

(2) Drive-through establishments shall provide a bypass lane. This requirement shall not apply; however, to establishments designed to permit motor vehicle access only by using the drive-through facilities, such as double drive-through restaurants having no customer parking.

(3) All drive-through and bypass lanes shall have a minimum width of ten (10) feet and shall be striped or marked.

(4) Pedestrian routes between the entrances to the principal structure and any parking area or sidewalk which require the crossing of drive-through lanes shall either be avoided or shall be clearly identified to pedestrians and motorists by pavements markings or signage.

(e) Litter Control. The operator of a drive-through establishment shall keep the premises free of excess litter originating from the use and shall have refuse containers readily available for use by customers.

(f) Lot Size. Drive-through establishments shall have a minimum lot width of 80 feet and a lot area of not less than 12,000 square feet.

(g) Abutting Residential Use. Drive-through establishments abutting any residential use shall conform to the applicable requirements of this division in addition to the other divisions of this Section.

(1) No drive-through establishment shall cause or create any sound at any lot line of an abutting residential use that is greater than 70 dBA.

(2) Drive-through establishments shall be landscaped and screened in conformance with Chapter 352 of the Codified Ordinances of Cleveland, Ohio, 1976.

(3) No drive-through establishment or any signage located on the site shall produce direct or indirect illumination greater than 0.5 footcandles above the level of background effect at the boundaries of any residential use.

(4) Sources of light from a drive-through establishment shall be directed, shaded, shielded or otherwise arranged so as not to produce glare in an abutting residential use.

(5) No alley between a drive-through establishment and abutting residential use shall be used for circulation of customer traffic or as a bypass lane.

(6) Retail sales from drive-through lanes of a drive-through establishment abutting a residential use shall be prohibited from 11:00 p.m. to 6:00 a.m. daily.

(h) Application to existing Drive-through Establishments. The Regulations contained in division (g) above shall apply to drive-through establishments that are legally existing as of the original date this section is enacted. These existing drive-through establishments rendered nonconforming by this section shall comply with the provisions of this section no later than May 1, 2000.

**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 25, 1999.

Effective October 29, 1999.

**Ord. No. 1093-99.**

**By Councilman Dolan.**

**An ordinance to change the Use District for the land area south of Old Lorain Road in the proposed expanded Fairview Hospital Riveredge parking facility to a Parking District and a 'C' Area District (Map Change No. 1993, Sheet No. 12).**

Whereas, Fairview Hospital has recently completed an updated campus plan which addresses the hospital's near term physical expansion and parking needs, and

Whereas, the subject property contains an existing parking lot and a wooded vacant tract of land owned by the hospital, and

Whereas, this Campus Plan recommends expansion of the existing

surface lot and construction of a two-level parking deck on this property, and

Whereas, the Cleveland City Planning Commission accepted the updated campus plan by Resolution 981106 on November 6, 1998, and

Whereas, the property is bordered by the hospital, public park land and single family housing, and

Whereas, any non-residential development occurring on the subject property must be sited and designed in a manner which is not detrimental to the nearby residential and open space uses, and

Whereas, special land use, site planning, and traffic and design controls will be necessary to ensure

proper development of the site, now therefore,

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

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

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Rockport Township Section No. 8 and Section No. 13 and more fully described as follows: Beginning at a point on the Westerly line of Riveredge Avenue (60 feet wide) at the Southeasterly corner of Sublot No. 12 in Barthelman and Colbrunn's Subdivision of part of Original Rockport Township Section No. 8 as shown by the recorded plat of said

