

# The City Record

Official Publication of the City of Cleveland

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April the Twenty-Eighth, Nineteen Hundred and Ninety-Nine

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<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

Containing	PAGE
City Council	3
The Calendar	23
Board of Control	26
Civil Service	30
Board of Zoning Appeals	35
Board of Building Standards and Building Appeals	36
Public Notices	38
Public Hearings	38
City of Cleveland Bids	38
Adopted Resolutions and Ordinances	39
Committee Meetings	43
Index	44

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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	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	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. Martines, 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 - Mary Christine Jackman, Treasurer, Room 115  
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122  
Purchases and Supplies - William A. Moon, 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 - Hamid Manteghi, 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 - JoMarie Wasik, Acting 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, Cooley Farms, 4041 Northfield Road

**DEPT. OF PUBLIC SAFETY - Henry Guzmán, Director, Room 230.**  
**DIVISIONS - Police - Martin L. Flask, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street**  
Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue  
Traffic Engineering & Parking - 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, Acting 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 - Lisa Thomas, 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, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; Cynthia Sullivan, Secretary; Margaret Hopkins, Member, 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, Anna Chatman, 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 Odelia 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; 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 Connolly	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

Vol. 86

WEDNESDAY, APRIL 28, 1999

No. 4455

## CITY COUNCIL

MONDAY, APRIL 26, 1999

The City Record  
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Clerk of Council  
216 City Hall

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

#### MONDAY

9:30 A.M.—**Public Parks, Property & Recreation Committee:** 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

Cleveland, Ohio  
Monday, April 26, 1999.

The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

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

Also present were Chief of Staff Sheffield-McClain and Directors Carmody, Konicek, Balraj, Ricchiuto, Guzman, Jackson, Hudecek, Patterson, Warren, Axelrod, Dove, Morrison and Acting Directors Whitlow and Williams.

Absent: Mayor White and Director Carter.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Pastor C.E. Patterson of Our Father's House Church, located at 11228 Detroit Avenue in Ward 18. Pledge of Allegiance.

#### MOTION

On the motion of Councilman Sweeney, the reading of the minutes of the last meeting was dispensed with and the journal approved.

#### COMMUNICATIONS

**File No. 678-99.**  
From the Community Advisory Committees re: first Quarterly Train Update. Received.

**File No. 679-99.**  
From the Division of Purchases and Supplies re: Sales Request No. 90172, for sale or lease property Interstate 77 Exit Ramp, Adjacent to East 71st Street, Cuyahoga Heights. Received.

#### File No. 680-99.

From the Division of Purchases and Supplies re: Sales Request No. 90173, for sale or lease of Property Northeast Corner of Relocated Erieside Avenue and Science Center. Received.

#### File No. 681-99.

From the Division of Purchases and Supplies re: Sales Request No. 90174, for sale or lease of Property Engle Road at the Southerly Portion of the Engle Road Pump Facility. Received.

#### File No. 682-99.

From the Division of Purchases and Supplies re: Sales Request No. 90175, for sale or lease of Property West of Richmond Road and I-271, North of Emery Road, Warrensville Heights. Received.

#### File No. 683-99.

From the Division of Purchases and Supplies re: Sales Request No. 90176, for sale or lease of Property North Park Blvd. Between Courtland Blvd. & Sherbrook Road, Shaker Heights. Received.

#### File No. 684-99.

From the Division of Purchases and Supplies re: Requirement Contract/Monthly Report - April, 1999. Received.

#### File No. 685-99.

From the Cleveland Public Library re: Director's Report, April 15, 1999. Received.

#### File No. 686-99.

From the Board of Building Standards and Building Appeals re: Agenda for Public Hearing - Wednesday, April 21, 1999. Received.

#### File No. 687-99.

From the Board of Building Standards and Building Appeals re: Agenda for Public Hearing - Wednesday, April 28, 1999. Received.

#### FROM THE DEPARTMENT OF LIQUOR CONTROL

#### File No. 688-99.

Re: New Application - 84189842085 - Speedway Superamerica LLC dba Speedway Starvin Marvin 8641, 4280 West 150th Street and I-71. (Ward 20). Received.

#### File No. 689-99.

Re: Transfer of Ownership Application - 4283052 - Jesse Foods, Inc. Express Food Mart, 10134 Madison Avenue. (Ward 18). Received.

#### File No. 690-99.

Re: Transfer of Ownership Application - 4281830 - Jerries Deli, Inc. d.b.a. Jerries Deli, 2626 Scranton Road. (Ward 14). Received.

**File No. 691-99.**

Re: Transfer of Ownership Application - 4182874 - JRR&R, Inc. J-Ray's Lounge and Deli, 14731 Miles Avenue & patio. (Ward 1). Received.

**File No. 692-99.**

Re: Transfer of Ownership Application - 2124014 - Diannes, Inc. d.b.a. Diannes, 8701 Madison Avenue, first floor and basement. (Ward 18). Received.

**File No. 693-99.**

Re: Transfer of Ownership Application and Location - 6548672 - 1222 Prospect, Inc., 1222 Prospect Avenue, first floor and basement. (Ward 13). Received.

**File No. 694-99.**

Re: Transfer of Ownership Application and Location - 00035880005 - AFD Grocery, Inc. d.b.a. WP Food, 9200 Wade Park Avenue. (Ward 7). Received.

**File No. 695-99.**

Re: Transfer of Ownership Application and Location - 18696560010 - Cuyahoga Sportservice, Inc., 1085 West Third Street, levels 100, 200, 400 and 600. (Ward 13). Received.

**File No. 696-99.**

Re: Transfer of Ownership Application and Location - 7144713 - RA Stadium Corp., 1085 West Third Street, levels 100, 200, 300, 400 & 500. (Ward 13). Received.

**File No. 697-99.**

Re: Transfer of Ownership Application and Location - 8916833 - 3935 Gas, Inc., 3935 West 130th Street and gas pumps. (Ward 19). Received.

**File No. 698-99.**

Re: Transfer of Location Application - 52449350001 - Lluberres, Inc. d.b.a. Mias Food Mart, 3022 West 25th Street. (Ward 14). Received.

**File No. 699-99.**

Re: Transfer of Location Application - 36573050001 - Nadia Hasrouni d.b.a. George's Delicatessen, 3446 West 105th Street. (Ward 19). Received.

**STATEMENT OF WORK  
ACCEPTED**

**File No. 700-99.**

From the Department of Public Utilities re: Contract No. 53447A, Nerone & Sons, Inc. completed and accepted November 30, 1998. Received.

**File No. 701-99.**

From the Department of Parks, Recreation and Properties re: Contract No. 52773 for Moulton/Scoutway Park Phase III Site Improvements. Received.

**COMMUNICATIONS**

**File No. 702-99.**

April 19, 1999

The Honorable Jay Westbrook  
Council President  
Cleveland City Council  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am pleased to recommend Ms. SeMia Bray for appointment to the Fair Housing Review Board. This

appointment is for two years and will expire on March 31, 2001.

Thank you for your consideration.

Sincerely,  
MICHAEL R. WHITE  
Mayor

Received. Referred to Committee on Mayor's Appointments.

**File No. 703-99.**

April 19, 1999

The Honorable Jay Westbrook  
Council President  
Cleveland City Council  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am pleased to recommend Ms. Gia Hoa Ryan for appointment to the Community Relations Board. This appointment is to fill an unexpired term and is effective immediately upon the approval of Council. The term will expire on March 31, 2000.

Thank you for your consideration.

Sincerely,  
MICHAEL R. WHITE  
Mayor

Received. Referred to Committee on Mayor's Appointments.

**COMMITTEE ON MAYOR'S  
APPOINTMENTS**

The Chair appointed Councilman Craig E. Willis, Chairman and Councilmen Merele R. Gordon, Joe Cimperman, Robert J. White and Nelson Cintron to consider the Mayor's Appointments.

**CONDOLENCE RESOLUTIONS**

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

**Res. No. 754-99**—Jonathan Loisel.  
**Res. No. 755-99**—Mayor Ralph J. Perk.

**Res. No. 756-99**—Deacon Allen Tubbs.

**CONGRATULATORY RESOLUTIONS**

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

**Res. No. 757-99**—James Edmund Magner, Jr.

**Res. No. 758-99**—Buhrer Elementary School.

**Res. No. 759-99**—Carla Jean Johnson.

**Res. No. 760-99**—Charles A. Stevens.

**Res. No. 761-99**—Exie M. Herring Henderson.

**Res. No. 762-99**—Thomas Francis O'Neill.

**Res. No. 763-99**—EARTHfest'99.

**Res. No. 764-99**—Juliet Jaeger.

**Res. No. 765-99**—Thomas A. Hoffman.

**Res. No. 766-99**—Joyce F. McGowan-Phillips.

**Res. No. 767-99**—Sergeant Hugh-lean Medlea.

**Res. No. 768-99**—Jecenta Y. Kennedy.

**Res. No. 769-99**—Khalilah Williams.

**Res. No. 770-99**—Elsie Dickerson.

**Res. No. 771-99**—East High School-State History Competition.

**FIRST READING EMERGENCY  
ORDINANCES REFERRED**

**Ord. No. 704-99.**

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

**An emergency ordinance authorizing the purchase by requirement contract of dry cell batteries, for the various divisions of City government, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of dry cell batteries in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24626)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 705-99.**

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

**An emergency ordinance authorizing the purchase by requirement contract of building materials, for the various divisions of City government, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter

and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of building materials in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24627)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 706-99.**

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

**An emergency ordinance authorizing the purchase by requirement contract of fasteners, for the various divisions of City government, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of fasteners, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the

proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24628)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 707-99.**

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

**An emergency ordinance authorizing the purchase by requirement contract of fleet washing, for the various divisions of City government for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of fleet washing in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24629)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 708-99.**

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

**An emergency ordinance authorizing the purchase by requirement contract of hand tools and hand held power tools, for the various divisions of City government, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of hand tools and hand held power tools in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24630)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 709-99.**

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

**An emergency ordinance authorizing the purchase by requirement contract of Jacobson mower parts, for the various divisions of City government, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the

requirements for the period of two (2) years for the necessary items of Jacobson mower parts, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24633)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 710-99.**  
**By Councilman Johnson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of janitorial supplies, for the various divisions of City government, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of janitorial supplies, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the

proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24631)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 711-99.**  
**By Councilman Johnson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of paint and paint materials, for the various divisions of City government, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of paint and paint materials, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24634)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 712-99.**  
**By Councilman Johnson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of paper and cloth wipers, for the various divisions of City government, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of paper and cloth wipers in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24635)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 713-99.**  
**By Councilman Johnson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of plumbing supplies, for the various divisions of City government, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of

plumbing supplies in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24636)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 714-99.**  
**By Councilman Johnson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of reproduction and mounting service, for the various divisions of City government, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of reproduction and mounting service in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial

purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24639)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 715-99.**  
**By Councilman Johnson (by departmental request).**

**An emergency ordinance authorizing and directing the procurement by requirement contract of the rental and laundry service of work clothing, for the various divisions of City government, for a period of two years.**

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

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

**Section 1.** That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of the rental and laundry service of work clothing in the approximate amount as procured during the preceding term, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City Government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, together with all subsequent procurements, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24638)

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

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 716-99.**

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

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located in the City of Independence on Brecksville Road to a party selected by the Board of Control.**

Whereas, the Commissioner of the Division of Water has requested the sale of City-owned property no longer needed for public use and located on Brecksville Road in the City of Independence; and

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

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

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

Permanent Parcel No. 561-09-003

Situated in the City of Independence, County of Cuyahoga and State of Ohio and known as being part of Original Independence Township, Lot No. 1, Tract 2, West of the river and further bounded and described as follows:

Beginning in the West line of Brecksville Road (100 feet wide), as dedicated in Volume 130, Page 458 of Cuyahoga County Map Records at its intersection with the south line of land conveyed to S. and M.E. DiGeronimo by deed recorded in Volume 13113, Page 189 of the Cuyahoga County Deed Records;

Thence South 3° 29' 10" West 172.25 feet along the West line of Brecksville Road to a point of curve; Thence continuing along the West line of Brecksville Road on an arc of 26.97' whose radius is 2914.79 feet and whose chord measures 26.97 feet and bears South 3° 13' 20" West to an iron pin and the principal place of beginning;

Thence continuing along the said West line of Brecksville Road on an arc of 323.48 feet whose radius is 2914.79 feet and whose chord measures 323.32 feet and bears South 0° 13' 18" East to an iron pin at the intersection with the Northeast line of Old Brecksville Road (66 feet wide);

Thence North 45° 48' 50" West along the Northeast line of Old Brecksville Road 213.64 feet to an angle point;

Thence continuing along the Northeast line of Old Brecksville Road North 15° 54' 40" West 194.60 feet to an iron pin;

Thence South 86° 27' 00" East 205.68 feet to the principal place of beginning and containing 1.000 acres of land, more or less, according to a survey by Vincent C. McGervey, professional engineer and surveyor #4289, July, 1982; and known as Sublot #2 in the Latrobe Subdivision.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to a party

selected by the Board of Control from those submitting offers, at a price not less than fair market value as determined by the Board of Control.

**Section 3.** That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

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

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

**Ord. No. 717-99.**

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

**An emergency ordinance determining the method of making the public improvement of installing and maintaining dynamic/LED signs, and authorizing the Director of Port Control 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 installing and maintaining dynamic/LED signs, for the Divisions of Burke Lakefront Airport and Cleveland Hopkins International Airport, Department of Port Control, 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 Port Control 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 Nos. 60 SF 001, 60 SF 104, 60 SF 105 and 60 SF 106, Request No. 24864.

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

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

**Ord. No. 718-99.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Saint Ann Foundation for the Immunization Action Plan Grant; and to enter into contract with Case Western Reserve University to implement the Program.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$20,000, and any other funds as they become available during the grant term, from the Saint Ann Foundation, to conduct the Immunization Action Plan Grant, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 718-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Director of Public Health is hereby authorized to enter into contract with Case Western Reserve University for the Immunization Action Plan Grant through implementation of the HEALCorps Project as described in the application contained in the File.

**Section 4.** That the cost of the contract authorized above shall be paid from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

**Section 5.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 719-99.**

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

**An emergency ordinance to amend Section 1 of Ordinance No. 2041-97, passed December 15, 1997, relating to applying for and accepting grants from the Health Start Initiative, Maternal Child Health Bureau, U.S. Department of Health and Human Services for Phase II of the Healthy Family Healthy Start Program, Phase II; and to enter into contract with various entities to implement the program.**

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

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

**Section 1.** That Section 1 of Ordinance No. 2041-97, passed December 15, 1997, is hereby amended to read as follows:

Section 1. That the Director of Public Health is hereby authorized to apply for and accept grants for Phase II of the Healthy Family Healthy Start Program, from the Healthy Start Initiative, Maternal Child Health Bureau, U.S. Department of Health and Human Services, each year for a period of five (5) years, in the approximate amount of **\$3,146,000** for the first project year, **and for such additional amounts as will become available for project years two through five**, for the purposes set forth in the applications and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

**Section 2.** That existing Section 1 of Ordinance No. 2041-97, passed December 15, 1997, is hereby repealed.

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

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

**Ord. No. 720-99.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Ryan White Planning and Evaluation Project.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$20,000 and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the Ryan White Planning and Evaluation Project, for the purposes set forth in the application



and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 720-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**Ord. No. 721-99.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the State AIDS Community Based Care Program.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$62,125, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the State AIDS Community Based Care Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 721-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**Ord. No. 722-99.**

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

**An emergency ordinance authorizing the Director of Public Health to accept a grant from the Cuyahoga County Board of Health for the 1999 Cuyahoga County Health Promotion Project.**

Whereas, pursuant to Ordinance No. 419-99, Council authorized the Director of Public Health to apply for a grant to conduct the within described program; and

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

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

**Section 1.** That the Director of Public Health is hereby authorized to accept a grant in the amount of \$77,000, from the Cuyahoga County Board of Health, to conduct the 1999 Cuyahoga County Health Promotion Project, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 419-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**Ord. No. 723-99.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1999-2000 Federal Child Lead Poison Prevention Program.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$424,525, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 1999-2000 Federal Child Lead Poison Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 723-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**Ord. No. 724-99.**

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

**An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating or improving certain City-owned golf courses, including site improvements and appurtenances, and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating or improving certain City-owned golf courses, including site improvements and appurtenances, for the Division of Recreation, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Parks, Recreation and Properties 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. 63 SF 001, Request No. 21262.

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

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

**Ord. No. 725-99.**

**By Councilmen Britt, Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8110, 8106, 7902-8102 Central Avenue, 2312 East 82nd Street and 8112 Central Avenue to Fairfax Renaissance Development Corporation.**

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of

Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-092 as more fully described in Section 2 below, to Fairfax Renaissance Development Corporation.

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

P.P. No. 119-27-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly half from front to rear of Sublot No. 20 in Harris and Andrew Janes Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3, Page 60 of Cuyahoga County Records; and being a parcel of land 25 feet front on the Southerly side of Central Avenue, and extending back 152.52 feet on the Westerly line, about 153.00 feet on the Easterly side, and having a rear line of 25 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 3.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-093 as more fully described in Section 4 below, to Fairfax Renaissance Development Corporation.

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

P.P. No. 119-27-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in Harris and Andrew Janes Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat in Volume 3, Page 60 of Cuyahoga County Records, and being 50 feet front on the Southerly side of Central Avenue and extending back 151.69 feet on the Westerly line, 152.52 feet on the Easterly line, and having a rear line of 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways

Subject to Zoning Ordinances, if any.

**Section 5.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-094, 119-27-095, 119-27-096 and 119-27-097 as more fully described in Section 6 below, to Fairfax Renaissance Development Corporation.

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

P.P. Nos. 119-27-094, 119-27-095, 119-27-096 and 119-27-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublots Nos. 13 to 18 both inclusive, in Harris and Andrew Jayne's Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat in Volume 3 of Maps, Page 60 of Cuyahoga County Records, and being about 300 feet front on the Southerly side of Central Avenue, S.E., and extending back of equal width, 146.7 feet deep on the Westerly line about 151.69 feet deep on the Easterly line and about 300 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 7.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-27-114 as more fully described in Section 8 below, to Fairfax Renaissance Development Corporation.

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

P.P. No. 119-27-114

**Parcel No. 1**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 21 in Harris and Andrew Jaynes' Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 60 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 82nd Street (formerly Edwards Avenue) at a point 120 feet Southerly from its intersection with the Southerly line of Central Avenue S.E.; thence Southerly along said Westerly line of East 82nd Street, 34 38/100 feet to the Southeast corner of said Sublot No. 21; thence Westerly along the Southerly line of said Sublot, 52 feet to the Southwesterly corner thereof; thence Northerly along the Westerly line of said Sublot, 33 35/100 feet to a point on said line, 120 feet Southerly from its intersection with the Southerly line of Central Avenue S.E.; thence Easterly about 52 feet to the place of the beginning, as appears by said plat.

**Parcel No. 2**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 21 in Harris and Andrews Jaynes' Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 60 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly line of East 82nd Street (formerly Edwards Avenue), at a point 120 feet Southerly from its intersection with the Southerly line of Central Avenue, S.E., thence Westerly along the Northerly line of a parcel of land conveyed to Rebecca Battler and Sam Vinitzky by deed dated April 22, 1942 and recorded on October 2, 1942 in Volume 5468, Page 556 of

Cuyahoga County Deed Records, 52 feet to a point distant 33.35 feet from the southwest corner of said Sublot No. 21; thence Northerly along the Westerly line of said Sublot No. 21, 5 feet to the Southwesterly corner of a parcel of land conveyed to Jack Smith by Warranty Deed dated May 1, 1968 and recorded on May 14, 1968 in Volume 12319, Page 481 of Cuyahoga County Records; thence Easterly along said Southerly line of the parcel of land conveyed to Jack Smith, 52 feet to a point in the aforementioned Westerly line of East 82nd Street; thence Southerly along the Westerly line of East 82nd Street, 5 feet to the place of the beginning.

All of the above property being subject to restrictions, covenants, limitations, conditions, easements and rights of way, of record and running with the land, if any.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 119-27-138 as more fully described in Section 10 below, to Fairfax Renaissance Development Corporation.

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

P.P. No. 119-27-138

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 25 feet front to rear of Sublot No. 20 in Harris and Andrew Janes Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 3, Page 60 of Cuyahoga County Records; and being 25 feet front on the Southerly side of Central Avenue and extending back 153.35 feet on the Easterly line, and about 153 feet on the Westerly line, and having a rear line of 25 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 11.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 12.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 13.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

**Section 14.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

**Ord. No. 726-99.**  
**By Councilmen Cintron, Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2170 West 20th Street to Jas R. Chura and Mary E. Chura.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 004-03-035 and 004-03-108 (Easterly parts), as more fully described in Section 2 below, to Jas R. Chura and Mary E. Chura.

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

P.P. No. 004-03-035 and 004-03-108  
(Easterly parts)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 82.27 feet of Sublot No. 301 in the Willeyville Allotment of part of Original Brooklyn Township Lots Nos. 69 and 70 as shown by the recorded plat in Volume 2 of Maps, Page 16 of Cuyahoga County Records, and being a parcel of land 66 feet front on the Westerly side of West 20th Street (66 feet wide) and extending back of equal width along the Northerly line of Freeman Avenue, S.W. (66 feet wide), 82.27 feet, be the same more or less, but subject to all legal highways, easements, and restrictions of record.

**Section 3.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the

Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

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

**Ord. No. 727-99.**  
**By Councilmen Jackson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts to provide for the demolition, removal or the boarding up of structures within the City of Cleveland.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXV from the United States Government, and

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into one or more contracts for the demolition, removal or the boarding up of structures within the City of Cleveland.

**Section 2.** That the cost of said contract or contracts shall be in an amount not to exceed \$1,822,000 and shall be paid from Fund No. 14 SF 025.

**Section 3.** That the Director of Community Development is authorized to accept monies in repayment under said program and to utilize said repayments and other program income in a revolving fund for making additional expenditures under this program.

**Section 4.** Authorizing the City to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of fees under the City's Demolition/Board Up Program.

**Section 5.** That the Director of the Department of Community Development be and is hereby authorized to enter into forbearance agreements

with any recipient of a validly existing loan, administered by the City under the City's Demolition/Board Up Program.

**Section 6.** That the Director of Community Development is hereby authorized to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14.

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

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

**Ord. No. 728-99.**  
**By Councilmen Jackson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Department of Community Development; and for reimbursement of non-profit subrecipients for the cost of the audits required by OMB Circular A-133.**

Whereas, the City of Cleveland has received Community Development Block Grant, Year XXV, from the United States Government; and

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$4,130,000 from Fund No. 14 SF 025, for the administrative expenses of the Department of Community Development in conjunction with the Community Development Block Grant Program, Year XXV, and pursuant to the following schedule:

Personnel . . . . .	\$3,330,000
Other . . . . .	.800,000

**Section 2.** And that the Director of Community Development is authorized to expend funds listed in the above schedule under "Other" for entering into contracts or reimbursement of nonprofit subrecipients for the cost of the audits required by OMB Circular A-133.