Subdivision in Volume 39, Page 28 of Cuyahoga County Map Records; thence North 12°-20'-02" East along the Westerly line of Riveredge Avenue, as aforesaid, 49.99 feet to a point; thence North 77°-39'-58" West 156.00 feet to a point and the principal place of beginning; thence continuing North 77°-39'-58" West 314.34 feet to a point; thence North 01°-20'-40" East 110.19 feet to a point; thence North 08°-22'-12" East 439.59 feet to a point on the Southerly line of Old Lorain Road (60 feet wide); thence North 80°-11'-38" East along the Southerly line of Old Lorain Road, as aforesaid, 60.25 feet to a point; thence North 85°-56'-10" East along the Southerly line of Old Lorain Road, as aforesaid, 105.65 feet to a point; thence South 71°-56'-24" East along the Southerly line of Lorain Road, as aforesaid, 94.44 feet to a point; thence South 78°-24'-28" East along the Southerly line of Old Lorain Road, as aforesaid, 213.74 feet to a point; thence North 62°-50'-42" East along the Southerly line of Old Lorain Road, as aforesaid, 147.22 feet to a point; thence North 71°-32'-42" East along the Southerly line of Old Lorain Road, as aforesaid, 131.91 feet to a point on the Westerly prolongation of the Northerly line of Fernshaw Avenue (50 feet wide); thence South 32°-55'-41" East along the Westerly prolongation of the Northerly line of Fernshaw Avenue, as aforesaid, 14.00 feet to a point; thence by the arc of a curve bearing to the left: Radius = 200.00 feet, Delta = 6°-56'-02", Arc = 24.20 feet, Chord = 24.19 feet, and Chord Bearing South 14°-26'-32" West to a point of reverse curve; thence by the arc of a curve bearing to the right: Radius = 91.00, Delta = 69°-00'-23", Arc = 109.60 feet, Chord = 103.09 feet and Chord Bearing South 45°-13'-34" West to a point and P.T. of said curve; thence South 79°-43'-46" West 43.99 feet to a point; thence by the arc of a curve bearing to the left: Radius = 284.00 feet, Delta = 24°-41'-27", Arc = 122.39 feet, Chord = 121.44 feet and Chord Bearing South 67°-23'-02" West to a point; thence by the arc of a curve bearing to the right: Radius = 166.00 feet, Delta = 30°-55'-51", Arc = 89.61 feet, Chord = 88.53 feet and Chord Bearing South 70°-30'-15" West to a point; thence North 77°-39'-58" West 63.75 feet to a point; thence South 12°-20'-02" West 499.96 feet to a point and the principal place of beginning and containing 5.3057 acres of land according to a survey by The Western Reserve Surveying Company in May, 1999, be the same more or less but subject to all legal highways. This legal is based on a map prepared by The Western Reserve Surveying Company dated May, 1999 and written by Richard F. Hantel, P. S. #5128.

And as outlined in red on the map hereto attached, be and the same are hereby changed to a Parking District and a 'C' Area District.

**Section 2.** That said changed designation of lands described in Section 1, shall be conditioned upon a site development plan, submitted and approved in accordance with the provisions of Section 333.02 of the Codified Ordinances and shall be subject to such terms, conditions and provisions as shall satisfy all agreements regarding the subject property entered into between Fairview Hospital, the

City of Cleveland and Cleveland Metropolitan.

**Section 3.** That the time period within which a Building Permit for such development must be issued, as established in division (b) of Section 333.02 is six (6) months for the expansion of the surface parking lot and new entrance roadway, and is hereby extended from six (6) months to twenty-four (24) months following the effective date of the Zoning Map amendment for permits for the planned parking deck.

**Section 4.** If the expansion of the surface lot has not been initiated within six (6) months and the parking deck has not been initiated within twenty-four (24) months following the effective date of the Zoning Map amendment, City Council may act to cause the zoning of subject property to revert to the classification that existed prior to the approval of the Zoning Map amendment.

**Section 5.** Notwithstanding the provisions of Chapter 352 - Landscaping and Screening of the codified ordinances of the City of Cleveland, the landscaped transition strip along the southern lot line of the parking facility shall be a minimum of five (5) feet in width and shall be supplemented by an additional landscaped strip a minimum of five (5) feet in width on the adjacent property, to be installed and maintained by Fairview Hospital through an easement agreement with the adjacent property owner.

**Section 6.** That amendments to the site development plan may be approved by the City Planning Commission and City Council if, in the determination of the Commission and Council, such amendments are generally consistent with the initial Plan and will not adversely affect nearby properties or other properties within the site development plan area.

**Section 7.** That no building permit shall be issued for construction within the site development plan area as described in Section 1 without administrative approval by the City Planning Commission. The City Planning Commission shall review all permit applications on the basis of the approved site development plan, as well as in accordance with general principles of site planning and architectural design.

**Section 8.** That no Certificate of Occupancy shall be issued for the expanded surface lot or the parking deck until the traffic generated by the expanded facility is separated from the adjacent residential neighborhood by the construction and dedication of the cul-de-sacs on Riveredge and Fernshaw as illustrated in the site development plan and as approved by the City Planning Commission, City Council and the Division of Engineering & Construction.

**Section 9.** That said changed designation of lands described in Section 1 shall be identified as Map Change 1993, Sheet No. 12 and shall be made upon the Building Zone Maps of the City of Cleveland along with a notation regarding the "site development plan" and shall be on file in the office of the Clerk of Council and in the office of the City Planning Commission by the appropriate person designated for such purpose with the City Planning Commission.