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

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

**Ord. No. 729-99.**  
**By Councilmen Jackson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Code Enforcement and Demolition Programs.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXV from the United States Government; and

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$3,235,000 from Fund No. 14 SF 025, for the administrative expenses of the Code Enforcement and Demolition Programs in conjunction with the Community Development Block Grant Program, Year XXV, and pursuant to the following schedule:

Personnel . . . . .	\$3,160,000
Other . . . . .	75,000

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

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

**Ord. No. 730-99.**  
**By Councilmen Jackson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and Federal HOME Program funds for the administration of the Housing Rehabilitation Programs.**

Whereas, the City of Cleveland has received Community Development Block Grants, Year XXV from the United States Government; and

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$1,335,119 from Fund No. 14 SF 025 and Federal HOME Program funds from Fund No. 13 SF 885, for the administration of the Housing Rehabilitation Programs in conjunction with the Community Development Block Grant Program, Years XXV, and pursuant to the following schedule:

Personnel . . . . .	\$1,310,119
Other . . . . .	25,000

**Section 2.** And that the Director of Community Development is authorized to enter into one or more con-

tracts for professional services related to inspecting properties to comply with Section 8 Housing Quality Standards (HQS).

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

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

**Ord. No. 731-99.**  
**By Councilmen Jackson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for the operation of the Storefront Renovation Program.**

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$1,150,000 from Fund No. 14 SF 025, for the operation of the Storefront Renovation Program for all related services including: to enter into rebate contracts with program applicants and to reimburse eligible administrative costs to local development corporations for implementation of the program.

**Section 2.** That the Director of Community Development is authorized to accept program income monies in repayment from local development corporations under the Storefront Renovation Program, to utilize this program income, other Community Development Block Grant program income and \$100,000 Kiosk program income for additional expenditures under the Storefront Renovation Program.

**Section 3.** Authorizing the City to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of fees under the City's Storefront Renovation Program.

**Section 4.** That the Director of the Department of Community Development be and is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City under the City's Storefront Renovation Program.

**Section 5.** That the Director of Community Development is hereby authorized to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and serving costs. Such fees shall be deposited to and expended from Fund No. 14.

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

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

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

**Ord. No. 732-99.**  
**By Councilmen Jackson, Jones and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to expend Community Development Block Grant funds for the operation of the Project Clean Program.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to expend Community Development Block Grant funds in the amount of \$500,000.00, from Fund No. 14 SF 025, for the operation of the Project Clean Program and that said Director and the Director of Community Development are hereby authorized to memorialize said expenditure through a memorandum of understanding.

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

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

**Ord. No. 733-99.**  
**By Councilmen Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2829 East 82nd Street, 8112, 8116 and 8120 Holton Avenue, and rear of 2835 East 81st Street to Roy Sears and Lettie C. Sears.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell

Permanent Parcel No. 126-28-027 as more fully described in Section 2 below, to Roy Sears and Lettie C. Sears.

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

P.P. No. 126-28-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 45.00 feet of the Westerly 35.00 feet of Sublot No. 3, in Walkey and Betts' Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 11 of Maps, Page 21 of Cuyahoga County Records and forming a parcel of land having a frontage of 45.00 feet on the Easterly side of East 82nd Street (formerly Chadwick Avenue), 50 feet wide, and extends back of equal width, 35.00 feet deep on the Northerly line and 35.00 feet deep on the Southerly line which is also the Northerly line of an alley (11 feet wide), as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 3.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-27-066 as more fully described in Section 4 below, to Roy Sears and Lettie C. Sears.

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

P.P. No. 126-27-066

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in Yeakel and Hoffman Allotment of part of Original One Hundred Acre Lot No. 432 as shown by the recorded plat in Volume 6 of Maps, Page 12 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 5.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-27-067 as more fully described in Section 6 below, to Roy Sears and Lettie C. Sears.

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

P.P. No. 126-27-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in Yeakel and Hoffman Allotment of part of Original One Hundred Acre Lot No. 423 as shown by the recorded plat in Volume 6 of Maps, Page 12 of Cuyahoga County Records and being 41 feet, 11-3/4 inches front on the Southerly side of Holton Avenue, S.E., and extending back of equal width 130 feet deep and being 41.50 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 7.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-27-068 as

more fully described in Section 8 below, to Roy Sears and Lettie C. Sears.

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

P.P. No. 126-27-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 1 in Walkey and Betts' Subdivision of part of Original One Hundred Acre Lot No. 423 as shown by the recorded plat in Volume 11 of Maps, Page 21 of Cuyahoga County Records and being 39.57 feet front on the Southerly side of Holton Avenue, S.E., and extending back of equal width 125 feet deep and being 40.044 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 126-27-042 (Easterly part) and 126-27-043 as more fully described in Section 10 below, to Roy Sears and Lettie C. Sears.

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

P.P. No. 126-27-042 (Easterly part) and 126-27-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly part of Sublot No. 10 in Yeakel and Hoffman's Allotment of part of Original One Hundred Acre Lot No. 423, as shown by the recorded plat in Volume 6 of Maps, Page 12 of Cuyahoga County Records and being bounded and described as follows:

Beginning at the Northwesterly corner of said Sublot No. 10 in the Easterly line of East 81st Street, (50 feet wide); thence Easterly, along the Northerly line of said Sublot No. 10, about 92.71 feet to a point and the principal place of beginning of the parcel of land herein intended to be described; thence continuing Easterly, along said Northerly line of Sublot No. 10 about 81.56 feet to the Northeasterly corner thereof; thence Southerly, along the Easterly line of said Sublot No. 10, about 30 feet to the Northerly line of Holton Court S.E., (of various widths); thence Westerly, along the Northerly line of Holton Court, S.E., 10 feet to the Northwesterly corner therein; thence Southerly, along the Westerly line of said Holton Court, S.E., 5.0 feet to its intersection with the Southerly line of said Sublot No. 10 in the Yeakel and Hoffman Allotment; thence Westerly, along said Southerly line of Sublot No. 10 about 71.56 feet to a point therein; said point being about 92.25 feet Easterly, measured along said Southerly line of Sublot No. 10 from the Easterly line of East 81st Street; thence Northerly, in a direct line 35 feet to the principal place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 11.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the docu-

ments are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 12.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 13.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

**Section 14.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 734-99.**

**By Councilmen Patmon, Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10509-11 Amor Avenue and 971-79 East 105th Street to MJC Gen Contractors Incorporated.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 109-12-011 and 109-12-012, as more fully described in Section 2 below, to MJC Gen Contractors Incorporated.

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

P.P. No. 109-12-011

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

Original One Hundred Acre Lot No. 370 and part of Sublot No. 1 in the Amor Subdivision of part of Original One Hundred Acre Lot No. 370 as shown by the recorded plat in Volume 30 of Maps, Page 1 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning at a point of intersection of the Easterly line of East 105th Street (formerly Doan Street), with Northerly line of Amor Avenue, N.E., (formerly Amor Avenue); thence Northerly along said Easterly line of East 105th Street, 91.95 feet thence Easterly on a line parallel to the Southerly line of said Sublot No. 1, 95 feet; thence Southerly on a line parallel to said Easterly line of East 105th Street, 91.95 feet to said Northerly line of Amor Avenue, N.E.; Westerly along said Northerly line of Amor Avenue, N.E., 95 feet to the place of beginning as appears by said plat.

Subject to restrictions recorded in Volume 1315, 513 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

P.P. No. 109-12-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 370 and part of Sublots Nos. 1 and 8 in the Amor Subdivision of part of Original One Hundred Acre Lot No. 370 as shown by the recorded plat in Volume 30 of Maps, Page 1 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Northerly side of Amor Avenue, N.E., (formerly Amor Street) at a point distant 20 feet Easterly from the Southwest corner of said Sublot No. 8; thence Northerly on a line parallel with the Westerly line of said Sublot No. 8; a distance of 68.35 feet to the Northerly line of said Sublot No. 8; thence Westerly a distance of 60 feet along the Northerly line of said Sublot No. 8, and the prolongation of said Northerly line Westerly; thence Southerly on a line parallel with the Westerly line of said Sublot No. 8 a distance of 68.38 feet to the Northerly line of Amor Avenue, N.E., thence Easterly and along said Northerly line of Amor N.E., a distance of 60 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

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

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

**Ord. No. 735-99.**

**By Councilmen Cintron, Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with 1889 West 25th Street Limited to provide economic development assistance to partially finance the acquisition of real property, the acquisition and renovation of the building, and the purchase of machinery and equipment, located at 1889 West 25th Street, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with 1889 West 25th Street Limited to provide economic development assistance to partially finance the acquisition of real property, the acquisition and renovation of the building, and the purchase of machinery and equipment, located at 1889 West 25th Street, Cleveland, Ohio.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 735-99-A.

**Section 3.** That the costs of said contract shall not exceed One Hundred Thousand Dollars (\$100,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 24308.

**Section 4.** That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other docu-

ments as may be appropriate to complete the transaction.

**Section 8.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 736-99.**

**By Councilmen Cintron, Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Rialto Corporation to provide economic development assistance to partially finance the land and building acquisition and for the renovation of the Rialto Theater Building located at 1867-1873 West 25th Street, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Rialto Corporation to provide economic development assistance to partially finance the land and building acquisition and for the renovation of the Rialto Theater Building located at 1867-1873 West 25th Street, Cleveland, Ohio.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 736-99-A.

**Section 3.** That the costs of said contract shall not exceed One Hundred Twenty Thousand Three Hundred Fifty Dollars (\$120,350.00), and shall be paid from Fund No. 17 SF 008, Request No. 24309.

**Section 4.** That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

**Section 8.** That this ordinance is hereby declared to be an emergency

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

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

**Ord. No. 737-99.**  
By Councilmen Gordon, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Rock of Ages Corporation to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to improve its facilities by acquiring machinery and equipment and renovating a facility located at 3636 Pearl Road in the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Rock of Ages Corporation (the "Enterprise") has proposed to improve its facility by acquiring machinery and equipment and renovating a facility located at 3636 Pearl Road in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

**Section 1.** That this Council hereby approves the application of Rock of Ages Corporation for enterprise zone incentives on the basis that Rock of Ages Corporation is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Rock of Ages Corporation to provide for a ten (10) year abatement for certain tangible

personal property and real estate taxes as an incentive to improve its facility by acquiring machinery and equipment and renovating a facility located at 3636 Pearl Road in the City of Cleveland, Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 737-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

**Section 4.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from fund No. 17 SF 305, Loan Fees Fund.

**Section 5.** That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

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

**Ord. No. 738-99.**  
By Councilmen Gordon, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Rock of Ages Corporation to provide economic development assistance to partially finance the acquisition of machinery and equipment and the renovation of a facility located at 3636 Pearl Road, Cleveland, Ohio, 44109.

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Rock of Ages Corporation to provide economic development assistance to partially finance the acquisition of machinery and equipment and the renovation of a facility located at 3636 Pearl Road, Cleveland, Ohio, 44109.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 738-99-A.

**Section 3.** That the costs of said contract shall not exceed One Hundred Twenty-Five Thousand Dollars (\$125,000.00), and shall be paid from

Fund No. 12 SF 954, Request No. 24310.

**Section 4.** That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 12 SF 958.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

**Section 8.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 739-99.**  
By Councilmen Lewis, Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Aletha Gambrell dba Operation Hair to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone contract with Aletha Gambrell dba Operation Hair to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 739-99-A.

**Section 3.** That the costs of said contract shall not exceed \$99,000 and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 23762.

**Section 4.** That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file

referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

**Section 8.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 740-99.**  
**By Councilmen Melena, Jackson, Robinson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Thermagon, Inc. to provide economic development assistance to partially finance the purchase of real property and for the acquisition and renovation of a manufacturing facility, located at 4707 Detroit Avenue, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Thermagon, Inc. to provide economic development assistance to partially finance the purchase of real property and for the acquisition and renovation of a manufacturing facility, located at 4707 Detroit Avenue, Cleveland, Ohio.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 740-99-A.

**Section 3.** That the costs of said contract shall not exceed Four Hundred Thousand Dollars (\$400,000.00), and shall be paid from Fund Nos. 17 SF 008 and 12 SF 954, Request No. 24305.

**Section 4.** That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund Nos. 17 SF 006 and 12 SF 958.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

**Section 8.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

#### FIRST READING EMERGENCY RESOLUTIONS REFERRED

**Res. No. 741-99.**  
**By Councilman Jackson (by request).**

**An emergency resolution declaring the intention to vacate all that portion of Shepard Court S.E.**

Whereas, this Council; is satisfied that there is good cause to vacate all that portion of Shepard Court S.E. as hereinafter described, and

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

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

**Section 1.** That it hereby declares its intention to vacate all those portions of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of: SHEPARD COURT S.E. (12.00 feet wide) extending Easterly from the Easterly line of East 30th Street (50.00 feet wide) to that portion of Shepard Court S.E. vacated by the Council of City of Cleveland by Ordinance Number 2157-78, passed October 30, 1978.

**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.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning, Finance.

**Res. No. 742-99.**  
**By Councilman Sweeney (by request).**

**An emergency resolution declaring the intention to vacate a portion of Sally Avenue.**

Whereas, this Council is satisfied that there is good cause for vacating a portion of Sally Avenue, as hereinafter described, and

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

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

**Section 1.** That it hereby declares its intention to vacate all that portion of:

#### LEGAL DESCRIPTION / SALLY AVENUE ENCROACHMENT AREA:

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and being part of The Kroehle Company's Westport Subdivision as recorded in Volume 111, Page 39 of Cuyahoga County Records and part of The Westport Subdivision Number 2 as recorded in Volume 161, Page 25 of Cuyahoga County Records. The parcel is further known as being part of Section Number 3 of Original Rockport Township, and bounded and described as follows:

Beginning at the intersection of the southerly right of way line of Sally Avenue (50.00 feet wide) and the easterly right of way line of State Highway 713 (175.00 feet wide);

Thence North 10°-20'-02" East, 179.43 feet along the easterly right of way line of State Highway Number 713 to a point of intersection with the north right of way line of Sally Avenue (50.00 feet wide);

Thence South 01°-53'-48" East, 103.61 feet to a point of curvature;

Thence Southeasterly along the arc of a curve deflecting to the left, 37.94 feet to a point of tangency. Said curve having a radius of 25.00 feet and whose chord bears South 45°-22'-24" East a distance of 34.40 feet.

Thence South 88°-50'-59" East, 230.86 feet to a point;

Thence South 01°-09'-01" West 50.00 feet to a point of intersection of the east line of Sublot Number 5 and the south right of way line of Sally Avenue;

Thence North 88°-50'-59" West, 289.97 feet to a point on the east right of way line of State Highway Number 713 and being the beginning point;

Said parcel containing 16,151 square feet (0.3708 acres) of land, be the same more or less but subject to all legal highways, as surveyed by Terin J. Kaminski, Registered Surveyor Number 7207 (Ohio).

Bearings given are based on assumed meridian and are intended to describe angles only.

Remainder of Sally Avenue was vacated by Cleveland City Ordinance Number 1335-96 passed on July 17, 1996.

**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.

Referred to Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning, Finance.



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

**Ord. No. 743-99.**

**By Councilman Dolan.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Westpark Gardens and Gifts to encroach into the aerial right-of-way of the west side of Warren Rd. between Alger & Edgecliff Rds., and on the north side of Montrose Ave. west of Warren Rd. with hanging planter baskets to be attached to utility poles (by separate permission).**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Westpark Gardens and Gifts, owned by John Belko, President, located at 3206 Warren Road, Cleveland, Ohio 44111, its successors and assigns, for the construction, use and maintenance of a approximately six (6) hanging planter baskets to be attached to utility poles (by separate permissions) which will encroach into the aerial right-of-way of Warren Road as further described herein:

<b>LOCATIONS:</b>	<b>POLE #:</b>	<b>POLE OWNER:</b>
The west side of Warren Road between Alger and Edgecliff Roads	205040, 205042, 205037, 322444 and 205038	C. E. I. C. E. I. C. E. I.
The north side of Montrose Avenue about 50.00 feet west of Warren Road	No Pole Number	C. E. I.

**Section 2.** That nothing in this ordinance grants or shall be considered a grant to Permittee any right, privilege or permission to use or to attach or affix any objects to poles described in Section 1 of this ordinance.

**Section 3.** That said hanging planter baskets will be placed within the public right-of-way as aforesaid in Section 1, and said hanging planter baskets will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

**Section 4.** That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

**Section 5.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

**Ord. No. 744-99.**

**By Councilmen Melena and Cintron.**  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Sagrada Familia Church to stretch two (2) banners on utility poles (by separate permission) on Detroit Avenue for the period of June 5, 1999 to June 21, 1999, inclusive, to publicize their Church Festival.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Sagrada Familia Church to install, maintain and remove two (2) banners at 7750 Detroit Avenue, to be attached to utility pole numbers E 643 and E 54 (by separate permission) for the period of June 5, 1999 to June 21, 1999, inclusive. Said banners shall be approved by the Director of Public Service in consultation with the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any

pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

**Ord. No. 745-99.**

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

**An emergency ordinance to amend Section 2 of Ordinance No. 185-99, passed March 22, 1999, relating to the Directors of Parks, Recreation and Properties and Personnel and Human Resources to employ one or more temporary employment agencies, to provide professional services to supply temporary and seasonal personnel.**

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

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

**Section 1.** That Section 2 of Ordinance No. 185-99, passed March 22, 1999, is hereby amended to read as follows:

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund Nos. 13 SF 708, 13 SF 800, 62 SF 001, 63 SF 001, 01-70-02-0380, **67 SF 500, and 67 SF 001**, Request No. 22473.

**Section 2.** That existing Section 2 of Ordinance No. 185-99, passed March 22, 1999, is hereby repealed.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

**Ord. No. 746-99.****By Councilman Lewis.**

**An emergency ordinance to amend Section 1 of the Ordinance No. 666-99, passed April 19, 1999 relating to a 2.2K race and parade on May 8, 1999, sponsored by Thurgood Marshall Recreation Center.**

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

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

**Section 1.** That Section 1 of Ordinance No. 666-99, passed April 19, 1999, is hereby amended to read as follows:

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a 2.2K Race and Parade, sponsored by Thurgood Marshall Recreation Center, on May 8, 1999, with the 2.2K Race coming out of Thurgood Marshall Recreation Center turn right and go to E. 79th and turn right and go north to Lexington and turn left on Lexington and go west to E. 66th St. turn left on E. 66th and go south to Hough turn left on Hough and go east and finish at Thurgood Marshall; and the Parade starting at **Thurgood Marshall go west on Hough to 79th, north on 79th to Lexington, west on Lexington to 66th, south on 66th to Hough, east on Hough and finish at Thurgood Marshall Recreation Center**, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

**Section 2.** That existing Section 1 of Ordinance No. 666-99, passed April 19, 1999, is hereby repealed.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

**Ord. No. 747-99.****By Councilmen Lewis, Cimperman, Dolan and Rybka.**

**An emergency ordinance to amend Section 1 of the Ordinance No. 1094-97, passed June 24, 1997 relating to the Richman Brothers Complex.**

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 Section 1 of Ordinance No. 1094-97, passed June 24, 1997, is hereby amended to read as follows:

Section 1. That the Director of Economic Development is hereby authorized to **hire a consultant or firm of consultants, as approved in writing by the President of Council**, to undertake a feasibility study for the **Richman Brothers Complex project, including but not limited to the feasibility of utilizing the facility for municipal, county governmental and court-related services**, and that this feasibility study shall be completed **as expeditiously as possible. A copy of the feasibility report shall be provided to the President of Council upon completion.**

**Section 2.** That existing Section 1 of Ordinance No. 1094-97, passed June 24, 1997, is hereby repealed.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

**Ord. No. 748-99.****By Councilmen Westbrook and Cintron.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the American Indian Education Center to stretch banners at Detroit Avenue near W. 110th St. and across Lorain Ave. near W. 110th St. and across Lorain Ave. near West 25th for the period from May 15, 1999 to June 25, 1999, inclusive, publicizing the Annual Indian Pow-Wow at Cudell Recreation Center.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the American Indian Education Center to install, maintain and remove banners at Detroit Avenue near W. 110th St. across Lorain Ave. near W. 110th St. and across Lorain Ave. near W. 25th for the period from May 25, 1999 to June 25, 1999, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to

type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

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

**Res. No. 749-99.****By Councilman Jones.**

**An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to 14731 Miles Ave. & Patio.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit from Permit No. 2354924, Janie Dunningan, 14731 Miles Ave. & Patio, Cleveland, Ohio 44128, to Permit No. 4182874, JRR & R Inc., Jay Rays Lounge & Deli, 14731 Miles Ave. & Patio, Cleveland, Ohio 44128; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit from Permit No. 2354924, Janie Dunnican, 14731 Miles Ave. & Patio, Cleveland, Ohio 44128, to Permit No. 4182874, JRR & R Inc., Jay Rays Lounge & Deli, 14731 Miles Ave. & Patio, Cleveland, Ohio 44128 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.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**Res. No. 750-99.**

**By Councilman Patmon.**

**An emergency resolution withdrawing objection to the stock transfer of a C2 and C2X Liquor Permit to 1076 E. 105th St., 1st Fl., and repealing Res. No. 1775-98, objecting to said stock transfer.**

Whereas, Council objected to the stock transfer of a C2 and C2X Liquor Permit to 1076 E. 105th St., 1st Fl., by Res. No. 1775-98, adopted by Council October 5, 1998; and

Whereas, this Council wishes to withdraw its objection to the above stock transfer and consents to said stock transfer; 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 stock transfer of a C2 and C2X Liquor Permit to 1076 E. 105th St.,

1st Fl., be and the same is hereby withdrawn and Res. No. 1775-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**Res. No. 751-99.**

**By Councilman Rybka.**

**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 5509 Fleet Ave., 1st Fl. & Bsmt., and repealing Res. No. 1505-98, objecting to said renewal.**

Whereas, Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to 5509 Fleet Ave., 1st Fl. & Bsmt., by Res. No. 1505-98, adopted by Council August 19, 1998; and

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

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

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

**Section 1.** That objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 5509 Fleet Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1505-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**Res. No. 752-99.**

**By Councilman Willis.**

**An emergency resolution supporting S.B. 686 and opposing H.B. 1032, both concerning lawsuits against gun manufacturers.**

Whereas, firearms kill an estimated 5,000 children each year; and

Whereas, this Council has voiced its concern about the proliferation of firearms and the horrific harm that guns can inflict; and

Whereas, this Council of the City of Cleveland, through Resolution No. 2125-98 adopted December 7, 1998, acknowledged the danger of firearms and urged the Mayor and Director of Law to institute a lawsuit against firearm manufacturers on the basis of public nuisance and product liability; and

Whereas, this Council, through Resolution No. 608-99, adopted April 12, 1999, expressed its support of attempts to hold firearm manufacturers accountable to act safely and responsibly in manufacturing and marketing its products; and

Whereas, through Resolution No. 608-99, Council also opposed any proposed legislation at the state level to bar lawsuits against firearm manufacturers; and

Whereas, the Firearms Heritage Protection Act, H.B. 1032, introduced by Congressman Robert Barr, would prohibit lawsuits against firearm manufacturers based on the criminal use of guns; and

Whereas, Senator Frank Lautenberg has introduced legislation, Senate Bill 686, that allows local and state governments to sue gun manufacturers for costs associated with treating victims of crimes in which firearms were used, with such amount estimated to be \$20 billion per year that is paid based on the cost of medicare, medical care, unemployment, and S.S.I. disability; now, therefore,

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

**Section 1.** That this Council of the City of Cleveland is supportive of S.B. 686 introduced by Senator Frank Lautenberg that would permit local and state governments to sue gun manufacturers for costs associated with treating and caring for victims of crimes in which firearms were used.

**Section 2.** That this Council opposes the proposed Firearms Heritage Act, H.B. 1032, that would halt and prohibit lawsuits against the firearms industry based on the criminal use of firearms.

**Section 3.** That the Clerk of Council is requested to transmit a copy of this Resolution to President Clinton; Vice-President Gore; Attorney General Reno; Speaker of the House Hastert; Senator DeWine; Senator Voinovich; Congressmen Kucinich, Brown, Sawyer and LaTourette; Congresswoman Tubbs-Jones; Governor Taft; Ohio Attorney General Montgomery; and Robert Walker, President of Handgun Control, Inc.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**Res. No. 753-99.**

**By Councilmen Cimperman, Britt, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis and Zone.**

**An emergency resolution urging AMPCO and APCOA to permit a union representation campaign by Teamsters Local No. 507 to be conducted in an open, fair environment.**

Whereas, through passage of numerous resolutions, this Council of the City of Cleveland has recognized the right of employees to seek safe, fair and productive working conditions and to be remunerated equitably for their hard work; and

Whereas, Teamsters Local Union No. 507 currently represents approximately 3200 active and 900 retired members in many industries, including more than 100 parking employees hired by APCOA and a small group of parking employees hired by AMPCO; and

Whereas, the parking industry is extremely lucrative, with AMPCO generating over \$760 million in annual sales in 1992, over \$1 billion in annual sales in 1996, and over \$1.25 billion in annual sales in 1998; and

Whereas, these phenomenal annual profits fail to trickle down to the parking attendants actually performing the work, with such employees working in adverse conditions and in inclement weather while receiving low wages and inadequate health insurance coverage; and

Whereas, AMPCO employees are working under union contracts in other cities and this Council of the City of Cleveland encourages such open-mindedness by AMPCO in Cleveland, now, therefore,

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

**Section 1.** That the Council of the City of Cleveland is supportive of safe, productive working conditions with equitable pay for all workers in the City of Cleveland and urges AMPCO and APCOA to permit the union campaigns by Teamsters Local Union No. 507 to be conducted in an environment that is open, fair and in accordance with the law.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**SECOND READING  
EMERGENCY ORDINANCES**

**Ord. No. 1962-98.**

By Councilman Sweeney.

An emergency ordinance to amend Sections 337.23 and 350.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, respectively, by Ordinance Nos. 1271-91, passed October 21, 1991, and 3076-A-89, passed December 10, 1990, relating to accessory uses and signs in residence districts.

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

1. In the title, line 2, strike "and 350.13" and insert ", 350.13 and 357.13"; in line 7, after "1990," insert "**and Ordinance No. 1740-97, passed November 24, 1997**"; and at the end, strike the period and insert ", and **yard encroachments permitted.**"

2. In Section 1, line 4 and in Section 2, line 4, strike "and"; and in Section 1, line 6 and in Section 2, line 6, after "1990," insert "**and**".

3. In Section 1, after line 6, and in Section 2, after line 6, insert the following:

**"Section 357.13, as amended by Ordinance No. 1740-97, passed November 24, 1997"**

4. In Section 1, at Section 337.23(a)(6), line 12, between "location" and the period, insert the following: ", and further providing that **all fences shall be erected so that the finished side faces out toward adjoining properties or streets, and the unfinished side, if any, faces toward the interior of the property on which such fence is to be erected.**"

5. In Section 1, at the end of the text of Section 350.13, insert the following:

**Section 357.13 Yard Encroachments Permitted**

**Required yard spaces shall be maintained free and unobstructed except for trees and shrubbery, and, in interior side or rear yards, cloths, poles, arbors, garden trellis and similar accessories, and except that the following encroachments shall be permitted.**

(a) **Underground Garage or Accessory Space in Multi-Family Districts.** Within the required yard spaces back of the setback building line in a Multi-Family District an underground garage or other accessory space may be constructed provided the height of such structure, including parapets, piers or railings, shall not exceed five feet above the grade level, and provided such structure does not prevent free access to the rear yard.

(b) **Front Yard and Side Street Yard Encroachments.** Except as restricted or limited by other provisions of this Zoning Code, the following front yard and side street yard encroachments shall be permitted in any use district:

(1) **Front yard and side street yard encroachments permitted under Chapter 3109, and Chapter 3113, except that in a Dwelling House District no entrance canopy shall be**

**erected, and no marquees or fixed or retractable awning shall project more than six feet beyond the building line or within ten feet of the street line.**

(2) **Steps and landings, and their appurtenant railings, balustrades and parapets, leading up or down to floor levels directly above or below the grade level.**

(3) **Except as provided in division (a)(6) of Section 337.23, fences, walls or hedges not more than fifty-four inches above grade level; provided that on a corner lot no wall, fence or other structure shall be erected and no hedge, shrub, tree or other vegetation shall be maintained which exceeds thirty inches above the sidewalk grades of the intersecting streets in the area bounded by the street lines or such corner lots and a line thirty feet from a point where such street lines intersect, and providing further, that the Board of Zoning Appeals may, after public hearing, permit the construction of a wall or fence not higher than ten feet above the grade level to enclose a public or private playground or any other area or structure which is the property of any agency or branch of government, where adjacent premises will not be substantially injured thereby. Notwithstanding Sections 329.04 and 357.14 of this Zoning Code, the Board of Zoning Appeals may, after public notice and hearing, permit the erection of structures between the street line and setback building line if such structures are needed to provide protection from crime for the occupants of a building or for property at a building. The Board shall determine if the proposed structures are needed by taking into account security conditions in the neighborhood, including the feasibility of alternative means of security, and by considering any detrimental effect the proposed structures will have on the property itself or on the neighborhood and any positive or mitigating effect created by the installation of landscaping or other design features which are not required by this code. The Board may approve a proposed design in part if the Board finds that only that part meets the requirements of this section. However, when in the discretion of the Zoning Administrator, the proposed corner fence will not block lines of sight and will be constructed of such material such as to not block lines of sight such as a metal chain link, he or she shall issue a permit for such corner fence provided that the fence shall not exceed fifty-four inches.**

(4) **Open porticos or porches projecting not more than six feet, enclosed porches or vestibules projecting not more than four feet and balconies projecting not more than three feet, provided they do not extend within ten feet of the street line and do not aggregate a vertical area in any story more than twenty percent of the area of the facade in that story.**

(5) **Structures permitted by division (a) of Section 3113.10, division (a) of Section 3113.13 and Section 3113.16 or where not so permitted,**

gasoline pump islands, sign poles or similar temporary and easily removable structures, provided that conditional and temporary permits therefor are granted, subject to appropriate conditions and safeguards by the Board after public notice and public hearing, and provided, further, that the erection, maintenance and use thereof do not conflict with the intent and purposes of this Zoning Code.

(c) Rear Yard and Interior Side Yard Encroachments. Except as restricted or limited by other provisions of this Zoning Code, the following rear yard and interior side yard encroachments shall be permitted in any use district:

(1) In rear yards only, accessory buildings and uses in connection with Residence Occupancy as defined and limited in Section 337.23, and similar accessory buildings and uses in connection with buildings of Institutional H Occupancy Classification. Accessory buildings or uses attached or forming part of a main building shall be permitted to encroach upon such rear yards to the extent permitted for detached accessory buildings or uses.

(2) Projections for architectural embellishment listed in Section 3109.08, provided that no main cornice or eaves shall project into a required yard more than two feet, measured horizontally, and no bar or oriel shall be constructed in a required interior side yard and none shall project into a required rear yard more than eighteen inches, and no other projection shall exceed the maximum permissible projection specified in Section 3109.08 or be so located as to materially obstruct natural light or ventilation.

(3) Fixed awnings, as permitted by Section 3109.10.

(4) Retractable awnings, as permitted by Section 3109.11.

(5) Steps, landings and their appurtenant railings, balustrades and parapets, leading up or down to floor levels directly above or below the grade level, not extending nearer than one foot to a rear or side lot line.

(6) Chimneys projecting not more than thirty-two inches, downspouts projecting not more than twelve inches, and ventilating ducts or pipes projecting not more than thirty-two inches and having a maximum aggregate cross-sectional area in any yard and at any level or 1,024 square inches.

(7) Fences, walls, hedges or other barriers, as regulated in division (a)(6) of Section 337.23.

(d) Temporary Structures, Temporary offices, bridges, barricades and similar structures required for and incident to building construction.".

Amendments agreed to.

**Ord. No. 2056-98.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Dubick Fixture & Supply, Inc. to provide economic development assistance to partially

finance exterior and interior renovations of property at 6101 Euclid Avenue, Cleveland, Ohio, for First Steps Daycare.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 2057-98.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Dubick Fixture & Supply, Inc. to provide economic development assistance to partially finance exterior and interior renovations of property at 6201 Euclid Avenue, Cleveland, Ohio, for renovation as a commercial showroom for Dubick Fixtures & Supply, Inc.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 177-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Crane carrier, Caterpillar gradall and Case equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

**Ord. No. 247-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Blaw Knox paver equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

**Ord. No. 248-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into contract without competitive bidding with E. J. Ward, Inc. for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

1. In the title, at the end, strike the period and insert the following: "**for a period not to exceed two years**".

2. In Section 1, lines 7 and 8, strike "one year" and insert in lieu thereof the following: "**two year**".

Amendments agreed to.

**Ord. No. 310-99.**

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to enter into a Mutual Aid Agreement with The Cleveland Electric Illuminating Company for the interchange and use of personnel and equipment upon request during system emergencies.

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

**Ord. No. 314-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to repair and maintain Ford trucks, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

**Ord. No. 315-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of towing services, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

**Ord. No. 316-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair frames and for vehicle alignments, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

**THIRD READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 31-99.**

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with TransUnion Employment Screening Services, Inc. to provide pre-employment background and criminal checks.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 96-99.**

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1999 Federal AIDS Prevention Program; and to enter into contract with various agencies to implement the program.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 98-99.**

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of photography supplies, for the Division of Police, Department of Public Safety.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 101-99.**

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the procurement by requirement contract for the rental of golf carts, for Highland and Seneca golf courses, Department of Parks, Recreation and Properties.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 174-99.**

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to lease office space located on the ramp level of Cleveland Hopkins International Airport to Global Ground Services, for a term of two years.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 258-99.**

By Councilmen Jones and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of ball diamond clay, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 308-99.**

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the payment of membership dues of the City of Cleveland in various professional organizations.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 361-99.**

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to enter into contract with American Municipal Power - Ohio Inc. for emergency backup energy control center services for the Division of Cleveland Public Power, Department of Public Utilities.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 362-99.**

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the procurement by requirement contract of the rental of snow removal equipment and operators, for the various divisions of the Department of Port Control, for a period of two years.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 363-99.**

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one cardiac monitor and defibrillator, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 371-99.**

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept a grant from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program and to enter into contract with various organizations, individual landlords, tenants and contractors for the purpose of providing weatherization assistance to low-income City residents through the State Home Weatherization Assistance Program.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 372-99.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with All My Heart Educational Center to provide economic development assistance to partially finance capital improvements to property located at 776 East 105th Street, Cleveland, Ohio.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 373-99.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Piankhi Construction & Contracting to provide economic development assistance to partially finance capital improvements to property located at 1132 East 105th Street, Cleveland, Ohio.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 417-99.**

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Federation for Community Planning from Ohio Department of

Health for the 1999 Immunization Action Plan.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 418-99.**

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the 1999 State Child Lead Poison Prevention Program.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 419-99.**

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for a grant from the Cuyahoga County Board of Health for the 1999 Cuyahoga County Health Promotion Project.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 420-99.**

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the 1999 STD Control Program.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 421-99.**

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to employ one or more professional nursing services to provide nursing services for the Division of Correction, Department of Public Health.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 451-99.**

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract for professional services necessary to place criminal defendants in community service, for the Cleveland Municipal Court, for a period of one year, with a one year option to renew.

Read third time. Passed. Yeas 20. Nays 0.

**MOTION**

By Councilman Coats, seconded by Councilman Polensek and unanimously carried that the absence of Councilman Councilman Kenneth L. Johnson be and is hereby authorized.

The Council adjourned at 8:45 p.m. to meet on Monday, May 3, 1999, at 7:00 p.m.



Clerk of Council

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**THE CALENDAR**


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

**ORDINANCES**

**Ord. No. 1962-98.**

**By Councilman Sweeney.**

An emergency ordinance to amend Sections 337.23, **350.13** and **357.13** of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, respectively, by Ordinance Nos. 1271-91, passed October 21, 1991, and 3076-A-89, passed December 10, 1990, and **Ordinance No. 1740-97, passed November 24, 1997** relating to accessory uses and signs in residence districts, and **yard encroachments permitted.**

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

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

**Section 1.** That the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 337.23, as amended by Ordinance No. 1271-91, passed October 21, 1991,

Section 350.13, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, and

**Section 357.13, as amended by Ordinance No. 1740-97, passed November 24, 1997**

are hereby amended to read as follows:

**Section 337.23 Accessory Uses in Residence Districts**

(a) Permitted Accessory Uses. The following accessory uses and buildings are permitted in a Residence District. Such permitted accessory buildings shall be located on the rear half of the lot, a minimum of eighteen inches from all property lines and at least ten feet from any main building on an adjoining lot in a Residence District. Accessory buildings shall not occupy more than forty percent (40%) of the area of the required rear yard and, in the case of a corner lot, shall be located back of any required setback or specific building line. For side street yard regulations consult Sections 357.05 to 357.07.

(1) Within a main building, the office of a surgeon, physician, clergyman, architect, engineer, attorney or similar professional person residing in such main building and employing in the office not more than one nonresident office or laboratory assistant.

(2) Customary home occupation for gain carried on in the main building or in a rear building accessory thereto and requiring only customary home equipment; provided that no nonresident help is employed for that purpose, no trading in merchandise is carried on and no personal physical service is performed and, in a Limited One-Family District or in a One-Family District, no sign or other outward evidence of the occupation is displayed on the premises.

(3) In agricultural or undeveloped territory, farms, truck gardens, nurseries or greenhouses, and accessory stables, poultry enclosures, rabbit warrens and beehives conforming to the applicable limitations and restrictions included in Section 347.02, provided such enterprise is not operated for the sale of products not produced on the premises.

(4) Stables or enclosures for not more than four horses, and enclosures for poultry, pigeons, rabbits or bees, conforming in all locations to the applicable limitations and restrictions included in Section 347.02.

(5) Private incinerators for the burning of refuse and garbage produced on the same premises, provided that the construction is such as to assure immediate and complete combustion and freedom from offensive smoke, ash, unburned particles and odors, and a permit therefor is granted by the Commissioner of Environment.

(6) Except as provided in division (c)(7) of Section 349.13, a wall, fence or hedge within the limits of a required yard, provided that such wall, fence or hedge is not more than six feet six inches above the grade level of the land on both sides thereof when located immediately adjacent to the rear lot line, except where such rear lot line is also the side lot line of adjoining residential premises; and not more than six feet nor more than the least distance between such wall, fence or hedge and an existing or potential main building on an adjoining lot, above such grade level in another location, and further providing that all fences shall be erected so that the finished side faces out toward adjoining properties or streets, and the unfinished side, if any, faces toward the interior of the property on which such fence is to be erected. It is further provided that in the case of any parking lot authorized by ordinance or a variance granted thereon, an educational, religious, medical, community service or other similar institution a height of six feet six inches shall be permitted on any side.

(7) Garages and parking spaces for the occupants of the premises and, when the premises are used for other than residence purposes, for their employees, patrons and guests.

A. In a Dwelling House District the floor area of a private garage erected as an accessory building shall not exceed 650 square feet unless the lot area exceeds 4,800 square feet in which event the floor area may be increased in the ratio of one square foot for each twelve square feet of additional lot area.

B. In Multi-Family Districts, garages and parking spaces erected or established as accessory uses shall be subject to the restrictions specified in Sections 343.19 to 343.21 and Chapter 349.

(8) Garage Sale or other Residential Property Sales, as defined in Section 676B.01(a), as long as they conform to the provisions in Chapter 676B.

(9) Signs permitted in accordance with the requirements of Chapter 350.

(10) Any other accessory use customarily incident to a use authorized in a Residence District except that no use prohibited in a Local Retail Business District shall be permitted as an accessory use.

(b) Accessory Building Erected Prior to Erection of Main Building. An accessory building may be erected prior to the construction of the main building only if:

(1) The accessory building is erected on the rear half of the lot.

(2) The accessory building is so placed as not to prevent the practicable and conforming location of the main building.

(3) The main building is completed within two (2) years from the date of issuance of the permit for the accessory building.

**Section 350.13 Signs for Residential Districts**

Signs in Residential Districts and Residence-Office Districts, as well as signs for community facility uses permitted in these districts, shall be permitted as regulated below:

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

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

SIGNS BY USE TYPE	LAND USE CATEGORIES			
	1-2 FAMILY DWELLINGS	TOWNHOUSES (ROW HOUSES) <sup>2</sup>	MULTI-FAMILY APARTMENTS	COMMUNITY FACILITY
NAMEPLATE	TYPES: wall or free-standing #: 2 per dwelling unit SF: 2 Ht: 3'	TYPES: wall #: 1 per dwelling unit SF: 2	Not Permitted	Not Permitted
INFORMATION	TYPES: wall or free standing #: minimum necessary as approved by Building Commissioner SF: 1 Ht: 2'	SF: 4 Ht: 3'	SF: 4 Ht: 3'	SF: 4 Ht: 3'
IDENTIFICATION	TYPES: wall, free-standing or canopy #: 1 per vehicular entrance to a subdivision SF: 20 Ht: 5'	#: 1 per vehicular entrance SF: 20 Ht: 5'	#: 1 per vehicular <sup>1</sup> entrance SF: 20 Ht: 5'	#: 1 per vehicular entrance SF: 40 Ht: 5'
DIRECTIONAL	Not Permitted	TYPES: wall or free standing #: minimum necessary as approved by Building Commissioner SF: 4 Ht: 3'	SF: 4 Ht: 3'	SF: 4 Ht: 3'
REAL ESTATE (Temporary)	TYPES: free-standing or window #: 1 per lot SF: 6 Ht: 6'	TYPES: free-standing or window #: 1 per unit SF: 6 Ht: 6'	TYPES: wall, window or free-standing #: 1 per vehicular entrance SF: 32 Ht: 8'	SF: 32 Ht: 8'
DEVELOPMENT (Temporary)	TYPES: free-standing #: 1 per vehicular entrance to a subdivision SF: 48 Ht: 10'	TYPES: wall, window or free-standing #: 1 per vehicular entrance SF: 64 Ht: 10'	SF: 64 Ht: 10'	SF: 64 Ht: 10'
BULLETIN BOARD	Not Permitted	Not Permitted	Not Permitted	TYPES: wall or free-standing #: 1 per lot SF: 40 Ht: 8'

TYPE: Permitted signs by structural type  
#: Maximum number of signs  
SF: Maximum sign face area (in square ft.) per side of each sign  
Ht.: Maximum height for free-standing signs

<sup>1</sup>One additional identification sign not exceeding 10 square feet in area shall be permitted for each apartment building in a complex of two (2) or more such buildings.

<sup>2</sup>In any One-Family or Two-Family Residential District, such signs are permitted only for subdivisions of at least ten (10) lots.

(b) Location (Residential). Signs as permitted for residential and community facility uses shall conform with the location regulations presented in the Schedule of Location Regulations (Residential) in addition to the regulations of Section 350.08.

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

Minimum Distance From	Nameplate Political & Information	Identification	Real Estate* & Development	Bulletin Board
All Lot Lines Occupied 1-2 Family Dwelling	5'	20'	20'	25'
	—	35'	75'	—

\*Real estate signs for individual one-family, two-family and townhouse units shall be located a minimum distance of two (2) feet from every lot line and dwelling.

(c) Garage Sale and Open House Sign Regulations. Signs directing attention to a real estate open house or a sale of household items from a garage or house shall be permitted for one and two-family dwellings and townhouses (rowhouses) in accordance with the following regulations:

- (1) Maximum Number of signs: one (1) per lot or townhouse unit.
- (2) Permitted Sign Types: window or free-standing.
- (3) Maximum Sign Area: four (4) square feet per sign.
- (4) Maximum Height: four (4) feet for free-standing signs.



- (5) Location: five (5) feet minimum setback from every lot line.
- (6) Display Period: no more than three 4-day periods per year.
- (d) Temporary Directional Signs: Signs directing attention to a real estate open house, garage sale or house auction, for a single-family, two-family or townhouse unit, may be displayed as free-standing signs on "tree lawn" areas in accordance with the following regulations:
- (1) Maximum Number of Signs: four (4) per event, with no more than two (2) per block for any single event.
  - (2) Maximum Sign Area: two (2) square feet per sign.
  - (3) Maximum Heights: three (3) feet.
  - (4) Location: at least one (1) foot from curbs and sidewalks and only on corner lots or at street intersections.
  - (5) Display Period: only on the days of the event and not more than three (3) 3-day periods per year for garage sales and house auctions and not more than two (2) days per week for open house events.
  - (6) Consent: Temporary directional signs shall be displayed only with the consent of the owner of the property that immediately adjoins the tree lawn on which the sign is to be placed.
  - (e) Signs or Accessory Business Uses. In any Multi-Family Residential District, a business or home occupation permitted as an accessory use may be identified by means of a permitted nameplate sign. Such sign may be displayed as either a wall or window sign not exceeding two (2) square feet in area and illuminated, if at all, by reflected light from a light source which is not visible from beyond the subject lot. No such signs, however, shall be permitted in a One-Family or Two-Family Residential District.
  - (f) Office Buildings. Signs for office buildings in Residence-Office Districts shall be permitted in accordance with the regulations for retail uses as provided in Section 350.14.

#### **Section 357.13 Yard Encroachments Permitted**

Required yard spaces shall be maintained free and unobstructed except for trees and shrubbery, and, in interior side or rear yards, cloths, poles, arbors, garden trellis and similar accessories, and except that the following encroachments shall be permitted.

(a) **Underground Garage or Accessory Space in Multi-Family Districts.** Within the required yard spaces back of the setback building line in a Multi-Family District an underground garage or other accessory space may be constructed provided the height of such structure, including parapets, piers or railings, shall not exceed five feet above the grade level, and provided such structure does not prevent free access to the rear yard.

(b) **Front Yard and Side Street Yard Encroachments.** Except as restricted or limited by other provisions of this Zoning Code, the following front yard and side street yard encroachments shall be permitted in any use district:

(1) Front yard and side street yard encroachments permitted under Chapter 3109, and Chapter 3113, except that in a Dwelling House District no entrance canopy shall be erected, and no marquees or fixed or retractable awning shall project more than six feet beyond the building line or within ten feet of the street line.

(2) Steps and landings, and their appurtenant railings, balustrades and parapets, leading up or down to floor levels directly above or below the grade level.

(3) Except as provided in division (a)(6) of Section 337.23, fences, walls or hedges not more than fifty-four inches above grade level; provided that on a corner lot no wall, fence or other structure shall be erected and no hedge, shrub, tree or other vegetation shall be maintained which exceeds thirty inches above the sidewalk grades of the intersecting streets in the area bounded by the street lines or such corner lots and a line thirty feet from a point where such street lines intersect, and providing further, that the Board of Zoning Appeals may, after public hearing, permit the construction of a wall or fence not higher than ten feet above the grade level to enclose a public or private playground or any other area or structure which is the property of any agency or branch of government, where adjacent premises will not be substantially injured thereby. Notwithstanding Sections 329.04 and 357.14 of this Zoning Code, the Board of Zoning Appeals may, after public notice and hearing, permit the erection of structures between the street line and setback building line if such structures are needed to provide protection from crime for the occupants of a building or for property at a building. The Board shall determine if the proposed structures are needed by taking into account security conditions in the neighborhood, including the feasibility of alternative means of security, and by considering any detrimental effect the proposed structures will have on the property itself or on the neighborhood and any positive or mitigating effect created by the installation of landscaping or other design features which are not required by this code. The Board may approve a proposed design in part if the Board finds that only that part meets the requirements of this section. However, when in the discretion of the Zoning Administrator, the proposed corner fence will not block lines of sight and will be constructed of such material such as to not block lines of sight such as a metal chain link, he or she shall issue a permit for such corner fence provided that the fence shall not exceed fifty-four inches.