**Section 10.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed October 25, 1999.

Effective December 4, 1999.

**Ord. No. 1120-99.**

**By Councilmen Jones and Johnson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of various electrical supplies, materials and equipment necessary for building maintenance, and renovation and improvement projects at various City facilities, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three years.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three (3) years for the necessary items of various electrical supplies, materials and equipment necessary for building maintenance, and renovation and improvement projects at various City facilities, in the approximate amount of \$410,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, 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 three (3) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 5601)

**Section 3.** That the Director of Parks, Recreation and Properties shall report to the Clerk of Council the name of the contractor or contractors selected and the terms of the contract or contracts.

**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 25, 1999.

Effective October 29, 1999.

**Ord. No. 1410-99.**  
**By Councilmen Polensek, Willis, Robinson and Johnson (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of remediating erosion affecting water facilities in portions of the Euclid Creek Reservation, including repairing and maintaining affected water mains, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of remediating erosion affecting water facilities in portions of the Euclid Creek Reservation, including repairing and maintaining affected water mains, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund No. 52 SF 225, Request No. 14039.

**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 25, 1999.  
 Effective October 29, 1999.

**Ord. No. 1418-99.**  
**By Councilmen Cimperman, Westbrook and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to enter into a lease agreement with the United States of America for certain space at Burke Lakefront Airport for use by the Federal Aviation Administration and authorizing the City to provide certain services to said leased space for a period of one year with ten one-year options to renew.**

Whereas, the United States of America desires to lease certain space in the Air Traffic Control Tower at Burke Lakefront Airport

from the City for use by the Federal Aviation Administration as an office and an air traffic control tower facility and to obtain certain services therefor; and

Whereas, the City desires to lease said space and provide said services to the United States of America in furtherance of its public purpose of providing facilities and services in aid of air transportation safety; 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 any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary notwithstanding, the Director of Port Control is hereby authorized to enter into a lease agreement leasing to the United States of America ("Government"), for use by the Federal Aviation Administration ("FAA"), approximately 3,391 square feet of space located on the second through fifth floors of the Air Traffic Control Tower Building at Burke Lakefront Airport for use as an office and an air traffic control tower for FAA operations.

The initial term of said lease shall commence October 1, 1998, and shall end September 30, 1999, with an option in the Government to renew said lease annually for ten (10) additional one-year terms unless it gives thirty (30) days notice that it will not exercise its option, provided that no renewal shall extend the term of the lease beyond September 30, 2009. Said lease shall provide that in consideration of that portion of rent identified herein as Cost of Services, the City shall furnish to the lease premises an adjacent toilet facility, janitorial service, heat and air conditioning. Other utility services, excluding telephone, shall be furnished free of charge. The City shall be responsible for maintenance of the air conditioning equipment.

**Section 2.** That the Government shall pay rental for the initial and any renewal terms of \$31,180 per year, including any and all option years.

The Cost of Services shall be subject to re-negotiation by either party upon thirty (30) days written notice prior to September 30 of each lease year.

**Section 3.** That the Director of Port Control is further authorized to execute such supplemental agreements as are necessary to effect the aforesaid renewals and, subject to the prior approval of the Board of Control, such other supplements as the parties may deem desirable. The lease agreement and any supplements thereto shall be approved by the Director of Law prior to the execution by the Director of Port Control.

**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 25, 1999.  
 Effective October 29, 1999.

**Ord. No. 1421-99.**  
**By Councilman Cimperman (by request).**

**An emergency ordinance to change the name of Alpha Court S.E. to "Benjamin Rose Court S.E."**

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 name of that portion of Alpha Court S.E. (15.00 feet wide) extending between the Easterly line of East 8th Street (16.00 feet wide) to the Westerly line of East 9th Street (99.00 feet wide), be changed to "Benjamin Rose Court S.E."

**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 25, 1999.  
 Effective October 29, 1999.

**Ord. No. 1422-99.**  
**By Councilman Cimperman (by request).**

**An emergency ordinance to change the name of Glass Avenue N.E. to "Lausche Avenue N.E."**

Whereas, Glass Avenue N.E. directly abuts the St. Vitus Church property, and the leadership of St. Vitus Church in the St. Clair/Superior Neighborhood is where the Lausche brothers were members for a significant part of their lives; and,

Whereas, in honor of the distinguished civic service by the Lausche brothers as Frank J. Lausche was the former Mayor of the City of Cleveland, the former Governor of the State of Ohio and the former United States Senator for the State of Ohio, and his brother, Harold J. Lausche, served the City of Cleveland as former Director of the Department of Parks, Recreation and Properties; 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 name of Glass Avenue N.E. (50.00 feet wide) extending from the Easterly line of East 60th Street (50.00 feet wide), Easterly to the Westerly line of East 64th Street (50.00 feet wide), be changed to "Lausche Avenue N.E."