(4) Open porticos or porches projecting not more than six feet, enclosed porches or vestibules projecting not more than four feet and balconies projecting not more than three feet, provided they do not extend within ten feet of the street line and do not aggregate a vertical area in any story more than twenty percent of the area of the facade in that story.

(5) Structures permitted by division (a) of Section 3113.10, division (a) of Section 3113.13 and Section 3113.16 or where not so permitted, gasoline pump islands, sign poles or similar temporary and easily removable structures, provided that conditional and temporary permits therefor are granted, subject to appropriate conditions and safeguards by the Board after public notice and public hearing, and provided, further, that the erection, maintenance and use thereof do not conflict with the intent and purposes of this Zoning Code.

(c) **Rear Yard and Interior Side Yard Encroachments.** Except as restricted or limited by other provisions of this Zoning Code, the following rear yard and interior side yard encroachments shall be permitted in any use district:

(1) In rear yards only, accessory buildings and uses in connection with Residence Occupancy as defined and limited in Section 337.23, and similar accessory buildings and uses in connection with buildings of Institutional H Occupancy Classification. Accessory buildings or uses attached or forming part of a main building shall be permitted to encroach upon such rear yards to the extent permitted for detached accessory buildings or uses.

(2) Projections for architectural embellishment listed in Section 3109.08, provided that no main cornice or eaves shall project into a required yard more than two feet, measured horizontally, and no bar or oriel shall be constructed in a required interior side yard and none shall project into a required rear yard more than eighteen inches, and no other projection shall exceed the maximum permissible projection specified in Section 3109.08 or be so located as to materially obstruct natural light or ventilation.

(3) Fixed awnings, as permitted by Section 3109.10.

(4) Retractable awnings, as permitted by Section 3109.11.

(5) Steps, landings and their appurtenant railings, balustrades and parapets, leading up or down to floor levels directly above or below the grade level, not extending nearer than one foot to a rear or side lot line.

(6) Chimneys projecting not more than thirty-two inches, downspouts projecting not more than twelve inches, and ventilating ducts or pipes projecting not more than thirty-two inches and having a maximum aggregate cross-sectional area in any yard and at any level or 1,024 square inches.

(7) Fences, walls, hedges or other barriers, as regulated in division (a)(6) of Section 337.23.

(d) **Temporary Structures.** Temporary offices, bridges, barricades and similar structures required for and incident to building construction.

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

Section 337.23, as amended by Ordinance No. 1271-91, passed October 21, 1991,

Section 350.13, as amended by Ordinance No. 3076-A-89, passed December 10, 1990 and

**Section 357.13, as amended by Ordinance No. 1740-97, passed November 24, 1997**

are hereby repealed.

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

**Ord. No. 2056-98.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Dubick Fixture & Supply, Inc. to provide economic development assistance to partially finance exterior and interior renovations of property at 6101 Euclid Avenue, Cleveland, Ohio, for First Steps Daycare.

**Ord. No. 2057-98.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Dubick Fixture & Supply, Inc. to provide economic development assistance to partially finance exterior and interior renovations of property at 6201 Euclid Avenue, Cleveland, Ohio, for renovation as a commercial showroom for Dubick Fixtures & Supply, Inc.

**Ord. No. 177-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Crane carrier, Caterpillar gradall and Case equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

**Ord. No. 247-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Blaw Knox paver equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

**Ord. No. 248-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into contract without competitive bidding with E. J. Ward, Inc. for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for the Division of Motor Vehicle Maintenance, Department of Public Service for a period not to exceed two years.

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

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

**Section 1.** That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than E.J. Ward, Inc. Therefore, the Director of Public Service is hereby authorized to make a written contract with said E.J. Ward, Inc. upon the basis of its proposal for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for a two year period, to be purchased by the Commissioner of Purchases and Sup-

plies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 70 SF 300, Request No. 24160.

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

**Ord. No. 310-99.**

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to enter into a Mutual Aid Agreement with The Cleveland Electric Illuminating Company for the interchange and use of personnel and equipment upon request during system emergencies.

**Ord. No. 314-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to repair and maintain Ford trucks, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

**Ord. No. 315-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of towing services, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

**Ord. No. 316-99.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair frames and for vehicle alignments, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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## BOARD OF CONTROL

April 21, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 21, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.

Absent: None.

Others: William A. Moon, Commissioner, Purchases and Supplies, Miguel Sanders, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

**Resolution No. 208-99.**

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter,

Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952 the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of March, 1999 in the amount of \$1,885.44, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 209-99.**

By Director Konicek.

Whereas, pursuant to the authority of Ordinance No. 1238-92, passed by the Council of the City of Cleveland on July 22, 1992, the Commissioner of Purchases and Supplies is authorized to acquire interests in real property as necessary to make the Infrastructure Improvement, as defined in said ordinance, for a city-wide 800 MHZ radio communications system; and

Whereas, pursuant to such ordinance, the Director of Public Utilities is authorized to execute documents necessary to acquire such property rights; and

Whereas, a Lease was entered into on March 25, 1994 between the City and 1621 Euclid Limited Partnership for placement of radio antennas and related equipment (part of the Infrastructure Improvement) at The Keith Building, 1621 Euclid Avenue, Cleveland, Ohio, for a five (5) year term commencing June 1, 1994 and ending May 31, 1999; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Commissioner of Purchases and Supplies is directed to acquire an extension of a leasehold interest in certain premises at The Keith Building, 1621 Euclid Avenue, Cleveland, Ohio, with 1621 Euclid Limited Partnership for a ten (10) year term commencing June 1, 1999 and ending May 31, 2009 at a monthly rental of \$1,300.00 for the first three (3) years, \$1,350.00 for the next three (3) years and \$1,400.00 for the final four (4) years as necessary for the Infrastructure Improvement.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 210-99.**

By Director Balraj.

Whereas, Hunger Network of Greater Cleveland ("Concessionaire") wishes to promote and conduct the annual Walk for Hunger (the "Event") at Burke Lakefront Airport (the "Airport") on May 8, 1999; 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 con-

cession agreement (the "Agreement") granting Hunger Network of Greater Cleveland the privilege, permit and license to conduct the Event at no fee in the lobby area of the Airport terminal building from 6:00 a.m. to 3:00 p.m. on May 8, 1999 and to use the area for such period of time before and after the event as needed for preparation and clean-up. Concessionaire 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 other associated 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 additional provisions the Director as deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 211-99.**

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1949-92 passed by the Council of the City of Cleveland on February 22, 1993, the City entered into a Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air ("Lessee"), City Contract No. 46372, for an aircraft fixed base and hangar facility at Burke Lakefront Airport; and

Whereas, pursuant to Article XX of said Lease By Way of Concession, Lessee desires to sublease part of its lease premises known as the Million Air Hangar at Burke Lakefront Airport to Air Blaha Services, Inc.; and

Whereas, subleasing of said premises Air Blaha Services, Inc. shall not constitute a release or waiver of any of Lessee's obligations under Contract No. 46372; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article XX of the Lease By Way of Concession with Burke Lakefront Services, Inc. dba Million Air, City Contract No. 46372, this Board hereby consents to the request of Lessee to sublease a part of the Million Air Hangar at Burke Lakefront Airport to Air Blaha Services, Inc. for the use of a hangar facility, on a month-to-month basis, subject to all terms of City Contract No. 46372; and

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby approved, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 212-99.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Sill's Motor Sales Co. for an estimated quantity of mower parts and labor (items: 18 and 24) 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 March 26, 1999, pursuant to the authority of Ordinance No. 2174-98, passed March 1, 1999, which on the basis of the estimated quantity would amount to approximately Ten Thousand Five Hundred and no/100 Dollars, (\$10,500.00), (2%—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. 31402 which shall be certified against such contract in the sum of Three Thousand and no/100 Dollars (\$3,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 213-99.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of North Coast Distributing, Inc. for an estimated quantity of mower parts and labor, (items: 8, 16, 20, 21, 23, 33, 36, 39, 41 and 42) 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 March 26, 1999, pursuant to the authority of Ordinance No. 2174-98, passed March 1, 1999, which on the basis of the estimated quantity would amount to approximately Sixty Six Thousand and no/100 Dollars, (\$66,000.00), (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. 31401 which shall be certified against such contract in the sum of Five Thousand and no/100 Dollars (\$5,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 214-99.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Brooklyn Tractor and Mower Co., Inc. for an estimated quantity of mower parts and labor (Items: 1, 2, 4, 5, 6, 12, 22, 26 thru 29, 34, 37, 38, 40 and 44), 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 March 26, 1999, pursuant to the authority of Ordinance No. 2174-98, passed March 1, 1999, which on the basis of the estimated quantity would amount to approximately Two Hundred Fifty Five Thousand Five Hundred and no/100 Dollars, (\$255,500.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 31400 which shall be certified against such contract in the sum of Forty Thousand and no/100 Dollars (\$40,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 215-99.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kahm Services, Inc. for an estimated quantity of refurbishment of Front-end Loaders and Roll-off Dumpsters (all items) for the Division of Waste Collection and Disposal, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on March 17, 1999, pursuant to the authority of Ordinance No. 1237-98, passed September 28, 1998, which on the basis of the estimated quantity would amount to approximately Twenty Nine Thousand Nine Hundred Forty and no/100 Dollars, (\$29,940.00), (Net 7 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. 31083 which shall be certified against such contract in the sum of Twenty Thousand and no/100 Dollars (\$20,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 216-99.**

By Director Guzman.  
Resolved by the Board of Control of the City of Cleveland that the bid of Nu Vinyl, for the installation of siding on Tactical Training House, for the Division of Police, Department of Public Safety, received on March 11, 1999, pursuant to Ordinance No. 366-98, passed on April 6, 1998, as amended by Ordinance No. 1855-98, passed on November 23, 1998, which on the basis of the estimated quantity would amount to Fourteen Thousand, Eight Hundred-Twenty and no/100 Dollars (\$14,820.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a contract for such items.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 217-99.**

By Director Jackson.  
Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. DiLillo & Company for the public improvement of Moreland Boulevard Median Site Improvements Project, for Base Bid Items 1 - 17 and 19 - 20, for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on March 31, 1999, pursuant to the authority of Ordinance No. 1605-98, passed October 19, 1998, upon a unit basis, for the improvement in the aggregate amount of Two Hundred Thirty Two Thousand, Three Hundred Seventy Five and 00/100 Dollars (\$232,375.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for R. DiLillo & Company on the public improvement for Moreland Boulevard Median Site Improvements are hereby approved.

**SUBCONTRACTORS RESPONSIBILITY**

United Ready Mix (MBE)	Concrete
Alexa Trucking (MBE)	Trucking
Barrow Sign (FBE)	Signage

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj,

Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 218-99.**

By Director Jackson.  
Whereas, pursuant to the authority of Ordinance No. 762-98, passed June 15, 1998, this Board of Control adopted Resolution No. 746-98, on November 11, 1998, approving Steingass Mechanical Contracting, Inc. as the lowest responsible bidder for the public improvement of the purchase and installation of two (2) boilers for the West Side Market, Division of Convention Center and West Side Market, Department of Parks, Recreation & Properties; and

Whereas, the parties did not execute a contract prior to the date, as extended, until which Steingass agreed to be bound by its bid prices; and

Whereas, the second lowest bidder for the public improvement has agreed to remain bound by its bid price; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 746-98, adopted by the Board of Control on November 11, 1998, approving the bid of Steingass Mechanical Contracting, Inc. for purchase and installation of two (2) boilers is hereby rescinded.

Be it further resolved by the Board of Control of the City of Cleveland, that the bid of the C.D. Whitfield Company, Inc., for the public improvement of purchase and installation of two (2) boilers at the West Side Market, for the Division of Convention Center and West Side Market, Department of Parks, Recreation & Properties received on August 28, 1998 pursuant to the authority of Ordinance No. 762-98, passed June 15, 1998, for a gross price for the improvement in the aggregate amount of Fifty-One Thousand, Three Hundred Twenty-Nine and 00/100ths Dollars (\$51,329.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractor by C.D. Whitfield Company, Inc., for the above mentioned public improvement is hereby approved:

<b>SUBCONTRACTOR</b>	<b>WORK</b>
Work Best Electric	Electrical 4% FBE

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 219-99.**

By Director Hudecek.  
Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 007-01-058, 007-01-059, 007-01-068 (Southerly half), 007-01-069, 007-01-070, 007-02-019, 007-06-016, 007-06-019, 007-06-020, 007-06-021,

007-06-022, 007-06-023, 007-06-026, 007-06-027, 007-06-029, 007-06-045, 007-06-047, 007-06-048, 007-07-013, 007-07-015, 007-06-017, 007-06-050 under said Land Reutilization Program; and

Whereas, Ordinance No. 325-99 passed March 29, 1999, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Bailey Orchard Development Limited, LLC has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 325-99 passed March 29, 1999, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Bailey Orchard Development Limited, LLC for the sale and development of Permanent Parcel Nos. 007-01-058, 007-01-059, 007-01-068 (Southerly half), 007-01-069, 007-01-070, 007-02-019, 007-06-016, 007-06-019, 007-06-020, 007-06-021, 007-06-022, 007-06-023, 007-06-026, 007-06-027, 007-06-029, 007-06-045, 007-06-047, 007-06-048, 007-07-013, 007-07-015, 007-06-017, 007-06-050, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$2,100, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 220-99.**

By Director Hudecek.  
Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 009-02-019 located at 3868 West 20th Street in Ward 15; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Roger R. Hernandez and Claire E. Hernandez, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that

pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Roger R. Hernandez and Claire E. Hernandez for the sale and development of Permanent Parcel No. 009-02-019 located at 3868 West 20th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

#### **Resolution No. 221-99.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 014-12-041 located at 3444 Broadview Road in Ward 15; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Dennis J. O'Neil and Lois J. O'Neil, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Dennis J. O'Neil and Lois J. O'Neil for the sale and development of Permanent Parcel No. 014-12-041 located at 3444 Broadview Road, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

#### **Resolution No. 222-99.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 015-22-024 located at 3774 West 39th Street in Ward 15; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Richard S. Nagy, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Richard S. Nagy for the sale and development of Permanent Parcel No. 015-22-024 located at 3774 West 39th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

#### **Resolution No. 223-99.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 006-27-038 (Easterly half) located at 7617 Clark Avenue in Ward 18; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, James L. Duncan and Anne Duncan, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with James L. Duncan and Anne Duncan for the sale and development of Permanent Parcel No. 006-27-038 (Easterly half) located at 7617 Clark Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

#### **Resolution No. 224-99.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 016-23-148 located at 3446 West 46th Street in Ward 15; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Angel Perez and Ledy Perez, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Angel Perez and Ledy Perez for the sale and development of Permanent Parcel No. 016-23-148 located at 3446 West 46th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 225-99.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 016-23-151 located at 3458 West 46th Street in Ward 15; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, John K. Webber and Teresa Webber, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with John K. Webber and Teresa Webber for the sale and development of Permanent Parcel No. 016-23-151 located at 3458 West 46th Street, in accordance with the Land Reutilization Program in

such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 226-99.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 004-21-144 located at 1203 Auburn Avenue (rear) in Ward 13; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Triple Crown Investments Incorporated, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 13 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Triple Crown Investments Incorporated for the sale and development of Permanent Parcel No. 004-21-144 located at 1203 Auburn Avenue (rear), in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1,050, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 227-99.**

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that the bid of R.P. Carbone, base bid and add alternates C2 and E1, for

the public improvement of the Ridge Road Transfer Station Replacement, for the Division of Waste Collection and Disposal, Department of Public Service, received on February 10, 1999, pursuant to the authority of Ordinance No. 318-99 passed on March 22, 1999, for a gross price for the improvement in the aggregate amount of Six Million Four Hundred Fifty-Nine Thousand and No/Dollars (\$6,459,000), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Service is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved, that the employment of the following subcontractors to R.P. Carbone Company, is hereby approved:

Wilson Contracting  
MBE 1%

Totem Rebar  
MBE 3%

Rittman DBA Mull Iron  
MBE 5%

Gateway Electric  
MBE 7%

MacMechanical  
FBE 1%

Collinwood Supply  
FBE 3%

Western Waterproofing  
FBE .035%

Able Fence & Guardrail  
FBE 1%

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Acting Director Shepherd, Directors Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

FREDDIE J. FENDERSON,  
President

**CIVIL SERVICE NOTICE**

**ANNOUNCEMENT - 1999**

Announcement No.	Classification
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- |      |  |
|------|--|
| 29-A | Legal Secretary (Open)                                 |
| 31   | Bricklayer Unit Leader (Promotional)                   |
| 32   | Deputy Commissioner of Environment (Non-Competitive)   |
| 33   | Labor Relations Manager (Non-Competitive)              |
| 34   | Labor Relations Officer (Non-Competitive)              |
| 35   | Manager of Public Service Operations (Non-Competitive) |
| 36   | Recreation Center Manager (Open)                       |
| 37   | Sr. Budget & Management Analyst (Open)                 |
| 38   | Special Assistant to the Mayor (Non-Competitive)       |

**PROOF OF CITY RESIDENCY**

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

- Lease - from rental agency.
- Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.
- Utility bills bearing the property address **and** your name.
- Post Office change of address form properly date stamped.
- Official documents relating to home ownership including deed, purchase agreement, or insurance policy.
- Bank statements (Within last three months).
- School registration of children.
- Car insurance documents.
- Car registration **or** Driver's License **or** Ohio I.D. (**One only**).
- Loans and credit card statements (Within last three months).
- Rental contracts (e.g.: furniture, tools, car, etc.).
- Current bills not listed above (Within last three months).
- The following are examples of **unacceptable** categories of proof:
- Library cards.
- Voter registration cards.

- Birth certificates.
- Notarized letters or affidavits.
- Social Security card.
- Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 29-A**

**LEGAL SECRETARY (OPEN)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open Examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$17,189.55 to \$31,410.17 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 3, 1999 UNTIL 4:30 P.M. ON FRIDAY, MAY 7, 1999.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MAY 7, 1999.**

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

**EXAMINATION INFORMATION**

**TYPE: WRITTEN EXAMINATION & PERFORMANCE EXAMINATION** (Applicants must be able to type a minimum of 55 words per minute)

**DUTIES OF THE POSITION**

Under supervision, assists in the preparation of legal documents and other papers. Performs general clerical duties. Takes and transcribes legal dictation as required. Tracks legislation as necessary. Performs other job-related duties as required.

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

Associate's degree or Certificate in the field of legal secretary plus one (1) year of experience in a legal setting required (One year of experience may substitute for each year of education lacking); or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job.

**NOTE:** Applicants will be required to pay a nonrefundable \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

**NOTE:** Those persons who are residents of the City of Cleveland and who received passing scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable forms of proof of residency applicants need to present at the time of filing.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 31**

**BRICKLAYER UNIT LEADER (PROMOTIONAL)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$25.32 to \$31.40 per hour.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 3, 1999 UNTIL 4:30 P.M. ON FRIDAY, MAY 7, 1999.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MAY 7, 1999.**

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

**EXAMINATION INFORMATION**

**TYPE: WRITTEN EXAMINATION**

**DUTIES OF THE POSITION**

Under general supervision, coordinates and inspects the work performed by bricklayers and laborers. Responds to customer complaints and concerns. Lays out work, schedules jobs, and orders materials for Division of Water craft workers.

Prepares project budgets and monitors expenditures. Maintains records of work time, materials, and equipment required for the work site. Supervises the painting of fire hydrants and repair of brick streets. Performs special assignments as directed. Performs other job-related duties as required.

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

Must have legal status as Bricklayer; High School Diploma or G.E.D. required; Five (5) years experience as a journeyman bricklayer required; Must have a Union Journeyman's book/card and be a member in good standing. Must be able to lift and push 50 lbs., read blueprints and have a thorough knowledge of industrial and commercial paving; or any equivalent combination of education, train-

ing, and experience which provides the requisite knowledge, skills, and abilities for this job. Supervisory experience required. Must have a valid State of Ohio driver's license.

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

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 32

**DEPUTY COMMISSIONER OF ENVIRONMENT (NON-COMP)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$26,273.96 to \$65,132.18 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 3, 1999 UNTIL 4:30 P.M. ON FRIDAY, MAY 7, 1999.**

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MAY 7, 1999.

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

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under administrative supervision, assists in the management of all divisional programs and activities. Directly administers divisional programs. Researches environmental issues and provides policy recommendations. Performs other job-related duties as required.

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

Bachelor's degree in Environmental, Public Health/Management, Public/Business Administration or a related field required; Master's degree preferred; Three (3) years of experience working with a large staff (30 or more) in environment, public health, code enforcement or related field required; Environmental research, grant writing, labor relations, and safety issues a plus; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Must possess a valid State of Ohio driver's license. Must be able to operate Microsoft Office 97 and Windows 95/98

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will Have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 33

**LABOR RELATIONS MANAGER (NON-COMP)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,214.95 to \$88,843.46 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 3, 1999 UNTIL 4:30 P.M. ON FRIDAY, MAY 7, 1999.**

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MAY 7, 1999.

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

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under general direction, supervises the administration of City-union collective bargaining agreements. Consults with City management concerning contract interpretation and administration. Serves as Chief Negotiator for designated negotiations. Serves as department liaison with outside legal counsel for labor negotiations.

Conducts training sessions concerning labor policies. Supervises the maintenance of records related to labor agreements. Coordinates City drug policy. Serves as Acting Director as requested. Performs other job-related duties as required.

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

Bachelor's degree in Business Administration, Human Resources Administration, or a related field required; Five (5) years of experience managing labor relations for a large public employer required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Must have familiarity with the grievance process.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will Have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 34

**LABOR RELATIONS OFFICER (NON-COMP)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$27,325.56 to \$61,192.14 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 3, 1999 UNTIL 4:30 P.M. ON FRIDAY, MAY 7, 1999.**



**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MAY 7, 1999.

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

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under general supervision, assists in the resolution of labor problems and issues within the department. Provides contract interpretation as needed. Serves as departmental representative at grievance hearings and meetings. Monitors the administration of labor contracts within the division to ensure consistency.

Assists or performs other labor relations duties as designated. Attends and/or leads designated committees, as requested. Performs other job-related duties as required.

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

Bachelor's degree in Business Administration, Human Resources Administration, or a related field required; Two (2) years of experience working on labor relations activities including contract administration required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. One year of experience may substitute for each year of college education lacking. Must have familiarity with the grievance process.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will Have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 35

**MANAGER OF PUBLIC SERVICE OPERATIONS (NON-COMP)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,214.95 to \$82,009.34 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 3, 1999 UNTIL 4:30 P.M. ON FRIDAY, MAY 7, 1999.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MAY 7, 1999.

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

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under administrative direction, coordinates the inter-divisional activities within the Public Service department. Monitors snow removal and maintenance operations and waste collection and disposal operation. Oversees and reviews the performance of Motor Vehicle Maintenance and Engineering and Construction operations. Oversees Division of Architecture program administration.

Evaluates performance levels, prepares reports, and makes recommendations concerning the effectiveness of the various Public Service divisions. Performs other job-related duties as required.