**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 25, 1999.  
 Effective October 29, 1999.



**Ord. No. 1559-99.**

**By Councilmen Britt, Coats, Johnson, Robinson, White and Willis (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of replacing East 123rd Street sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing the East 123rd St. sewer, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 11247.

**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 25, 1999.  
Effective October 29, 1999.

**Ord. No. 1560-99.**

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

**An emergency ordinance determining the method of making the public improvement of replacing the Matherson Avenue sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing the Matherson Avenue sewer, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 11246.

**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 25, 1999.  
Effective October 29, 1999.

**Ord. No. 1703-99.**

**By Councilmen Willis and Johnson (by departmental request).**

**An emergency ordinance authorizing the purchase by contract of one motor, for the Division of Water, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) motor, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 14933.

**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 25, 1999.  
Effective October 29, 1999.

**Ord. No. 1741-99.**

**By Councilman Johnson (by departmental request).**

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

Whereas, this ordinance constitutes an emergency measure provid-

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

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

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

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

Passed October 25, 1999.  
Effective October 29, 1999.

**Ord. No. 1912-99.**

**By Councilman Britt.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Tenants' Organization to provide support services to tenant organizations in multi-family apartment buildings in Ward 6.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Cleveland Tenants' Organization to provide support services to tenant organizations in multi-family apartment buildings in Ward 6 of the City of Cleveland.

**Section 2.** That the costs of said contract shall be in an amount not to exceed Eleven Thousand Dollars (\$11,000.00) and shall be paid from Fund No. 10 SF 166.

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

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

Passed October 25, 1999.  
Effective October 29, 1999.

**Ord. No. 1913-99.****By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the CROP Walk and Celebration of Life on November 10, 1999, sponsored by the Church World Services, a ministry of the National Council of Churches of Christ in the U.S.A.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the CROP Walk and Celebration of Life, sponsored by the Churches World Services, a ministry of the National Council of Churches of Christ in the U.S.A., on November 10, 1999, with the participants to begin walking south from the Cleveland Convention Center to St. Clair Ave., proceed west down St. Clair Ave. to Ontario Ave., north on Ontario to Lakeside Ave., west on Lakeside to East 6th St., south on East 6th Street to St. Clair Ave., cross at stop light on East 6th St. and St. Clair Ave. to Sheraton Hotel; 2nd south in case of unfavorable weather, exit south out of Convention Center to St. Clair Ave., walk east on St. Clair Ave. to East 6th St. and St. Clair Ave., cross at stop light to the Sheraton Hotel, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976, Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed October 25, 1999.

Effective October 29, 1999.

**Ord. No. 1914-99.****By Councilmen Coats and Patmon.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the FAMICOS Foundation to construct and rehabilitate office space for outreach programs to benefit residents in and around the Glenville community.**

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 FAMICOS Foundation to construct and rehabilitate office space for outreach programs conducted through the Lee Memorial AME Church to benefit residents in and around the Glenville community.

**Section 2.** That the costs of said contract shall be in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) and shall be paid from Fund No. 10 SF 166, with Twenty-Five Thousand Dollars (\$25,000.00) to be paid from Ward 10 and Twenty-Five Thousand Dollars (\$25,000.00) to be paid from Ward 8.

**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 25, 1999.

Effective October 29, 1999.

**Ord. No. 1915-99.****By Councilman Patmon.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the FAMICOS Foundation to purchase and install playground equipment at Empire Computech Center in Ward 8.**

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 FAMICOS Foundation to purchase and install playground equipment at Empire Computech Center located at 9113 Parmelee Avenue in Ward 8.

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

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

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

Passed October 25, 1999.

Effective October 29, 1999.