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

Bachelor's degree in public administration or related field required; four (4) years of management experience in municipal service-oriented operations with strong supervisory, administrative, operational and financial skills required; (one year of experience may substitute for each year of college education lacking); or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will Have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 36

**RECREATION CENTER MANAGER (OPEN)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open Examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$32,500.00 to \$56,649.76 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 3, 1999 UNTIL 4:30 P.M. ON FRIDAY, MAY 7, 1999.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MAY 7, 1999.

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

**EXAMINATION INFORMATION**

**DUTIES OF THE POSITION**

Under administrative direction, performs recreation program and activity planning, supervision and implementation at a City recreation facility. Organizes programs and activities. Supervises the activities performed by recreation staff. Recruits and trains recreation staff and volunteers.

Promotes program activities and program participation within the community. Prepares operational and other reports. Operates and supervises facility maintenance. Coordinates maintenance with Property Management.

Assigns tasks to employees and schedules recreation programs and activities of a recreation center. Coordinates facility's programs and activities with those of other recreation facilities. Orients, trains, and evaluates employees under immediate supervision. Prepares facility's budget and monitors expenditures. Performs other job-related duties as required.

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

Bachelor's degree in Business/Public Administration, Recreation or related field or three (3) years of progressively responsible experience in recreation program development and management required; or any equivalent

lent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Supervisory experience required. Must possess a valid State of Ohio driver's license. Must complete within one (1) year of hire the Pool and Spa Management Course and acquire CPR certification and First Aid Certification.

**NOTE:** Applicants will be required to pay a nonrefundable \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 37

**SR. BUDGET AND MANAGEMENT ANALYST (OPEN)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open Examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$26,273.96 to \$57,861.80 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 3, 1999 UNTIL 4:30 P.M. ON FRIDAY, MAY 7, 1999.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MAY 7, 1999.

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

**EXAMINATION INFORMATION**

**TYPE:** WRITTEN EXAMINATION

**DUTIES OF THE POSITION**

Under administrative direction, prepares or assists in preparation of financial reports. Provides analysis of complex financial data. Performs other job-related duties as required.

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

Bachelor's degree in Finance, Accounting, Business/Public Administration or related field required; four (4) years experience in municipal finance or in a budget or management related field required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Must have knowledge of computer hardware and software. Must also possess excellent

oral and written communication skills.

**NOTE:** Applicants will be required to pay a nonrefundable \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 38

**SPECIAL ASSISTANT TO THE MAYOR (NON-COMP)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,410.00 to \$74,951.45 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 3, 1999 UNTIL 4:30 P.M. ON FRIDAY, MAY 7, 1999.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MAY 7, 1999.

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

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under administrative direction, manages special and ongoing assignments as directed by the Mayor. Develops and coordinates state legislative agenda. Serves as City-State legislative liaison. Provides testimony for state legislative committees, as necessary.

Coordinates Mayor's agenda for National Conference of Mayors meetings. Coordinates appointments to Boards and Commissions. Serves as mayoral representative as requested. Performs other job-related duties as required.

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

**Government Relations** Bachelor's degree required; four (4) years of work experience with a non-profit or governmental agency required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. (One year of experience may substitute for each year of college education lacking.) Must possess a certificate of registration issued by the State of Ohio Joint Legislative Ethics Commission as an Executive Agent Lobbyist and Legislative Agent.

**Education** Bachelor's degree required; four (4) years of work experience with a non-profit, governmental, or education-related agency required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. (One year of experience may substitute for each year of college education lacking.)

**Media Relations** Bachelor's degree required; four (4) years work experience in the media or public relations field required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. (One year of experience may substitute for each year of college education lacking.)

**Special Events** Bachelor's degree required; two years work experience coordinating, organizing, marketing, and promoting community and special events required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. (One year of experience may substitute for each year of college education lacking.)

**Legislative Affairs** Bachelor's degree required; two years work experience with a non-profit or governmental agency required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. (One year of experience may substitute for each year of college education lacking.) Must possess superior knowledge of the legislative process.

**Community Affairs** High school diploma or G.E.D. required; two years work experience with a non-profit or governmental agency required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Must possess superior communication skills and professional relationships with community leaders.

**Administration** High school diploma or G.E.D. required; two years work experience with a non-profit or governmental agency required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job. Must possess superior organizational skills.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will Have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

FREDDIE J. FENDERSON,  
President

April 28, 1999

**SCHEDULE OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, MAY 10, 1999**

**9:30 A.M.**

**Calendar No. 99-79:** 6605 Clark Avenue (Ward 18)

Stuart J. Graines, appellant, and Paul M. Greenberger, attorney, appeal from a violation notice issued on March 2, 1999 by the Acting Commissioner of Environment, Robin Rogers, and Department of Public Health, under the authority of Section 203.07 of the Codified Ordinances and Section 209.01 of the Charter of the City of Cleveland. Said property located at 6605 Clark Avenue being cited for failure to be maintained with sufficient approved containers for refuse, waste; to keep all refuse, waste covered and confined in approved containers; to remove all waste, litter from the ground; to remove tires and large debris from a vacant area of the property located at 6605 Clark Avenue.

**Calendar No. 99-82:** 2415 East 55th Street (Ward 5)

Community Guidance, Inc., owner, and Fresh Start Inc., prospective purchaser, appeal to continue use as a correctional halfway house for 100 residents of an existing 132' x 140' four-story masonry building located on an approximate 180' x 270' irregular shaped parcel on the east side of East 55th Street on the southeast corner of Quincy Avenue and East 55th Street; said use being contrary to the Special Uses Regulations of Section 347.15(b) and 347.15(c), where establishment of Correctional Halfway House requires Board of Zoning Appeals approval, and Section 347.15(d)(1) where a correctional halfway house cannot be located within 500' of a residential district, church, public recreation center or school, and the proposed use abuts East Technical High School at 2493 East 55th Street, and is adjacent to a Multi-Family Residential District, Alfred A. Benesch Elementary School at 4393 Quincy Avenue, and a church at 2393 East 55th Street; the proposed use is within 500' of Lonnie Burten Recreational Center at 2511 East 46th Street, and a church at 5500 Scovill Avenue and contrary to Section 347.15(g) where 34 parking spaces are required for 100 residents, plus 30 or each staff on duty, for a total of 67 parking spaces and 58 are provided and Section 347.15(h) where certification needs to be submitted verifying that no resident will be accommodated who exhibits a pattern of violent behavior or who have been convicted of rape, murder, of

felony crimes against children and Section 347.15(j) where an application for a Certificate of Occupancy for a Correctional Halfway House shall provide all information as stated in Section 347.15(j), and contrary to the Landscaping and Screening Regulations of Section 352.10 where a 6' wide medium landscape frontage strip is required along Quincy Avenue to screen the parking lot from the street and Sections 352.08, 352.09 and 352.11, where an 8' heavy landscape transition strip is required separating the use from the residential district to the rear and presentation of a landscaping plan is required as stated in Section 352.12 of the Codified Ordinances.

**Calendar No. 99-83:** 10902 Florian Avenue (Ward 19)

Steve Gladstone, owner, and Reliable Customer Service c/o Rocco Sutura, agent, appeal to demolish an existing 24' x 8' first floor front porch and an existing 24' x 8' second floor front porch and to build a 24' x 8' enclosed room addition to the first floor and a 24' x 8' enclosed room addition to the second floor of an existing 2-dwelling house situated on a 40' x 130' parcel in a B-1 Two-Family District on the north side of Florian Avenue at 10902 Florian Avenue; said enclosures being contrary to the Yards and Courts Regulations of Section 357.13(b)(4) where enclosed porches and/or additions shall not project more than 4' and 8' is proposed; and a setback of 17' is proposed where the required setback-line of existing buildings is 25' as required in Section 357.06(a) of the Codified Ordinances.

**Calendar No. 99-84:** 798 East 185th Street (Ward 11)

Dante Lavelli, owner, and Laura Robinson, prospective purchaser, appeal to change the use of an existing 75' x 65'-6" two-story masonry bank building into a Child Care Center situated on an approximate 160' x 122' corner parcel in a Local Retail Business District at the southwest corner of Park Drive and East 185th Street at 798 East 185th Street; said change of use being contrary to the Business District Regulations of Section 343.01(b)(1), where all uses permitted and as regulated in the least Residence District adjacent to any part of such Local Retail Business District and to the Residential District Regulations of Section 337.03, the change in question is subject to the review of the Board of Zoning Appeals and contrary to the Off-Street Parking and Loading Regulations, where the driveway used to provide accessibility to accessory off-street parking spaces shall be so located and arranged to minimize traffic congestion as stated in Section 349.07(c) of the Codified Ordinances.

**Calendar No. 99-85:** 3868 Carnegie Avenue (Ward 5)

Charles Comalla, owner, and Total Learning Center c/o James Jackson, tenant, appeal to change the use of an existing 29' x 50' two-story masonry office building into a Child Care Center situated on a 34' x 104' lot located in a General Retail Business District on the south side of Carnegie Avenue at 3868 Carnegie Avenue; said change of use being contrary to the Business District Regulations of Section 343.11 (1) as regulated in any Local Retail Business District and Section 343.01(1) as regulated in any Residence District

and the Residential Districts Regulations where the appeal is subject to the approval of the Board of Zoning Appeals as stated in Section 337.03 of the Codified Ordinances.

**Calendar No. 99-102:** 2221 Professor Avenue (Ward 13)

Primo Group, owner, and Mojo Restaurant, tenant c/o Gherre Herschman, agent, appeal to change the use of an existing 54' x 58' three-story 1 dwelling unit, 8 rooming occupancies, 2 stores and 1 office building into a restaurant on the first floor and offices on the second floor and parking for 10 cars, all situated on a 58' x 126' corner parcel located in a General Retail Business District with parking for 8 cars located on the northeast corner of Literary Road and Professor Avenue at 2221 Professor Avenue; said change of use being contrary to the Off-Street Parking and Loading Regulations of Section 349.04(f)(g) where 28 parking spaces are required for the restaurant and 5 parking spaces are required for offices on the second floor for a total of 33 parking spaces required and 8 are proposed; and the width of the driveway proposed is 36' and the maximum width of driveway allowed in Retail Districts is 30' as stated in Section 349.07(c)(3) of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, APRIL 26, 1999**

At the Meeting of the Board of Zoning Appeals on Monday, April 26, 1999, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 99-64:** 4848 West 130th Street

MPW Industrial Services, owner, appealed to install a temporary parking lot for 10 tractor trailers on an approximate 200' x 175' area on a compacted gravel surface in a Semi-Industry District; said approval subject to installation of paving and landscape screening prior to 11/1/99.

**Calendar No. 99-65:** 2095 Columbus Road

Paul Nasvytis, d.b.a. F.U.N.A., Inc., owner, appealed to construct a one-story frame addition to the rear of an existing building located in a Semi-Industry District; said approval subject to submission of a signed agreement with neighboring property owner to provide required parking spaces.

**Calendar No. 99-66:** Appeal of Allen Humphrey

Allen Humphrey, appealed under Section 76-6 and the Charter of the City of Cleveland and Section 674.04 of the Codified Ordinances from being denied a handgun registration and handgun owner's identification card by recommendation of Chief Martin Flask, C.P.D.

**Calendar No. 99-68:** 1211 West 9th Street

Neil Viny and Old Cleveland Properties Ltd., owner, and Magnate Properties, LLC, prospective pur-

chaser, and Anthony Jerdine, tenant, appealed to change use of an existing 6-story masonry warehouse building to 41 dwelling units and to add a 1-story penthouse to the existing roof on a 66' x 132' parcel in a Limited Retail Business District.

The following appeals were **Denied**:

**Calendar No. 99-62:** 9901 Broadway Avenue

John P. Papouras, owner, and Eller Media Company c/o Scott Rowland, appealed to install a 24' x 12', 288 sq. ft. billboard sign on a 24' diameter steel pole with an overall height of 37' above grade in a One-Family District.

**Calendar No. 99-39:** 4447 Lee Road

Quinton Durham, Jr., owner, appealed to construct a 24' x 289' storage garage on an approximate 367' x 440' corner parcel in a Local Retail District.

**Calendar No. 99-41:** 2255 Hamilton Avenue

Victor Banis, owner, and Tony Aseff, tenant, appealed to maintain use of an existing 34' x 54' 2-story masonry storage building as a non-conforming adult cabaret in a Semi-Industry District.

The following appeals were **Dismissed**:

**Calendar No. 99-51:** 942 East 152nd Street

Jolly Properties, Ltd., owner, and Alan Raphael, agent, appealed to install a total of 104 linear feet of 6' high chain link fencing, where 40 linear feet are proposed to the east and 64 linear feet are proposed to the south of a 40' x 150' parcel in a Local Retail District.

**Calendar No. 99-52:** 936 East 152nd Street

Jolly Properties Ltd., owner and Alan Raphael, agent, appealed to install a total of 68 linear feet of 6' high chain link fencing, where 40 linear feet are proposed to the east and 28 linear feet are proposed to the northeasterly corner of a 40' x 150' parcel in a Local Retail District.

**Calendar No. 99-63:** Appeal of Jeanette Butler

Jeanette Butler appealed under Section 76-6 and the Charter of the City of Cleveland and Section 674.04 of the Codified Ordinances from being denied a handgun registration and handgun identification card by recommendation of Chief Martin Flask, C.P.D.

The following appeals was **Postponed**:

**Calendar No. 99-34:** 4901 Fleet Avenue postponed to May 17, 1999.

On Monday, April 26, 1999, in Executive Session:

The following appeals were heard on Monday, April 19, 1999, and said decisions to **GRANT** were approved and adopted by the Board on April 26, 1999:

**Calendar No. 99-58:** 3767 West 130th Street

Luther and Juanita Peters, owners, and Patio Enclosures, Inc., agent, appealed to enclose an exist-

ing front porch of a two-family dwelling house in a Two-Family District.

**Calendar No. 99-61:** 1901 Eglindale Avenue

Cuyahoga County, owner, and Multiple Sclerosis Association of America/HUD, tenants, appealed to erect a two-story frame 17 dwelling units apartment building and accessory parking area on a corner parcel in a Two-Family District.

**Calendar No. 99-8:** 1519 Lakeview Avenue

Lemaud Williams, owner, and Wallace Floyd appealed to change use of the front portion of a first floor of a two-story masonry building identified by address as 1501 Lakeview Avenue into occupancy for assembly on a parcel situated partially in the City of East Cleveland and located in a Two-Family and Semi-Industry District, subject to conditions stipulated and agreed upon by appellants and neighboring residential property owners.

**Calendar No. 99-31:** 12626 Bellaire Road

Nabeeh and Nabeeha Kash, owners, and Brotherman, Inc., agent, appealed to change use of an existing building and parking lot into a carry-out restaurant in a General Retail Business District.

**Calendar No. 98-262:** 4667-4669 Rocky River Drive

Ronald Shipley, owner, appealed to change use of an existing 60' x 60' one-story "L" shaped stores building with an existing two-story frame dwelling house to the rear into a day care center.

EUGENE CRANFORD, JR.,  
Secretary

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

Re: Report of the Meeting of  
April 21, 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-1-99.

RE: Appeal of Mario DiPadova, appeals from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Building and Housing dated April 6, 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 permit Mr. DiPadova 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. Bowes and seconded by Mr. Williams.

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

#### Docket A-13-99.

Appeal of Eugene T. Baugh, Owner of the One Story Masonry Bar and Two Stores located on the premises known as 14501-07 Woodworth Avenue from a VACATE FORTHWITH/CONDEMNATION I-6/ELECTRICAL/HVAC/CONDEMNATION SUPPLEMENT of the Commissioner of the Division of Building and Housing dated February 11th, 17th, 22nd and 23rd, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-13-99 has been POSTPONED; to be rescheduled for May 12, 1999.

\* \* \*

#### Docket A-16-99.

RE: Appeal of Principal Owner of Record, Eugene M. Holden (Deceased), Arthur A. Berke and Pictures, Inc., Owners of the One Story Masonry Theatre located on the premises known as 3151-55 West 25th Street from a VACATE ORDER/CONDEMNATION ORDER/CONDEMNATION ORDER I-6/NOTICE OF VIOLATION/ELECTRICAL of the Commissioner of the Division of Building and Housing dated February 1, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-16-99 has been POSTPONED to be rescheduled for May 12, 1999.

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#### Docket A-19-99.

Appeal of GMS Management Co., Inc., Owner of the Property located on the premises known as 2720 Van Aken Boulevard from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated February 3, 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 DENY the Appellant's appeal request and to find that sprinklers are required on the second floor of the premises at 2720 Van Aken Boulevard, and to REMAND the property to the Division of Fire for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

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#### Docket A-21-99.

RE: Appeal of Todora & Victor Pavlovic, Owners of the Two & One-half Story Residential Frame Property located on the premises known as 3031 East 65th Street from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated February 25, 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 require the Appellant to obtain permits within forty-five (45) days and to grant the Appellant ninety (90) days in which to abate the violations showing satisfactory progress, and to require that the property remain boarded and secured and the grounds debris free during that period of time; the property is REMANDED at this time to the Division of Building and Housing for further action, with a report from the inspector in ninety (90) days on the progress of the property. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

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**Docket A-22-99.**

RE: Appeal of Carlton V. Story, Owner of the Bar/Store/Hall Three story Masonry Property located on the premises known as 7017-19 Superior Avenue from a VACATE FORTHWITH ORDER/CONDEMNATION ORDER/NOTICE OF VIOLATION-HAZARDOUS STRUCTURE/CONDEMNATION ORDER I-6/HVAC/ELECTRICAL dated February 4th and 10th, 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 FORTHWITH ORDER/CONDEMNATION ORDER/NOTICE OF VIOLATION-HAZARDOUS STRUCTURE/CONDEMNATION ORDER I-6/HVAC/ELECTRICAL and LETTER OF INTENTION TO DEMOLISH by granting the Appellant four (4) 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 to the Commissioner of the Division of Building and Housing at the end that time for supervision and further action. All other provisions of the VACATE FORTHWITH ORDER/CONDEMNATION ORDER/NOTICE OF VIOLATION-HAZARDOUS STRUCTURE/CONDEMNATION ORDER I-6/HVAC/ELECTRICAL 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 August 28, 1999. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

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**Docket A-23-99.**

RE: Appeal of Harold & Andrea Pontius, Owners of the Two & One-half Story Residential Property located on the premises known as 719-21 East 160th Street from a NOTICE OF VIOLATION/NO PERMIT of the Commissioner of the Division of Building and Housing dated February 3, 1999.

BE IT RESOLVED, a motion is in order at this time to find that the Appellant must obtain either a permit through the contractor or the Appellants may obtain a homeowners permit; that the third floor occupancy is approved with the provision that hardwired smoke detectors be installed throughout on every level, and to request that the inspector make a final inspection; the property is REMANDED at this time to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

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

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**Docket A-30-99.**

RE: Appeal of Weiser Management, Inc., Owner of the 250,000 s.f. Industrial Building (Vacant) located on the premises known as 2175 Ashland Road from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated December 22, 1997, 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 require that the building be boarded and secured on the first floor and that all combustible materials be removed from the building and at that time the sprinkler system need not be reactivated, noting that signs must be posted at each fire connection that the sprinkler system is inactive; and noting that at a time of any future occupancy, the sprinkler system must be reactivated; the property is REMANDED at this time to the Division of Fire for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

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**Docket A-31-99.**

Appeal of Axle Properties, Owner of the Industrial Complex (Vacant) located on the premises known as 739 East 140th Street from a NOTICE OF VIOLATION/ FIRE CODE of the Chief of the Division of Fire dated February 3rd, 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 variance to Municipal Code 389.34(a) and permit the sprinkler system in the unoccupied buildings to be properly deactivated, noting that all combustibles and all occupancy be removed from the building, with the provision that should any future occupancy or storage occur in those buildings, the fire protection system must be in-stalled or reactivated, the property is REMANDED at this time to the Division of Fire for supervision and further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

**Docket A-32-99.**

RE: Appeal of Julius Sorma Jr., Owner of the Bar/Restaurant One Story Masonry Property located on the premises known as 3000-04 St. Clair Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated January 27, 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 DENY the Appellant's appeal and to REMAND the property at 3000-04 St. Clair Avenue to the Division of Building and Housing for the purpose of an aggressive pursuit of the rehabilitation or the removal of the property. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

**Docket A-34-99.**

Appeal of Shaker North Ltd., Owner of the Seven Story Apartment Building located on the premises known as 12701 Shaker Boulevard from a NOTICE OF VIOLATION/ELEVATOR CODE (A-17.3 Provide car top inspection station) of the Commissioner of the Division of Building and Housing dated July 9, 1998, 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 DENY the Appellant's appeal and to require that the car top operating station be installed as required by the adopted retroactive ordinance (Safety Code for Existing Elevators and Escalators — ASME A17.3-1993/Section 3.10.3). Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

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**Docket A-41-99.**

RE: Appeal of Brian E. Hardt & Richard W. Atkin, Owners of the Two Family Residential Property and existing Swimming Pool located on the premises known as 1331 West 112th Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated March 15, 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 variance to the ten (10) foot requirement and permit the pool and deck to remain, but to require that permits be obtained with payment of any late filing fees. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Williams and seconded by Mr. Saunders for Approval and Adoption of the Resolution 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):

A-157-98—V.G.U. Industries  
A-229-98—Rosie Bradley  
A-4-99—William Gambatese  
A-9-99—Shirley A. Russell  
A-17-99—Shirley Morton  
A-20-99—Florine B. Anthony  
A-51-99—Primo Group

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

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**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Williams and seconded by Mr. Saunders for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

March 31, 1999

Yeas: Messrs. Denk, Williams, Saunders. Nays: None. Not Voting: Mr. Bowes. Absent: Mr. 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**

NONE

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

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

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

ment: "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."

**WEDNESDAY, MAY 5, 1999**

**Summer Lunch Program**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 320-99.

**Various Foods, Condiments and Paper Products**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 320-99.

**Pool Chemicals**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 322-99.

April 21, 1999 and April 28, 1999

**THURSDAY, MAY 13, 1999**

**Server**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1744-97, passed by the Council of the City of Cleveland, October 20, 1997.

**Liquid Chlorine**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

**Sodium Fluorosilicate and Fluorosilicic Acid**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

April 21, 1999 and April 28, 1999

**WEDNESDAY, MAY 12, 1999**

**Continental Airlines - Cleveland 2000 Bid Package 20, Cleveland Fuel Farm Modifications**, for the Department of Port Control.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. DOCUMENTS ARE AVAILABLE FROM MORSE DIESEL INTERNATIONAL, CONTINENTAL AIRLINES, INC., CTC BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135. BIDS WILL BE RECEIVED AT THE SAME ADDRESS (ATTENTION: FRANK ROETZEL) UNTIL 3:00 P.M., WEDNESDAY, MAY 12, 1999. PLEASE DIRECT ALL QUESTIONS TO MORSE DIESEL AT (216) 265-4880 OR FAX (216) 265-4908.

**Papers, Pager Services and Ancillary Equipment**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 307-99, passed by the Council of the City of Cleveland, March 22, 1999.

April 28, 1999 and May 5, 1999

**THURSDAY, MAY 13, 1999**

**One (1) IBMTape Drive, Controller and Associated Cables and Software**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 2051-98, passed by the Council of the City of Cleveland, December 14, 1998.

**Consolidated Car Rental Facility Ready Return Building Site Landscaping Package**, for the Department of Port Control, as authorized by Ordinance No. 561-97, passed by the Council of the City of Cleveland, June 2, 1997.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 6, 1999, 10:00 A.M., IN THE ENGINEERING CONFERENCE ROOM, 19501 FIVE POINTS ROAD.

April 28, 1999 and May 5, 1999

**FRIDAY, MAY 14, 1999**

**Water Meter Parts (Item 4 — Parts for Rockwell Meters)**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

**One (1) Jetbridge**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 70-98, passed by the Council of the City of Cleveland, March 2, 1998.

April 28, 1999 and May 5, 1999

**WEDNESDAY, MAY 19, 1999**

**Paper Products**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1224-98, passed by the Council of the City of Cleveland, October 12, 1998.

April 28, 1999 and May 5, 1999

**THURSDAY, MAY 20, 1999**

**Drug House Board Up Program**, for the Department of Community Development, as authorized by Ordinance No. 690-98, passed by the Council of the City of Cleveland, May 18, 1998.

**Labor and Materials to Repair or Replace Fencing at Various Baseball Diamond Fields**, for the Division of Park Maintenance and Properties, Department of Parks,

Recreation and Properties, as authorized by Ordinance No. 2107-98, passed by the Council of the City of Cleveland, February 8, 1999.

April 28, 1999 and May 5, 1999

**FRIDAY, MAY 21, 1999**

**Cleaning and Cement Mortar Lining of Distribution Mains — Areas 99-1 and 99-2**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 545-98, passed by the Council of the City of Cleveland, June 15, 1998.

A DEPOSIT OF TWO HUNDRED DOLLARS (\$200.00) 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 WEDNESDAY, MAY 12, 1999, 10:00 A.M., IN THE ENGINEERING CONFERENCE ROOM, 75 ERIEVIEW PLAZA, 5TH FLOOR, CLEVELAND, OHIO.

April 28, 1999 and May 5, 1999

**WEDNESDAY, MAY 26, 1999**

**Cleaning and Cement Mortar Lining of Distribution Mains — Area 99-4, 99-5 and 99-6**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 545-98, passed by the Council of the City of Cleveland, June 15, 1998.

A DEPOSIT OF TWO HUNDRED DOLLARS (\$200.00) 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 WEDNESDAY, MAY 12, 1999, 10:00 A.M., IN THE ENGINEERING CONFERENCE ROOM, 75 ERIEVIEW PLAZA, 5TH FLOOR, CLEVELAND, OHIO.

April 28, 1999 and May 5, 1999

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 663-99.**  
**By Councilman Lewis.**  
**An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 7102 Hough Avenue.**

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

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

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, as they sold alcoholic beverages to minors, and that this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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 Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 8681813, owned by Sulaiman Inc., DBA Hough Food Deal Market, 7102 Hough Avenue, Cleveland, Ohio 44103, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

**Section 2.** That the Clerk of Council is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

Adopted April 19, 1999.  
 Effective April 26, 1999.

**Res. No. 667-99.**  
**By Councilman Cimperman.**  
**An emergency resolution objecting to the stock transfer of a C2 and C2X Liquor Permit to 1113-1115 Norwood Rd., 1st Fl. & Bsmt.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a C2 and C2X Liquor Permit to Permit No. 5673942, Mazoza Inc., 1113-1115 Norwood Rd., 1st Fl. & Bsmt., Cleveland, Ohio 44103; and

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

Whereas, the applicant does not qualify to be 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 stock transfer of a C2 and C2X Liquor Permit to Permit No. 5673942, Mazoza Inc., 1113-1115 Norwood Rd., 1st Fl. & Bsmt., Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she 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 April 19, 1999.  
 Effective April 26, 1999.

**Res. No. 668-99.**  
**By Councilman Cimperman.**  
**An emergency resolution objecting to the stock transfer of a D1, D2, D3, D3A and D6 Liquor Permit to 1012 Sumner Ave., 1st and 2nd Fls. N. End & Patio W/S.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D1, D2, D3, D3A and D6 Liquor Permit to Permit No. 1990748, DEBC Management Co. Inc., DBA Millennium, 1012 Sumner Ave., 1st and 2nd Fls. N. End & Patio W/S, Cleveland, Ohio 44115; 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 stock transfer of a D1, D2, D3, D3A and D6 Liquor Permit to Permit No. 1990748, DBDC Management Co. Inc., DBA Millennium, 1012 Sumner Ave., 1st and 2nd Fls. N. End & Patio W/S, Cleveland, Ohio 44115 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 April 19, 1999.  
Effective April 26, 1999.

**Res. No. 669-99.**

**By Councilman Lewis.**

**An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 8800 Hough Ave., 1st Fl., and repealing Res. No. 1473-98, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 8800 Hough Ave., 1st Fl.,

by Res. No. 1473-98, adopted by Council August 18, 1998; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement signed March 23, 1999, a copy of which is in the file for this address in the City Law Department; and

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

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

**Section 1.** That objection to the renewal of a C2 and C2X Liquor Permit to 8800 Hough Ave., 1st Fl., be and the same is hereby withdrawn and Res. No. 1473-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 19, 1999.  
Effective April 26, 1999.

**Res. No. 670-99.**

**By Councilman Lewis.**

**An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 7318 Superior Ave. & Gas Pumps, and repealing Res. No. 1474-98, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 7318 Superior Ave. & Gas Pumps, by Res. No. 1474-98, adopted by Council on August 19, 1998; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement signed August 19, 1998, a copy of which is in the file for this address in the City Law Department; and

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

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

**Section 1.** That objection to the renewal of a C1 and C2 Liquor Permit to 7318 Superior Ave. & Gas Pumps, be and the same is hereby withdrawn and Res. No. 1474-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 19, 1999.  
Effective April 26, 1999.

**Res. No. 671-99.**

**By Councilman Melena.**

**An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 1871-77 W. 65th St., and repealing Res. No. 44-99, objecting to said issuance.**

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 1871-77 W. 65th St., by Res. No. 44-99, adopted January 11, 1999; and

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

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

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

**Section 1.** That objection to the issuance of a C1 Liquor Permit to 1871-77 W. 65th Street, be and the same is hereby withdrawn and Res. No. 44-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

Adopted April 19, 1999.  
Effective April 26, 1999.

**Ord. No. 515-99.**

**By Councilmen White, Jackson, Sweeney, Coats, Robinson and Johnson (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of grading, constructing and improving water and sewer lines, sidewalks, landscaping, curbs, street paving and lighting and related street improvements in connection with the Mill Creek Housing Development project, Phase III, and authorizing the Directors of Public Service, Public Utilities or Community Development 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 grading, constructing and improving water and sewer lines, sidewalks, landscaping, curbs, street paving and lighting and related street improvements in connection with the Mill Creek Housing Development project, Phase III, for the Departments of Public Service, Public Utilities or Community Development, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.



**Section 2.** That the Directors of Public Service, Public Utilities or Community Development, as appropriate, are 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 Nos. 52 SF 001, 52 SF 223, 52 SF 225, 10 SF 501 and 58 SF 223, Request No. 23122.

**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 April 19, 1999.

Effective April 26, 1999.

**Ord. No. 658-99.**

**By Councilman Britt.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10015 Quebec Avenue, 2538 and 2562 East 82nd Street and 2479 East 86th Street to Greater Cleveland Habitat for Humanity Incorporated.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-19-045 as more fully described in Section 2 below, to Greater Cleveland Habitat for Humanity Incorporated.

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

P.P. No. 121-19-045

Situated in the City of Cleveland,

County of Cuyahoga and State of Ohio, and known as being Sublot No. 23 in Massey, Mansur and Grant's Subdivision of part of Original One Hundred Acre Lot No. 409 as shown by the recorded plat in Volume 5 of Maps, Page 59 of Cuyahoga County Records. Said Sublot No. 23 is 40 feet front on the Northerly side of Quebec Street and extends back 137 feet 11 inches deep on the Westerly line, 137 feet 10 inches deep on the Easterly line and is 40 feet wide on the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 3.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-02-106 as more fully described in Section 4 below, to Greater Cleveland Habitat for Humanity Incorporated.

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

P.P. No. 126-02-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 10 in J. Steffen's Re-Subdivision of part of Keyes and Edward's Subdivision of part of Original One Hundred Acre Lot No. 415 as shown by the recorded plat in Volume 8 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 82nd Street (formerly Edward Avenue), 123.30 feet deep on the Northerly line, 123.14 feet deep on the Southerly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 5.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-02-113 as more fully described in Section 6 below, to Greater Cleveland Habitat for Humanity Incorporated.

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

P.P. No. 126-02-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 4 in J. Steffen's Subdivision of part of Original One Hundred Acre Lot No. 415 as shown by the recorded plat in Volume 8 of Maps, Page 29 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 82nd Street and extending back equal width 122.38 feet deep on the Northerly side, 122.23 on the Southerly side and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 7.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Sup-

plies is hereby authorized to sell Permanent Parcel No. 126-05-049 as more fully described in Section 8 below, to Greater Cleveland Habitat for Humanity Incorporated.

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

P.P. No. 126-05-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 3 in John Remington's Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 1 of Maps, Page 14 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of East 86th Street, (formerly Congress Street), at its intersection with the Southerly line of Purcell and Weaver's Subdivision as shown by the recorded plat in Volume 29 of Maps, Page 17 of Cuyahoga County Records; thence Southerly along the Easterly line of East 86th Street, 40 feet to the Northwesterly corner of land conveyed to Herbert W. Wolcott by deed dated February 18, 1895, and recorded in Volume 579, Page 131 of Cuyahoga County Records; thence Easterly along the Northerly line of land so conveyed 120 feet to the Northeasterly corner thereof; thence Northerly and parallel with the Easterly line of East 86th Street 40 feet to the Southerly line of the Purcell and Weaver's Subdivision as aforesaid; thence Westerly along the Southerly line of said Subdivision, 120 feet the place of beginning, as appears by said plat.

**Section 9.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 10.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 11.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

**Section 12.** 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 April 19, 1999.

Effective April 26, 1999.

**Ord. No. 659-99.**

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

**An emergency ordinance to amend Section 46 of Ordinance No. 520-99, passed March 31, 1999, and Section 49 of Ordinance No. 520-99, passed March 31, 1999, as amended by Ordinance No. 598-99, passed April 12, 1999, relating to compensation for various classifications.**

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

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

**Section 1.** That Section 46 of Ordinance No. 520-99, passed March 31, 1999, is hereby amended to read as follows:

**Section 46. Division of Police, Patrol Officers**

The annual salaries of persons appointed to the ranks of patrol officer shall be fixed by the appointing authority within the limits established in the following schedules:

	<b>Minimum</b>	<b>Maximum</b>
1. Patrol Officer I .....	\$41,619.65	\$42,119.65
2. Patrol Officer II .....	38,098.87	38,098.87
3. Patrol Officer III .....	37,598.87	37,598.87
4. Patrol Officer IV .....	36,598.87	36,598.87
5. Trainee .....	\$8.50 per hour	\$8.50 per hour

**Section 2.** That existing Section 46 of Ordinance No. 520-99, passed March 31, 1999, is hereby repealed.

**Section 3.** That Section 49 of Ordinance No. 520-99, passed March 31, 1999, as amended by Ordinance No. 598-99, passed April 12, 1999, is hereby amended to read as follows:

**Section 49. Division of Fire; Various Positions**

The annual salaries of persons appointed to the following ranks of the Division of Fire shall be fixed by the appointing authority within the limits established in the following schedules:

	<b>Minimum</b>	<b>Maximum</b>
1. Battalion Chief .....	\$65,244.39	\$65,744.39
2. Captain .....	56,176.20	56,676.20
3. Lieutenant .....	48,358.79	48,858.79
4. Firefighter		
Journeyman .....	41,619.65	42,119.65
Apprentice — Medic III .....	38,098.87	38,098.87
Apprentice — Medic II .....	37,598.87	37,598.87
Apprentice — Medic I .....	36,598.87	36,598.87
Trainee .....	\$ 8.50 per hour	\$ 8.50 per hour

**Section 4.** That existing Section 49 of Ordinance No. 520-99, passed March 31, 1999, as amended by Ordinance No. 598-99, passed April 12, 1999, is hereby repealed.

**Section 5.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 19, 1999.

Effective April 26, 1999.

**Ord. No. 660-99.**

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

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

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

Whereas, pursuant to Ordinance No. 1165-86, passed June 16, 1986, Ordinance No. 1255-87, passed June 8, 1987, Ordinance No. 1052-88, passed June 6, 1988, Ordinance No. 1037-89, passed September 11, 1989, Ordinance No. 1112-90, passed June 18, 1990, Ordinance No. 1368-91, passed June 17, 1991, Ordinance No. 1657-92, passed November 9, 1992, Ordinance

No. 1309-93, passed June 14, 1993, Ordinance No. 373-94, passed April 18, 1994, Ordinance No. 260-95, passed March 27, 1995, Ordinance No. 490-96, passed May 6, 1996, Ordinance No. 813-97, passed June 7, 1997, the term of said agreement was extended for respective one-year periods, and Ordinance No. 511-98, passed April 6, 1998, in addition to an additional one-year extension, it also included an amendment which authorized the City to utilize the Broadway YMCA gymnasium for a youth basketball program; and

Whereas, the City wishes to further extend said agreement until December 31, 1999, for an additional fee of \$55,000.00; and

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into a fourteenth amendment to Lease Agreement No. 35620 with the Young Men's Christian Association ("YMCA") for the continued rental of the Broadway YMCA facilities located at 11300 Miles Avenue, Cleveland, Ohio 44105 for the pur-

pose of providing recreational facilities and activities for the City's youth and to allow the City to utilize the Broadway YMCA gymnasium for a youth basketball program.

**Section 2.** That said fourteenth amendment shall extend the term of the agreement for one year to December 31, 1999, and in consideration for the extension of the term, the City shall pay the YMCA an additional rental of \$55,000, for a total rental for the term, as extended, of \$785,000. Said extension shall be paid from Fund No. 01-70-04-0380, Request No. 20292.

**Section 3.** That said fourteenth amendment shall be prepared and approved by the Director of Law and shall contain such provisions as the Director of Law shall deem necessary to protect the public interest.

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

Passed April 19, 1999.

Effective April 26, 1999.

**Ord. No. 662-99.****By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the Neighborhood Centers Association (NCA) Walk for Youth on June 19, 1999, sponsored by Park Works of Cleveland.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Neighborhood Centers Association (NCA) Walk for Youth, on June 19, 1999, starting point at CSU Convocation Center at the corner East 18th and Euclid, from CSU, walkers will go west on Prospect and cross East 9th, where Prospect branches off to Huron, walkers will veer left and proceed west down Huron all the way to West 9th Street. They will take West 9th heading north to St. Clair and go east briefly on St. Clair. They will turn left on West 6th from St. Clair heading north to Lakeside. Once at Lakeside, walkers will turn right and go east until they get to West 6th by City Hall, break point for walkers to get water along the Lakeside stretch at Mall B (changing from Mall C). When walkers get to West 6th, they will turn right and head south until they reach Rockwell and make a right on Rockwell taking them west again. Once at Ontario, they will make a left on Ontario and take that briefly to Euclid and go left on Euclid taking them East all the way to East 18th. At East 18th, they will turn right and end up back at the CSU Convocation Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance 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 April 19, 1999.  
Effective April 26, 1999.

**Ord. No. 664-99.****By Councilman O'Malley.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Our Lady of Good Counsel Church to stretch banners across State Road at Mobile Court and across Pearl Road between Bucyrus and Ardmore for the period from May 18, 1999 to July 1, 1999, inclusive, publicizing the OLGC Summer Festival.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Our Lady of Good Counsel Church to install, maintain and remove banners on State Road at Mobile Court and across Pearl Road between Bucyrus and Ardmore for the period from May 18, 1999 to July 1, 1999, inclusive. Said banners shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed April 19, 1999.  
Effective April 26, 1999.

**Ord. No. 665-99.****By Councilman Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Willie Jerido).**

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

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

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

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

**Section 1.** That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5, at the locations specified: Willie Jerido at 2765 East 55th Street.

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

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

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

Passed April 19, 1999.  
Effective April 26, 1999, without the signature of the Mayor.

**Ord. No. 666-99.****By Councilman Lewis.**

**An emergency ordinance consenting and approving the issuance of a permit for a 2.2K Race and Parade on May 8, 1999, sponsored by Thurgood Marshall Recreation Center.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a 2.2K Race and Parade, sponsored by Thurgood Marshall Recreation Center, on May 8, 1999, with the 2.2K Race coming out of Thurgood Marshall Recreation Center turn right and go to E. 79th and turn right and go north to Lexington and turn left on Lexington and go west to E. 66th St. turn left on E. 66th and go south to Hough turn left on Hough and go east and finish at Thurgood Marshall; and the Parade starting at League Park go east on Lexington to E. 71st make a left on E. 71st go north to Wade Park make a left on Wade Park go west on Wade Park to E. 66th make a left on E. 66th and go south to Hough make a left on Hough and finish at Thurgood Marshall Recreation Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed April 19, 1999.  
Effective April 26, 1999.

## COUNCIL COMMITTEE MEETINGS

**Monday, April 26, 1999**

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

**Tuesday, April 27, 1999**

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

**Wednesday, April 28, 1999**

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

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

## Index

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
 Bold type in sections indicates amendments

### All My Heart Educational Center

Authorizing the Director of Economic Development to enter into an Empowerment Zone contract with All My Heart Educational Center to provide economic development assistance to partially finance capital improvements (O 372-99)..... 706

### American Municipal Power - Ohio

Authorizing the Director of Public Utilities to enter into contract with American Municipal Power - Ohio Inc. for emergency backup energy control center services - Cleveland Public Power (O 361-99)..... 706

### Banners

American Indian Education Center — banners — Annual Indian Pow-Wow at Cudell Recreation Center (O 748-99) ..... 702  
 OLG Summer Festival — banners — Our Lady of Good Counsel Church (O 664-99) ..... **727**  
 Sagrada Familia Church — banners — Church Festival (O 744-99)..... 701

### Block Grants

Community Development Block Grant — Community Development Department — OMB Circular A-133 (O 728-99)..... 695  
 Community Development Block Grant — Project Clean Program — Parks, Recreation and Properties Department (O 732-99) ..... 696  
 Community Development Block Grant — Storefront Renovation Program (O 731-99)..... 696  
 Community Development Block Grant — Code Enforcement and Demolition Programs (O 729-99) ..... 696

### Board of Building Standards and Building Appeals

Ashland Road, 2175 - Weiser Management, Inc., owner - appeal resolved on 4/21/99 (Doc. A-30-99) ..... 721  
 DiPadova, Mario - appeal resolved on 4/21/99 (Doc. L-1-99) ..... 720  
 East 140th Street, 739 - Axle Properties, owner - appeal resolved on 4/21/99 (Doc. A-31-99)..... 721  
 East 143rd Street, 3401 - Shirlie Morton, owner and Creative Home Improvements, contractor - appeal granted and adopted 4/21/99 (Doc. A-17-99) ..... 722  
 East 160th Street, 719-21 - Harold and Andrea Pontius, owners - appeal resolved on 4/21/99 (Doc. A-23-99) ..... 721  
 East 65th Street, 3031 - Todora and Victor Pavlovic, owners - appeal resolved on 4/21/99 (Doc. A-21-99) ..... 720  
 East 90th Street, 1934 - Rosie Bradley, owner - appeal adopted 4/21/99 (Doc. A-229-98) ..... 722  
 Gambatase, William, on behalf of Sheet Metal Workers' Local Union 33, appellant - appeal adopted 4/21/99 (Doc. A-4-99)..... 722  
 Manufacturing Avenue, 4747 (a.k.a. 4735-51) - V.G.U. Industries, owner - appeal granted and adopted 4/21/99 (Doc. A-157-98) ..... 722  
 Professor Street, 2221 - Primo Group, owner - appeal granted and adopted 4/21/99 (Doc. A-51-99)..... 722  
 Public Hearing Agenda, April 21, 1999 — Board of Buildings Standards and Building Appeals (F 686-99) ..... 687  
 Public Hearing Agenda, April 28, 1999 - Board of Building Standards and Building Appeals (F 687-99) ..... 687  
 Shaker Boulevard, 12701 - Shaker North Ltd., owner - appeal resolved on 4/21/99 (Doc. A-34-99) ..... 721  
 St. Clair Avenue, 10631-35 - Shirley A. Russell, owner - appeal adopted 4/21/99 (Doc. A-9-99) ..... 722  
 St. Clair Avenue, 3000-04 - Julius Sorma, Jr., owner - appeal resolved on 4/21/99 (Doc. A-32-99) ..... 721  
 Stevenson Road, 920 - Florine B. Anthony, owner - appeal granted and adopted 4/21/99 (Doc. A-20-99) ..... 722  
 Superior Avenue, 7017-19 - Carlton V. Story, owner - appeal resolved on 4/21/99 (Doc. A-22-99) ..... 721  
 Van Aken Boulevard, 2720 - GMS Management Co., Inc., owner - appeal resolved on 4/21/99 (Doc. A-19-99) ..... 720  
 West 112th Street, 1331 - Brian E. Hardt and Richard W. Atkin, owners - appeal resolved on 4/21/99 (Doc. A-41-99) ..... 721  
 West 25th Street, 3151-55 - Principal owner of record Eugene M. Holden (deceased), Arthur A. Berke and Pictures, Inc., owners - appeal postponed on 4/21/99 to 5/12/99 (Doc. A-16-99)..... 720  
 Woodworth Avenue, 14501-07 - Baugh, Eugene T., owner - appeal postponed on 4/21/99 to 5/12/99 (Doc. A-13-99) ..... 720

### Board of Control - Burke Lakefront Airport Division

Amend Lease By Way of Concession with Burke Lakefront Services, Inc. - Contract #46372 - sublease to Air Blaha Services, Inc. - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 211-99) ..... 711  
 Permit to Hunger Network of Greater Cleveland - Hunger Walk on 5/8/99 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 210-99)..... 710

**Board of Control - Community Development Department**

Auburn Avenue (rear), 1203 (Ward 13) - PPN 004-21-144 - to Triple Crown Investments Incorporated (BOC Res. 226-99)..... 714

Bailey Orchard Development Limited, LLC - various parcels (Ward 14) pursuant to Ord. 325-99 (BOC Res. 219-99) ..... 712

Broadview Road, 3444 (Ward 15) -PPN 014-12-041 - to Dennis J. O'Neil and Lois J. O'Neil (BOC Res. 221-99) ..... 713

Clark Avenue, 7617 (Ward 18) - PPN 006-27-038 (easterly half) - to James L. Duncan and Anne Duncan (BOC Res. 223-99) ..... 713

West 20th Street, 3868 (Ward 15) - PPN 009-02-019 - to Roger R. Hernandez and Claire E. Hernandez (BOC Res. 220-99) ..... 712

West 39th Street, 3774 (Ward 15) - PPN 015-22-024 - to Richard S. Nagy (BOC Res. 222-99) ..... 713

West 46th Street, 3446 (Ward 15) - PPN 016-23-148 - to Angel Perez and Ledy Perez (BOC Res. 224-99) ..... 713

West 46th Street, 3458 (Ward 15) - PPN 016-23-151 - to John K. Webber and Teresa Webber (BOC Res. 225-99).... 714

**Board of Control - Convention Center and Stadium Division**

Boilers for the West Side Market - contract pursuant to Ord. 762-98 to C.D. Whitfield Company, Inc. - Division of Convention Center and Stadium, Dept. of Parks, Recreation and Properties (BOC Res. 218-99) ..... 712

**Board of Control - Finance Department**

Sale of scrap, personal property and by-products - Report for March 1999 - Commissioner of Purchases and Supplies, Dept. of Finance (BOC Res. 208-99) ..... 710