**Ord. No. 1916-99.****By Councilman Polensek.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Northeast Shores Development Corporation to stretch banners/holiday lights across E. 161st and Waterloo, 16006 Waterloo, 15812 Waterloo, 15800 Waterloo, 15712 Waterloo, 15704 Waterloo, E. 157th and Waterloo, 15610 Waterloo, 15602 Waterloo, 15504 Waterloo, 15430 Waterloo, 15414 Waterloo, 15322 Waterloo, 15300 Waterloo, 15311 Waterloo, Slov. Home Parking, 15425 Waterloo, 15509 Waterloo, 15515 Waterloo, 382 E. 156th St., 376 E. 156th St., 362 E. 156th St., 15613 Waterloo, 15718 Waterloo, 15813 Waterloo, 16005 Waterloo and 16021 Waterloo, for the period from November 25, 1999 to January 7, 2000, inclusive, publicizing the Holiday Season.**

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 Northeast Shores Development Corporation to install, maintain and remove banners/holiday lights across E. 161st and Waterloo (pole nos. A4075 & 18060), 16006 Waterloo, 15812 Waterloo, 15800 Waterloo (pole no. A2784), 15712 Waterloo (pole no. A2783), 15704 Waterloo (pole no. A2782), E. 157th and Waterloo, 15610 Waterloo, 15602 Waterloo, 15504 Waterloo (pole no. A2778), 15430 Waterloo, 15414 Waterloo (pole no. A2775), 15322 Waterloo, 15300 Waterloo, 15311 Waterloo, Slov. Home Parking (pole no. 723804), 15425 Waterloo (pole no. 723082), 15509 Waterloo (pole no. 518480), 15515 Waterloo (pole no. A2720), 382 E. 156th St., 376 E. 156th St., 362 E. 156th St. (pole no. A2672), 15613 Waterloo, 15718 Waterloo, 15813 Waterloo, 16005 Waterloo and 16021 Waterloo (pole no. 523906), for the period from November 25, 1999 to January 7, 2000, inclusive. Said banners/holiday lights 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 banners/holiday lights will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners/holiday lights and said banners/holiday lights 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 25, 1999.

Effective October 29, 1999.

**Ord. No. 1917-99.**  
**By Councilman Polensek.**  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Northeast Shores Development Corporation to stretch banners/holiday lights across East 185th Street at 18482 Lakeshore Blvd., 542 East 185th Street, 632 East 185th Street, 694 East 185th Street, 726 East 185th Street, 782 East 185th Street, 832 East 185th Street, 910 East 185th Street and 1010 East 185th Street, for the period from November 25, 1999 to January 7, 2000, inclusive, publicizing the Holiday Season.**

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 North-

east Shores Development Corporation to install, maintain and remove banners/holiday lights across East 185th Street at 18482 Lakeshore Blvd., 542 East 185th Street, 632 East 185th Street, 694 East 185th Street, 726 East 185th Street, 782 East 185th Street, 832 East 185th Street, 910 East 185th Street and 1010 East 185th Street, for the period from November 25, 1999 to January 7, 2000, inclusive. Said banners/holiday lights shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners/holiday lights and said banners/holiday lights 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 25, 1999.  
 Effective October 29, 1999.

**COUNCIL COMMITTEE MEETINGS**

**Tuesday, October 12, 1999**

**(Corrected)**

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

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
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Flashers, safety lights, arrow bars and traffic control devices - Department of Public Utilities - Divisions of Water Pollution Control and Water - per Ord. 1945-98 - bid due November 11, 1999 (advertised 10/27/99 and 11/3/99) ..... 2077

Glycol collection services - Department of Port Control - per Ord. 991-98 - bid due November 17, 1999 (advertised 10/27/99 and 11/3/99) ..... 2077

Lamp poles, labor and materials to repair - Department of Parks, Recreation and Properties - Division of Convention Center and Stadium - per Ord. 781-98 - bid due November 24, 1999 (advertised 11/3/99 and 11/10/99) ..... 2077

Pharmaceutical supplies - Department of Public Health - Division of Correction - per Ord. 1070-99 - bid due November 19, 1999 (advertised 11/3/99 and 11/10/99) ..... 2077

Physiocontrol Lifepak 500 automated external defibrillators and AFD trainer units - Department of Public Safety - per Ord. 1954-98 - bid due November 11, 1999 (advertised 10/27/99 and 11/3/99) ..... 2077

Servers and workstations - Department of Finance - behalf of Cleveland Municipal Court - per Ord. 1249-95 and 275-97 - bid due November 24, 1999 (advertised 11/3/99 and 11/10/99) ..... 2077

Streets service facility at Seville Road - Department of Parks, Recreation and Properties - Division of Architecture - per Ord. 502-99 - bid due November 24, 1999 (advertised 11/3/99 and 11/10/99) ..... 2077

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**Zoning**

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Carlos Avenue S.W. and West 47th Street — northwest, southwest and northeast corners —  
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