**Board of Control - Land Reutilization Program**

Auburn Avenue (rear), 1203 (Ward 13) - PPN 004-21-144 - to Triple Crown Investments Incorporated (BOC Res. 226-99)..... 714

Bailey Orchard Development Limited, LLC - various parcels (Ward 14) pursuant to Ord. 325-99 (BOC Res. 219-99) ..... 712

Broadview Road, 3444 (Ward 15) -PPN 014-12-041 - to Dennis J. O'Neil and Lois J. O'Neil (BOC Res. 221-99) ..... 713

Clark Avenue, 7617 (Ward 18) - PPN 006-27-038 (easterly half) - to James L. Duncan and Anne Duncan (BOC Res. 223-99) ..... 713

West 20th Street, 3868 (Ward 15) - PPN 009-02-019 - to Roger R. Hernandez and Claire E. Hernandez (BOC Res. 220-99)..... 712

West 39th Street, 3774 (Ward 15) - PPN 015-22-024 - to Richard S. Nagy (BOC Res. 222-99) ..... 713

West 46th Street, 3446 (Ward 15) - PPN 016-23-148 - to Angel Perez and Ledy Perez (BOC Res. 224-99) ..... 713

West 46th Street, 3458 (Ward 15) - PPN 016-23-151 - to John K. Webber and Teresa Webber (BOC Res. 225-99) ..... 714

**Board of Control - Leases**

Amend Lease By Way of Concession with Burke Lakefront Services, Inc. - Contract #46372 - sublease to Air Blaha Services, Inc. - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 211-99) ..... 711

Lease extension with 1621 Euclid Limited Partnership - Keith Building - City-wide 800 MHz radio communications system - Dept. of Public Utilities (BOC Res. 209-99) ..... 710

**Board of Control - Motor Vehicle Maintenance Division**

Mower parts and labor - contract pursuant to Ord. 2174-98 to Brooklyn Tractor and Mower Co., Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 214-99)..... 711

Mower parts and labor - contract pursuant to Ord. 2174-98 to North Coast Distributing, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 213-99) ..... 711

Mower parts and labor - contract pursuant to Ord. 2174-98 to Sill's Motor Sales Co. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 212-99) ..... 711

**Board of Control - Parks, Recreation and Properties Department**

Boilers for the West Side Market - contract pursuant to Ord. 762-98 to C.D. Whitfield Company, Inc. - Division of Convention Center and Stadium, Dept. of Parks, Recreation and Properties (BOC Res. 218-99)..... 712

Moreland Boulevard median site improvement project - contract pursuant to Ord. 1605-98 to R. Dilillo & Company - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 217-99) ..... 712

**Board of Control - Permits**

Permit to Hunger Network of Greater Cleveland - Hunger Walk on 5/8/99 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 210-99)..... 710

**Board of Control - Police Division**

Installation of siding for Tactical Training House - contract pursuant to Ord. 366-98 to Nu Vinyl -  
Division of Police, Dept. of Public Safety (BOC Res. 216-99) ..... 712

**Board of Control - Port Control Department**

Amend Lease By Way of Concession with Burke Lakefront Services, Inc. - Contract #46372 -  
sublease to Air Blaha Services, Inc. - Division of Burke Lakefront Airport, Dept. of Port  
Control (BOC Res. 211-99) ..... 711  
Permit to Hunger Network of Greater Cleveland - Hunger Walk on 5/8/99 - Division of Burke  
Lakefront Airport, Dept. of Port Control (BOC Res. 210-99) ..... 710

**Board of Control - Public Improvement Contracts**

Boilers for the West Side Market - contract pursuant to Ord. 762-98 to C.D. Whitfield  
Company, Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 214-99) ..... 711  
Recreation and Properties (BOC Res. 218-99) ..... 712  
Moreland Boulevard median site improvement project - contract pursuant to Ord. 1605-98 to  
R. Dillillo & Company - Division of Research, Planning and Development, Dept. of Parks,  
Recreation and Properties (BOC Res. 217-99) ..... 712  
Ridge Road Transfer Station replacement - contract pursuant to Ord. 318-99 to R.P.  
Carbone - Division of Waste Collection and Disposal, Dept. of Public Service (BOC Res. 227-99) ..... 714

**Board of Control - Public Safety Department**

Installation of siding for Tactical Training House - contract pursuant to Ord. 366-98 to Nu  
Vinyl - Division of Police, Dept. of Public Safety (BOC Res. 216-99) ..... 712

**Board of Control - Public Service Department**

Mower parts and labor - contract pursuant to Ord. 2174-98 to Brooklyn Tractor and  
Mower Co., Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 214-99) ..... 711  
Mower parts and labor - contract pursuant to Ord. 2174-98 to North Coast Distributing, Inc. -  
Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 213-99) ..... 711  
Mower parts and labor - contract pursuant to Ord. 2174-98 to Sill's Motor Sales Co. -  
Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 212-99) ..... 711  
Refurbishment of front-end loaders and roll-off dumpsters - contract pursuant to Ord. 2174-98 to  
Kahm Services, Inc. - Division of Waste Collection and Disposal, Dept. of Public  
Service (BOC Res. 215-99) ..... 711  
Ridge Road Transfer Station replacement - contract pursuant to Ord. 318-99 to R.P. Carbone -  
Division of Waste Collection and Disposal, Dept. of Public Service (BOC Res. 227-99) ..... 714

**Board of Control - Public Utilities Department**

Lease extension with 1621 Euclid Limited Partnership - Keith Building - City-wide 800 MHz  
radio communications system - Dept. of Public Utilities (BOC Res. 209-99) ..... 710

**Board of Control - Purchases and Supplies Division**

Sale of scrap, personal property and by-products - Report for March 1999 - Commissioner of  
Purchases and Supplies, Dept. of Finance (BOC Res. 208-99) ..... 710

**Board of Control - Research, Planning and Development Division**

Moreland Boulevard median site improvement project - contract pursuant to Ord. 1605-98 to  
R. Dillillo & Company - Division of Research, Planning and Development, Dept. of Parks,  
Recreation and Properties (BOC Res. 217-99) ..... 712

**Board of Control - Requirement Contracts**

Mower parts and labor - contract pursuant to Ord. 2174-98 to Brooklyn Tractor and Mower Co.,  
Inc. - Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 214-99) ..... 711  
Mower parts and labor - contract pursuant to Ord. 2174-98 to North Coast Distributing, Inc. -  
Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 213-99) ..... 711  
Mower parts and labor - contract pursuant to Ord. 2174-98 to Sill's Motor Sales Co. -  
Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 212-99) ..... 711  
Refurbishment of front-end loaders and roll-off dumpsters - contract pursuant to Ord. 2174-98 to  
Kahm Services, Inc. - Division of Waste Collection and Disposal, Dept. of Public  
Service (BOC Res. 215-99) ..... 711

**Board of Control - Standard Purchase Contracts**

Installation of siding for Tactical Training House - contract pursuant to Ord. 366-98 to  
Nu Vinyl - Division of Police, Dept. of Public Safety (BOC Res. 216-99) ..... 712

**Board of Control - Waste Collection and Disposal Division**

Refurbishment of front-end loaders and roll-off dumpsters - contract pursuant to Ord. 2174-98  
to Kahm Services, Inc. - Division of Waste Collection and Disposal, Dept. of  
Public Service (BOC Res. 215-99) ..... 711  
Ridge Road Transfer Station replacement - contract pursuant to Ord. 318-99 to R.P.  
Carbone - Division of Waste Collection and Disposal, Dept. of Public Service (BOC Res. 227-99) ..... 714

**Board of Zoning Appeals - Report**

Bellaire Road, 12626 (Ward 19) - Nabeeh and Nabeeha Kash, owners and Brotherman, Inc., agent - appeal granted and adopted 4/26/99 (Cal. 99-31) ..... 720

Broadway Avenue, 9901 (Ward 2) - John P. Papouras, owner and Eller Media Company, c/o Scott Rowland - appeal heard on 4/26/99 (Cal. 99-62) ..... 720

Butler, Jeanette - appeal dismissed 4/26/99 (Cal. 99-63) ..... 720

Columbus Road, 2095 (Ward 14) - Paul Nasvytis, d.b.a. F.U.N.A., Inc., owner - appeal heard on 4/26/99 (Cal. 99-65) ..... 719

East 152nd Street, 936 (Ward 10) - Jolly Properties Ltd., owner and Alan Raphael, agent - appeal dismissed 4/26/99 (Cal. 99-52) ..... 720

East 152nd Street, 942 (Ward 10) - Jolly Properties Ltd., owner and Alan Raphael, agent - appeal dismissed 4/26/99 (Cal. 99-51) ..... 720

Eglindale Avenue, 1901 (Ward 14) - County of Cuyahoga, owner and Multiple Sclerosis Association of America/HUD, tenants, c/o Nick Zarnas and Jennifer Wintner, attorney - appeal granted and adopted 4/26/99 (Cal. 99-61) ..... 720

Fleet Avenue, 4901 (Ward 12) - BP Oil Company, owner c/o Alvin Schneider - appeal postponed on 4/26/99 to 5/17/99 (Cal. 99-34) ..... 720

Hamilton Avenue, 2255 (Ward 13) - Victor Banis, owner and Tony Aseff, tenant - appeal heard on 4/26/99 (Cal. 99-41) ..... 720

Humphrey, Allen - appeal heard on 4/26/99 (Cal. 99-66) ..... 719

Lakeview Avenue, 1519 (Ward 9) - Lemaud Williams, owner and Wallace Floyd, attorney - appeal granted and adopted 4/26/99 (Cal. 99-8) ..... 720

Lee Road, 4447 (Ward 1) - Quinton Durham, Jr., owner - appeal heard on 4/26/99 (Cal. 99-39) ..... 720

Rocky River Drive, 4667-4669 (Ward 20) - Ronald Shipley, owner - appeal granted and adopted 4/26/99 (Cal. 98-262) ..... 720

West 130th Street, 3767 (Ward 19) - Luther and Juanita Peters, owners and Patio Enclosures, Inc., agent, c/o Michael Shon, contractor - appeal granted and adopted 4/26/99 (Cal. 99-58) ..... 720

West 130th Street, 4848 (Ward 20) - MPW Industrial Services, owner - appeal heard on 4/26/99 (Cal. 99-64) ..... 719

West 9th Street, 1211 (Ward 13) - Neil Viny and Old Cleveland Properties, Ltd., owner and Magnate Properties, LLC, prospective purchaser, and Anthony Jerdine, tenant - appeal heard on 4/26/99 (Cal. 99-68) ..... 719

**Board of Zoning Appeals - Schedule**

Carnegie Avenue, 3868 (Ward 5) - Charles Comalla, owner and Total Learning Center, c/o James Jackson, tenant - appeal to be heard on 5/10/99 (Cal. 99-85) ..... 719

Clark Avenue, 6605 (Ward 18) - Stuart J. Graines, appellant and Paul M. Greenberger, attorney - appeal to be heard 5/10/99 (Cal. 99-79) ..... 719

East 55th Street, 2415 (Ward 5) - Community Guidance, Inc., owner and Fresh Start Inc., prospective purchaser - appeal to be heard on 5/10/99 (Cal. 99-82) ..... 719

East 185th Street, 798 (Ward 11) - Dante Lavelli, owner and Laura Robinson, prospective purchaser - appeal to be heard on 5/10/99 (Cal. 99-84) ..... 719

Florian Avenue, 10902 (Ward 19) - Steve Gladstone, owner and Reliable Customer Service, c/o Rocco Sutera, agent - appeal to be heard on 5/10/99 (Cal. 99-83) ..... 719

Professor Avenue, 2221 (Ward 13) - Primo Group, owner and Mojo Restaurant, tenant, c/o Gherre Herschman, agent - appeal to be heard on 5/10/99 (Cal. 99-102) ..... 719

**Broadway YMCA**

Broadway YMCA — Lease Agreement No. 35620 — youth basketball program (O 660-99) ..... 726

**Case Western Reserve University**

Immunization Action Plan Grant — grant — Saint Ann Foundation (O 718-99) ..... 692

**City of Cleveland Bids**

Consolidated Car Rental Facility Ready Return Building site landscaping package - Dept. of Port Control - per Ord. 561-97 - bid due May 13, 1999 (advertised 4/28/99 and 5/5/99) ..... 722

Continental Airlines - Cleveland 2000 Bid Package 20 - Cleveland Fuel Farm Modifications - Dept. of Port Control - bid due May 12, 1999 (advertised 4/28/99 and 5/5/99) ..... 722

Distribution mains-Area 99-1 and 99-2, cleaning and cement mortar lining of - Division of Water, Dept. of Public Utilities - per Ord. 545-98 - bid due May 21, 1999 (advertised 4/28/99 and 5/5/99) ..... 723

Distribution mains-Area 99-4, 99-5 and 99-6, cleaning and cement mortar lining of - Division of Water, Dept. of Public Utilities - per Ord. 545-98 - bid due May 21, 1999 (advertised 4/28/99 and 5/5/99) ..... 723

Drug house board up program - Dept. of Community Development - per Ord. 690-98 - bid due May 20, 1999 (advertised 4/28/99 and 5/5/99) ..... 722

Fencing at various baseball diamond fields, labor and materials to repair or replace - Division of Park Maintenance and Properties, Dept. of parks, Recreation and Properties - per Ord. 2107-98 - bid due May 20, 1999 (advertised 4/28/99 and 5/5/99) ..... 722

Foods, condiments and paper products - Division of Recreation, Department of Parks, Recreation and Properties, per Ord. No. 320-99 - bid due May 5, 1999 (advertised 4/21/99 and 4/28/99) ..... 722

IBM tape drive, controller and associated cables and software - Division of Police, dept. of Public Safety, per Ord. 2051-98 - bid due May 13, 1999 (advertised 4/28/99 and 5/5/99) ..... 722

Jetbridge - Division of Cleveland Hopkins International Airport, Dept. of Port Control - per Ord. 70-98 - bid due May 13, 1999 (advertised 4/28/99 and 5/5/99) ..... 722

Liquid chlorine - Division of Water, Department of Public Utilities, per C.O. Sec. 129.24 - bid due May 13, 1999 (advertised 4/21/99 and 4/28/99) ..... 722

Paper products - Division of Water, Dept. of Public Utilities - per Ord. 1224-98 - bid due May 19, 1999 (advertised 4/28/99 and 5/5/99) ..... 722

Paper, pager services and ancillary equipment - Dept. of Finance - per Ord. 307-99 - bid due May 12, 1999 (advertised 4/28/99 and 5/5/99) ..... 722

Pool chemicals - Division of Recreation, Department of Parks, Recreation and Properties, per Ord. No. 322-99 - bid due May 5, 1999 (advertised 4/21/99 and 4/28/99) ..... 722

Server - Department of Finance, per Ord. No. 1744-97 - bid due May 13, 1999 (advertised 4/21/99 and 4/28/99) ..... 722

Sodium fluorosilicate and fluorosilicic acid - Division of Water, Department of Public Utilities, per C.O. Sec. 129.24 - bid due May 13, 1999 (advertised 4/21/99 and 4/28/99)..... 722

Summer lunch program - Division of Recreation, Department of Parks, Recreation and Properties, per Ord. No. 320-99 - bid due May 5, 1999 (advertised 4/21/99 and 4/28/99) ..... 722

Water meter parts (#4-parts for Rockwell meters) - Division of Water, Dept. of Public Utilities - per C.O. Sec. 129.25 - bid due May 14, 1999 (advertised 4/28/99 and 5/5/99) ..... 722

**City Planning Commission**

Authorizing the Director of Economic Development to enter into an Empowerment Zone contract with All My Heart Educational Center to provide economic development assistance to partially finance capital improvements (O 372-99)..... 706

Authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Piankhi Construction & Contracting to provide economic development assistance (O 373-99) ..... 706

Determining the method of making the public improvement of street improvements in connection with the Mill Creek Housing Development project, Phase III - Department of Public Service (O 515-99) ..... **724**

**Cleveland Area Enterprise Zone**

Rock of Ages Corporation — ten year abatement — 3636 Pearl Road — Economic Development Department (O 737-99)..... 699

**Cleveland Electric Illuminating Company**

Authorizing the Director of Public Utilities to enter into a Mutual Aid Agreement with The Cleveland Electric Illuminating Company for the interchange and use of personnel and equipment upon request during system emergencies (O 310-99)..... 705-710

**Cleveland Hopkins International Airport**

Authorizing the Director of Port Control to lease office space located on the ramp level of Cleveland Hopkins International Airport to Global Ground Services, for a term of two years (O 174-99) ..... 706

Authorizing the purchase by contract of one cardiac monitor and defibrillator, for the Division of Cleveland Hopkins International Airport (O 363-99)..... 706

**Cleveland Municipal Court**

Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract for professional services necessary to place criminal defendants in community service, for the Cleveland Municipal Court (O 451-99) ..... 706

**Cleveland Public Library**

Director's Report, April 15, 1999 — Cleveland Public Library (F 685-99) ..... 687

**Cleveland Public Power**

Authorizing the Director of Public Utilities to enter into contract with American Municipal Power - Ohio Inc. for emergency backup energy control center services - Cleveland Public Power (O 361-99) ..... 706

**Code Enforcement & Demolition Program**

Community Development Block Grant — Code Enforcement and Demolition Programs (O 729-99) ..... 696

**Codified Ordinances**

Amend Sections 337.23 and 350.13 of Codified Ordinances relating to Accessory Uses and Signs in residence districts (O 1962-98)..... 704-707



**Committee on Mayor's Appointments**

Councilman Craig Willis, Chairman; Councilmen Merle R. Gordon, Joe Cimperman, Robert J. White, Nelson Cintron — appoint — Committee on Mayor's Appointments..... 688

**Communications**

Director's Report, April 15, 1999 — Cleveland Public Library (F 685-99) ..... 687  
First Quarterly Train Update — Community Advisory Committees (F 678-99)..... 687  
Public Hearing Agenda, April 21, 1999 — Board of Buildings Standards and Building Appeals (F 686-99) ..... 687  
Public Hearing Agenda, April 28, 1999 - Board of Building Standards and Building Appeals (F 687-99) ..... 687  
Requirement Contract/Monthly Report - April, 1999 — Purchases and Supplies Division (F 684-99) ..... 687  
Sales Request No. 90172 — Division of Purchases and Supplies (F 679-99)..... 687  
Sales Request No. 90173 — Purchases and Supplies Division (F 680-99)..... 687  
Sales Request No. 90174 - Purchases and Supplies Division (F 681-99) ..... 687  
Sales Request No. 90176 - Purchases and Supplies Division (F 682-99) ..... 687  
Sales Request No. 90176 - Purchases and Supplies Division (F 683-99) ..... 687

**Community Development**

Amor Avenue, 10509-11 and East 105th Street, 971-79 — MJC Gen Contractors Incorporated — Land Reutilization Program (O 734-99) ..... 697  
Authorizing the Director of Community Development to apply and accept a grant from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program (O 371-99)..... 706  
Central Ave., 8110, 8106, 7902-8102, 2312 East 82nd Street, 8112 Central Ave. — Fairfax Renaissance Development Corporation — Land Reutilization Program (O 725-99) ..... 693  
Community Development Block Grant — Community Development Department — OMB Circular A-133 (O 728-99)..... 695  
Community Development Block Grant — Project Clean Program — Parks, Recreation and Properties Department (O 732-99) ..... 696  
Community Development Block Grant — Storefront Renovation Program (O 731-99)..... 696  
Community Development Block Grants - Federal HOME Program funds — Housing Rehabilitation Programs (O 730-99)..... 696  
Community Development Block Grant — Code Enforcement and Demolition Programs (O 729-99) ..... 696  
Demolition, removal or boarding up of structures within the City of Cleveland — contracts — Community Development (O 727-99) ..... 695  
East 82nd Street, 2829, Holton Avenue, 8112, 8116 and 8120, East 81st Street 2835 rear — Roy Sears and Lettie C. Sears — Land Reutilization Program (O 733-99)..... 696  
West 20th Street, 2170 — Jas R. Chura and Mary E. Chura — Land Reutilization Program (O 726-99) ..... 695

**Community Relations Board**

Ryan, Gia Hoa — Community Relations Board — appointment to unexpired term, expiring March 31, 2000 (F 703-99)..... 688

**Condolences**

Loisel, Jonathan (R 754-99) ..... 688  
Perk, Ralph J. Mayor (R 755-99) ..... 688  
Tubbs, Deacon Allen (R 756-99) ..... 688

**Congratulations**

Buhrer Elementary School (R 758-99)..... 688  
Dickerson, Elsie (R 770-99) ..... 688  
EARTHFeSt '99 (R 763-99)..... 688  
East High School - State History Competition (R 771-99) ..... 688  
Herring Henderson, Exie M. (R 761-99)..... 688  
Hoffman, Thomas A. (R 765-99)..... 688  
Jaeger, Juliet (R 764-99)..... 688  
Johnson, Carla Jean (R 759-99) ..... 688  
Kennedy, Jecenta Y. (R 768-99) ..... 688  
Magner, James Edmund Jr. (R 757-99)..... 688  
McGowman-Phillips, Joyce F. (R 766-99) ..... 688  
Medlea, Sergeant Hughlean (R 767-99)..... 688  
O'Neill, Thomas Francis (R 762-99)..... 688  
Stevens, Charles A. (R 760-99) ..... 688  
Williams, Khalilah (R 769-99)..... 688

**Contracts**

Immunization Action Plan Grant — grant — Saint Ann Foundation (O 718-99) .....	692
Public improvement — dynamic/LED signs — Port Control (O 717-99) .....	692
Rialto Theater Building — renovation — Economic Development Department (O 736-99) .....	698
Rock of Ages Corporation — partially finance — 3636 Pearl Road — Economic Development Department (O 738-99).....	699
Thermagon, Inc. — partially finance — 4707 Detroit Avenue — Economic Development Department (O 740-99).....	700
West 25th Street, 1889 — building, machinery and equipment — finance — Economic Development Department (O 735-99).....	698

**Cuyahoga County Board of Health**

1999 Cuyahoga County Health Promotion Project — grants — Cuyahoga County Board of Health (O 722-99) .....	693
--	-----

**Economic Development Department**

Amend Section 1 of Ordinance No. 1094-97 — Richman Brothers Complex (O 747-99).....	702
Authorizing the Director of Economic Development to enter into an Empowerment Zone contract with All My Heart Educational Center to provide economic development assistance to partially finance capital improvements (O 372-99).....	706
Authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Dubick Fixture & Supply, Inc. to provide economic development assistance - 6101 Euclid Avenue (O 2056-98).....	705-710
Authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Piankhi Construction & Contracting to provide economic development assistance (O 373-99) .....	706
Authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Dubick Fixture and Supply, Inc. to provide economic development assistance - 6201 Euclid Avenue (O 2057-98) .....	705-710
Rialto Theater Building — renovation — Economic Development Department (O 736-99) .....	698
Rock of Ages Corporation — partially finance — 3636 Pearl Road — Economic Development Department (O 738-99).....	699
Rock of Ages Corporation — ten year abatement — 3636 Pearl Road — Economic Development Department (O 737-99).....	699
Thermagon, Inc. — partially finance — 4707 Detroit Avenue — Economic Development Department (O 740-99).....	700
West 25th Street, 1889 — building, machinery and equipment — finance — Economic Development Department (O 735-99).....	698

**Economic Development Department**

Aletha Gambrell dba Operation Hair, 1787 East 55th Street — economic development assistance — Economic Development Department — Empowerment Zone (O 739-99).....	699
---	-----

**Empowerment Zone**

Authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Piankhi Construction & Contracting to provide economic development assistance (O 373-99) .....	706
Authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Dubick Fixture & Supply, Inc. to provide economic development assistance - 6101 Euclid Avenue (O 2056-98).....	705-710
Aletha Gambrell dba Operation Hair, 1787 East 55th Street — economic development assistance — Economic Development Department — Empowerment Zone (O 739-99).....	699
Authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Dubick Fixture and Supply, Inc. to provide economic development assistance - 6201 Euclid Avenue (O 2057-98) .....	705-710

**Enterprise Zone Agreement**

Rock of Ages Corporation — ten year abatement — 3636 Pearl Road — Economic Development Department (O 737-99).....	699
--	-----

**Fair Housing Review Board**

Bray, SeMia — Fair Housing Review Board — two year appointment, expiring March 31, 2001 (F 702-99) .....	688
---	-----

**Fairfax Renaissance Development Corporation**

Central Ave., 8110, 8106, 7902-8102, 2312 East 82nd Street, 8112 Central Ave. — Fairfax Renaissance Development Corporation — Land Reutilization Program (O 725-99) .....	693
--	-----

**Federal HOME Program**

Community Development Block Grants - Federal HOME Program funds — Housing Rehabilitation Programs (O 730-99)..... 696

**Finance Department**

Authorizing the Director of Community Development to apply and accept a grant from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program (O 371-99)..... 706
Authorizing the Director of Economic Development to enter into an Empowerment Zone contract with All My Heart Educational Center to provide economic development assistance to partially finance capital improvements (O 372-99)..... 706
Authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Piankhi Construction & Contracting to provide economic development assistance (O 373-99) ..... 706
Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract for professional services necessary to place criminal defendants in community service, for the Cleveland Municipal Court (O 451-99) ..... 706
Authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the Ohio Department of Health for the 1999 STD Control Program (O 420-99) ..... 706
Authorizing the Director of Public Health to employ professional nursing services to provide nursing services, for the Division of Correction, Department of Public Health (O 421-99) ..... 706
Authorizing the Director of Public Health to apply for a grant from the Cuyahoga County Board of Health for the 1999 Cuyahoga County Health Promotion Project (O 419-99) ..... 706
Authorizing the Director of Public Service to enter into contract without competitive bidding with E.J. Ward, Inc. for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation (O 248-99) ..... 705-710
Authorizing the Director of Public Utilities to enter into contract with American Municipal Power - Ohio Inc. for emergency backup energy control center services - Cleveland Public Power (O 361-99) ..... 706
Authorizing the Director of Public Utilities to enter into a Mutual Aid Agreement with The Cleveland Electric Illuminating Company for the interchange and use of personnel and equipment upon request during system emergencies (O 310-99)..... 705-710
Authorizing the payment of membership dues of the City of Cleveland in various professional organizations (O 308-99)..... 706
Authorizing the procurement by requirement contract of the rental of snow removal equipment and operators, for the various divisions of the Department of Port Control, for a period of two years (O 362-99) ..... 706
Authorizing the purchase by contract of one cardiac monitor and defibrillator, for the Division of Cleveland Hopkins International Airport (O 363-99)..... 706
Authorizing the purchase by requirement contract of towing services, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the a period not to exceed two years (O 315-99) ..... 705-710
Authorizing the purchase by requirement contract of labor and materials necessary to repair frames and for vehicle alignments, for the Division of Motor Vehicle Maintenance, for a period not to exceed two years (O 316-99)..... 705-710
Authorizing the purchase by requirement contract of Blaw Knox paver equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years (O 247-99)..... 705-710
Authorizing the purchase by requirement contract of Crane carrier, Caterpillar grandall and Case equipment parts, including labor if necessary, for a period not to exceed two years (O 177-99) ..... 705-710
Authorizing the purchase by requirement contract of labor and materials needed to repair and maintain Ford trucks, for the Division of Motor Vehicles, for a period not to exceed two years (O 314-99)..... 705-710
Batteries, dry cell (O 704-99)..... 688
Building materials (O 705-99) ..... 688
Determining the method of making the public improvement of street improvements in connection with the Mill Creek Housing Development project, Phase III - Department of Public Service (O 515-99) ..... 724
Fasteners (O 706-99)..... 689
Fleet Washing (O 707-99)..... 689
Hand Tools and Hand Held Power Tools (O 708-99)..... 689
Jacobson mower parts (O 709-99)..... 689
Janitorial supplies (O 710-99) ..... 690
Paint and paint supplies (O 711-99) ..... 690
Paper and cloth wipers (O 712-99)..... 690
Plumbing supplies (O 713-99) ..... 690
Rental and laundry service of work clothing (O 715-99) ..... 691
Reproduction and mounting services (O 714-99) ..... 691
To amend Sections 46 and 49 of Ordinance No. 520-99 — compensation for various classifications — Division of Police and Division of Fire (O 659-99) ..... 726

**Fire Division**

To amend Sections 46 and 49 of Ordinance No. 520-99 — compensation for various classifications — Division of Police and Division of Fire (O 659-99) ..... 726

**Garage Sale**

Amend Sections 337.23 and 350.13 of Codified Ordinances relating to Accessory Uses and Signs in residence districts (O 1962-98).....	704-707
--	---------

**Global Ground Services**

Authorizing the Director of Port Control to lease office space located on the ramp level of Cleveland Hopkins International Airport to Global Ground Services, for a term of two years (O 174-99) .....	706
---	-----

**Golf Courses**

Golf Courses — public improvement — Parks, Recreation and Properties Department (O 724-99) .....	693
--	-----

**Grants**

1999 Cuyahoga County Health Promotion Project — grants — Cuyahoga County Board of Health (O 722-99) .....	693
1999-2000 Federal Child Lead Poison Prevention Program — grants — Ohio Department of Health (O 723-99) .....	693
Amend Section 1 of Ordinance No. 2041-97 — grants — Phase II of the Healthy Family Healthy Start Program (O 719-99).....	692
Ryan White Planning and Evaluation Project — grants — Ohio Department of Health (O 720-99) .....	692
State AIDS Community Based Care Program — grants — Ohio Department of Health (O 721-99) .....	693

**Greater Cleveland Habitat**

Quebec Avenue, 10015 - East 82nd, 2538, 2562 - East 86th, 2479 -Land Reutilization Program - Greater Cleveland Habitat for Humanity Incorporated (O 658-99) .....	725
---	-----

**Health Division**

1999 Cuyahoga County Health Promotion Project — grants — Cuyahoga County Board of Health (O 722-99) .....	693
1999-2000 Federal Child Lead Poison Prevention Program — grants — Ohio Department of Health (O 723-99) .....	693
Amend Section 1 of Ordinance No. 2041-97 — grants — Phase II of the Healthy Family Healthy Start Program (O 719-99).....	692
Authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1999 Federal AIDS Prevention Program (O 96-99).....	706
Immunization Action Plan Grant — grant — Saint Ann Foundation (O 718-99) .....	692
Ryan White Planning and Evaluation Project — grants — Ohio Department of Health (O 720-99) .....	692
State AIDS Community Based Care Program — grants — Ohio Department of Health (O 721-99) .....	693

**Health and Welfare Department**

Authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the 1999 State Child Lead Poison Prevention Program (O 418-99) .....	706
Authorizing the Director of Public Health to apply for a grant from the Cuyahoga County Board of Health for the 1999 Cuyahoga County Health Promotion Project (O 419-99) .....	706
Authorizing the Director of Public Health to accept a grant from the Federation for Community Planning from Ohio Department of Health for the 1999 Immunization Action Plan (O 417-99) .....	706
Authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the Ohio Department of Health for the 1999 STD Control Program (O 420-99) .....	706
Authorizing the Director of Public Health to employ professional nursing services to provide nursing services, for the Division of Correction, Department of Public Health (O 421-99) .....	706

**House of Corrections**

Authorizing the Director of Public Health to employ professional nursing services to provide nursing services, for the Division of Correction, Department of Public Health (O 421-99) .....	706
---	-----

**Housing Rehabilitation Program**

Community Development Block Grants - Federal HOME Program funds — Housing Rehabilitation Programs (O 730-99).....	696
---	-----

**Land Reutilization Program**

Amor Avenue, 10509-11 and East 105th Street, 971-79 — MJC Gen Contractors Incorporated  
 — Land Reutilization Program (O 734-99) ..... 697  
 Central Ave., 8110, 8106, 7902-8102, 2312 East 82nd Street, 8112 Central Ave. — Fairfax  
 Renaissance Development Corporation — Land Reutilization Program (O 725-99) ..... 693  
 East 82nd Street, 2829, Holton Avenue, 8112, 8116 and 8120, East 81st Street 2835 rear  
 — Roy Sears and Lettie C. Sears — Land Reutilization Program (O 733-99)..... 696  
 Quebec Avenue, 10015 - East 82nd, 2538, 2562 - East 86th, 2479 -Land Reutilization Program  
 - Greater Cleveland Habitat for Humanity Incorporated (O 658-99)..... **725**  
 West 20th Street, 2170 — Jas R. Chura and Mary E. Chura — Land Reutilization Program  
 (O 726-99) ..... 695

**Lease Agreement**

Broadway YMCA — Lease Agreement No. 35620 — youth basketball program (O 660-99) ..... **726**

**Liquor Permits**

East 105th Street, 1076 first floor — Withdrawing objection to stock transfer  
 (R 750-99) ..... 703  
 East 71st Street and Hough Avenue (Ward 7) — objection to renewal (R 663-99)..... **723**  
 Fleet Avenue, 5509 first floor and basement — Withdrawing objection to renewal  
 (R 751-99) ..... 703  
 Hough Avenue, 8800 - Withdrawing Objection — liquor permit (R 669-99) ..... **724**  
 Madison Avenue, 10134 (Ward 18) — Transfer of Ownership (F 689-99) ..... 687  
 Madison Avenue, 8701, first floor and basement — Transfer of Ownership Application —  
 2124014 (F 692-99)..... 688  
 Miles Avenue, 14731 & patio (Ward 18) — Transfer of Ownership (F 691-99)..... 688  
 Miles, Avenue, 14731 & patio — Objecting to transfer of ownership — Liquor Permit  
 (R 749-99) ..... 702  
 Norwood Road, 1113-1115 - Objection to stock transfer — liquor permit (R 667-99)..... **723**  
 Prospect Avenue, 1222 first floor and basement (Ward 13) — Transfer of Ownership  
 and Location (F 693-99) ..... 688  
 Scranton Road, 2626 (Ward 14) — Transfer of Ownership (F 690-99)..... 687  
 Sumner Avenue, 1012 — Objection to stock transfer — liquor permit (R 668-99) ..... **723**  
 Superior Avenue, 7318 & Gas Pumps — Withdrawing objection — liquor permit  
 (R 670-99) ..... **724**  
 Wade Park Avenue, 9200 (Ward 7) — Transfer of Ownership and Location (F 694-99)..... 688  
 West 105th Street, 3446 (Ward 19) — Transfer of Location (F 699-99)..... 688  
 West 130th Street 3935 & gas pumps (Ward 19) — Transfer of Ownership and Location  
 (F 697-99) ..... 688  
 West 150th Street, 4280 & I-71 (Ward 20) — New Application (F 688-99) ..... 687  
 West 25th Street, 3022 (Ward 14) — Transfer of Location (F 698-99)..... 688  
 West 65th Street, 1871-1877 — Withdrawing objection — liquor permit (R 671-99) ..... **724**  
 West Third Street, 1085 levels 100, 200, 300, 400 and 500 (Ward 13) — Transfer of  
 Ownership and Location (F 696-99)..... 688  
 West Third Street, 1085 levels 100, 200, 400 and 600 (Ward 13) — Transfer of Ownership  
 and Location (F 695-99) ..... 688

**Mayor's Appointments**

Bray, SeMia — Fair Housing Review Board — two year appointment, expiring March 31, 2001  
 (F 702-99) ..... 688  
 Councilman Craig Willis, Chairman; Councilmen Merle R. Gordon, Joe Cimperman, Robert J.  
 White, Nelson Cintron — appoint — Committee on Mayor's Appointments..... 688  
 Ryan, Gia Hoa — Community Relations Board — appointment to unexpired term, expiring March  
 31, 2000 (F 703-99) ..... 688

**Motor Vehicle Maintenance Division**

Authorizing the Director of Public Service to enter into contract without competitive  
 bidding with E.J. Ward, Inc. for the purchase of spare replacement parts for the fuel  
 control terminals and for telephone consultation (O 248-99) ..... 705-710  
 Authorizing the purchase by requirement contract of labor and materials necessary  
 to repair frames and for vehicle alignments, for the Division of Motor Vehicle  
 Maintenance, for a period not to exceed two years (O 316-99)..... 705-710  
 Authorizing the purchase by requirement contract of towing services, for the Division of  
 Motor Vehicle Maintenance, Department of Public Service, for the a period not  
 to exceed two years (O 315-99) ..... 705-710  
 Authorizing the purchase by requirement contract of labor and materials needed to repair  
 and maintain Ford trucks, for the Division of Motor Vehicles, for a period not to  
 exceed two years (O 314-99)..... 705-710  
 Authorizing the purchase by requirement contract of Blaw Knox paver equipment parts,  
 including labor if necessary, for the Division of Motor Vehicle Maintenance,  
 Department of Public Service, for a period not to exceed two years (O 247-99)..... 705-710  
 Authorizing the purchase by requirement contract of Crane carrier, Caterpillar granddall  
 and Case equipment parts, including labor if necessary, for a period not to exceed  
 two years (O 177-99) ..... 705-710

**Neighborhood Centers Association**

Neighborhood Centers Association Walk for Youth on June 19, 1999 — permit (O 662-99) .....	727
---	-----

**Ohio Department of Health**

1999-2000 Federal Child Lead Poison Prevention Program — grants — Ohio Department of Health (O 723-99) .....	693
Authorizing the Director of Public Health to accept a grant from the Federation for Community Planning from Ohio Department of Health for the 1999 Immunization Action Plan (O 417-99) .....	706
Authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the 1999 State Child Lead Poison Prevention Program (O 418-99) .....	706
Authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the Ohio Department of Health for the 1999 STD Control Program (O 420-99) .....	706
Ryan White Planning and Evaluation Project — grants — Ohio Department of Health (O 720-99) .....	692
State AIDS Community Based Care Program — grants — Ohio Department of Health (O 721-99) .....	693

**Our Lady of Good Counsel Church**

OLGC Summer Festival — banners — Our Lady of Good Counsel Church (O 664-99) .....	727
---	-----

**Parks Maintenance Division**

Authorizing the purchase by requirement contract of ball diamond clay, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties (O 258-99) .....	706
---	-----

**Parks, Recreation and Properties Department**

Amend Section 2 of Ordinance No. 185-99 — temporary and seasonal personnel — Parks, Recreation and Properties Department - Personnel and Human Resources (O 745-99).....	701
Authorizing the procurement by requirement contract for the rental of golf carts, for Highland and Seneca golf courses, Department of Parks, Recreation and Properties, for a period not to exceed three years (O 101-99).....	706
Authorizing the purchase by requirement contract of ball diamond clay, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties (O 258-99) .....	706
Broadway YMCA — Lease Agreement No. 35620 — youth basketball program (O 660-99) .....	726
Community Development Block Grant — Project Clean Program — Parks, Recreation and Properties Department (O 732-99) .....	696
Golf Courses — public improvement — Parks, Recreation and Properties Department (O 724-99) .....	693

**Peddlers**

Jerido, Willie — peddling in Ward 5 (O 665-99).....	727
---	-----

**Permits**

2.2K Race and Parade — permit — Thurgood Marshall Recreation Center (O 666-99) .....	727
Amend Section 1 of Ordinance No. 666-99 — 2.2K race and parade — Thurgood Marshall Recreation Center (O 746-99).....	702
Neighborhood Centers Association Walk for Youth on June 19, 1999 — permit (O 662-99) .....	727
OLGC Summer Festival — banners — Our Lady of Good Counsel Church (O 664-99) .....	727
West Park Gardens and Gifts — permit — hanging planter baskets to utility poles (O 743-99) .....	701

**Personnel and Human Resources Department**

Amend Section 2 of Ordinance No. 185-99 — temporary and seasonal personnel — Parks, Recreation and Properties Department - Personnel and Human Resources (O 745-99).....	701
Authorizing the Director of Personnel and Human Resources to enter into contract with TransUnion Employment Screening Services, Inc. to provide employee background and criminal checks (O 31-99).....	705

**Piankhi Construction & Contracting**

Authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Piankhi Construction & Contracting to provide economic development assistance (O 373-99) .....	706
---	-----

**Police Division**

Authorizing the purchase by requirement contract of photography supplies, for the Division of Police, Department of Public Safety, for a period not to exceed two years (O 98-99) ..... 706

To amend Sections 46 and 49 of Ordinance No. 520-99 — compensation for various classifications — Division of Police and Division of Fire (O 659-99) ..... **726**

**Port Control Department**

Authorizing the Director of Port Control to lease office space located on the ramp level of Cleveland Hopkins International Airport to Global Ground Services, for a term of two years (O 174-99) ..... 706

Authorizing the procurement by requirement contract of the rental of snow removal equipment and operators, for the various divisions of the Department of Port Control, for a period of two years (O 362-99) ..... 706

Authorizing the purchase by contract of one cardiac monitor and defibrillator, for the Division of Cleveland Hopkins International Airport (O 363-99)..... 706

Public improvement — dynamic/LED signs — Port Control (O 717-99) ..... 692

**Purchases and Supplies Department**

City of Independence - Brecksville Road — sell— Board of Control (O 716-99)..... 691

Requirement Contract/Monthly Report - April, 1999 — Purchases and Supplies Division (F 684-99) ..... 687

Sales Request No. 90172 — Division of Purchases and Supplies (F 679-99)..... 687

Sales Request No. 90173 — Purchases and Supplies Division (F 680-99)..... 687

Sales Request No. 90174 - Purchases and Supplies Division (F 681-99) ..... 687

Sales Request No. 90176 - Purchases and Supplies Division (F 682-99) ..... 687

Sales Request No. 90176 - Purchases and Supplies Division (F 683-99) ..... 687

**Purchases/Contracts**

Batteries, dry cell (O 704-99)..... 688

Building materials (O 705-99) ..... 688

Fasteners (O 706-99)..... 689

Fleet Washing (O 707-99)..... 689

Hand Tools and Hand Held Power Tools (O 708-99)..... 689

Jacobson mower parts (O 709-99)..... 689

Janitorial supplies (O 710-99) ..... 690

Paint and paint supplies (O 711-99) ..... 690

Paper and cloth wipers (O 712-99)..... 690

Plumbing supplies (O 713-99) ..... 690

Rental and laundry service of work clothing (O 715-99) ..... 691

Reproduction and mounting services (O 714-99) ..... 691

**Races**

2.2K Race and Parade — permit — Thurgood Marshall Recreation Center (O 666-99) ..... **727**

Amend Section 1 of Ordinance No. 666-99 — 2.2K race and parade — Thurgood Marshall Recreation Center (O 746-99)..... 702

**Resolutions — Miscellaneous**

Supporting S.B. 686 and opposing H.B. 1032 — —lawsuits — gun manufactures (R 752-99) ..... 703

Teamsters Local No. 507 — representation campaign — AMPCO and APCOA (R 753-99)..... 704

**Richmond Brothers Complex**

Amend Section 1 of Ordinance No. 1094-97 — Richman Brothers Complex (O 747-99)..... 702

**Safety Department**

Authorizing the purchase by requirement contract of photography supplies, for the Division of Police, Department of Public Safety, for a period not to exceed two years (O 98-99) ..... 706

To amend Sections 46 and 49 of Ordinance No. 520-99 — compensation for various classifications — Division of Police and Division of Fire (O 659-99) ..... **726**

**Service Department**

American Indian Education Center — banners — Annual Indian Pow-Wow at Cudell Recreation Center (O 748-99) ..... 702

Authorizing the Director of Public Service to enter into contract without competitive bidding with E.J. Ward, Inc. for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation (O 248-99) ..... 705-710

Authorizing the purchase by requirement contract of Crane carrier, Caterpillar grandall and Case equipment parts, including labor if necessary, for a period not to exceed two years (O 177-99) ..... 705-710

Authorizing the purchase by requirement contract of Blaw Knox paver equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years (O 247-99)..... 705-710

Authorizing the purchase by requirement contract of labor and materials necessary to repair frames and for vehicle alignments, for the Division of Motor Vehicle Maintenance, for a period not to exceed two years (O 316-99)..... 705-710

Authorizing the purchase by requirement contract of labor and materials needed to repair and maintain Ford trucks, for the Division of Motor Vehicles, for a period not to exceed two years (O 314-99)..... 705-710

Authorizing the purchase by requirement contract of towing services, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the a period not to exceed two years (O 315-99) ..... 705-710

Determining the method of making the public improvement of street improvements in connection with the Mill Creek Housing Development project, Phase III - Department of Public Service (O 515-99) ..... **724**

OLGC Summer Festival — banners — Our Lady of Good Counsel Church (O 664-99) ..... **727**

Sagrada Familia Church — banners — Church Festival (O 744-99)..... 701

Sally Avenue — vacate (R 742-99) ..... 700

Shepard Court S.E. — vacate (R 741-99) ..... 700

West Park Gardens and Gifts — permit — hanging planter baskets to utility poles (O 743-99) ..... 701

**Signs**

Amend Sections 337.23 and 350.13 of Codified Ordinances relating to Accessory Uses and Signs in residence districts (O 1962-98)..... 704-707

**State of Ohio Department of Development**

Authorizing the Director of Community Development to apply and accept a grant from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program (O 371-99)..... 706

**Statement of Work Acceptance**

Contract No. 52773 - Moulton/Scoutway Park Phase III Site Improvement — Parks, Recreation and Properties Department (F 701-99) ..... 688

Contract No. 53447A - Nerone & Sons, Inc. — Public Utilities Department (F 700-99) ..... 688

**Storefront Renovation Program**

Community Development Block Grant — Storefront Renovation Program (O 731-99)..... 696

**Streets - Vacation**

Sally Avenue — vacate (R 742-99) ..... 700

Shepard Court S.E. — vacate (R 741-99) ..... 700

**Thurgood Marshall Recreation Center**

2.2K Race and Parade — permit — Thurgood Marshall Recreation Center (O 666-99) ..... **727**

Amend Section 1 of Ordinance No. 666-99 — 2.2K race and parade — Thurgood Marshall Recreation Center (O 746-99)..... 702

**Utilities Department**

Authorizing the Director of Public Utilities to enter into contract with American Municipal Power - Ohio Inc. for emergency backup energy control center services - Cleveland Public Power (O 361-99)..... 706

Authorizing the Director of Public Utilities to enter into a Mutual Aid Agreement with The Cleveland Electric Illuminating Company for the interchange and use of personnel and equipment upon request during system emergencies (O 310-99)..... 705-710

City of Independence - Brecksville Road — sell— Board of Control (O 716-99)..... 691

Determining the method of making the public improvement of street improvements in connection with the Mill Creek Housing Development project, Phase III - Department of Public Service (O 515-99) ..... **724**

**YMCA - Broadway Branch**

Broadway YMCA — Lease Agreement No. 35620 — youth basketball program (O 660-99) ..... **726**

**Zoning Code**

Amend Sections 337.23 and 350.13 of Codified Ordinances relating to Accessory Uses and Signs in residence districts (O 1962-98)..... 704-707