

The City Record

Official Publication of the City of Cleveland

November the Sixth, Two Thousand and Two

Mayor	
Jane L. Campbell	
President of Council	
Frank G. Jackson	
Clerk of Council	
Valarie J. McCall	
Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
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	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th 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	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
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.	4326 Daisy Avenue	44109
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council - Valarie J. McCall, 216 City Hall, 664-2840
First Assistant Clerk - Sandra Franklin

MAYOR - Jane L. Campbell
Rodney Jenkins, Executive Assistant
David M. McGuirk, Executive Assistant
Timothy Mueller, Executive Assistant
Craig Tame, Executive Assistant
Henry Guzman, Director, Office of Equal Opportunity
Margreat A. Jackson, Legislative Affairs Liaison
Erik Janas, Inter-Governmental Affairs Officer

DEPT. OF LAW - Subodh Chandra, Director, Galen L. Schuerlein, Acting Chief Counsel, Room 106
Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE - Robert H. Baker, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit
DIVISIONS: Accounts - Alan Schneider, Commissioner, Room 19
Assessments and Licenses - Dedrick Stephens, Commissioner, Room 122
City Treasury - Algoner Walker, Treasurer, Room 115
Financial Reporting and Control - James Gentile, Controller, Room 18
Information Systems Services - Cleo Henderson, Commissioner, 1404 E. 9th St.
Purchases and Supplies - Myrna Branche, Commissioner, Room 128
Printing and Reproduction - Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

DEPT. OF PUBLIC UTILITIES - Michael G. Konicek, Director, 1201 Lakeside Avenue
DIVISIONS - 1201 Lakeside Avenue
Cleveland Public Power - James F. Majer, Commissioner
Street Lighting Bureau - _____, Acting Chief
Utilities Fiscal Control - Dennis Nichols, Commissioner
Water - Julius Ciaccia, Jr., Commissioner
Water Pollution Control - Darnell Brown, Commissioner

DEPT. OF PORT CONTROL - John C. Mok, Director,
Cleveland Hopkins International Airport, 5300 Riverside Drive;
Burke Lakefront Airport - Khalid Bahkur, Commissioner
Cleveland Hopkins International Airport - Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE - Mark Ricchiuto, Director, Room 113
DIVISIONS: Architecture - Kurt Weibusch, Commissioner, Room 517
Engineering and Construction - Randall E. DeVaul, Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards Streets - Randell T. Scott, Commissioner, Room 25
Traffic Engineering - Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
Waste Collection and Disposal - Ron Owens, Commissioner, 5600 Carnegie Avenue.

DEPT. OF PUBLIC HEALTH - Matthew Carroll, Acting Director, Mural Building, 1925 St. Clair Avenue
DIVISIONS: Correction - Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Road
Environment - Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Health - Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Avenue

DEPT. OF PUBLIC SAFETY - James A. Draper, Director, Room 230
DIVISIONS: Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
Emergency Medical Service - Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue
Police - Edward F. Lohn, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES - James Glending, Acting Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.
DIVISIONS: Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Parking Facilities - Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.

Park Maintenance and Properties - Richard L. Silva, Commissioner, Public Auditorium - E. 6th & Lakeside.
Property Management - Tom Nagle, Commissioner, East 49th & Harvard
Recreation - Michael Cox, Commissioner, Room 8
Research, Planning & Development - Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT - Linda M. Hudecek, Director, 3rd Floor, City Hall.
DIVISIONS: Administrative Services - Terrence Ross, Commissioner.
Building & Housing - Robert Vilkas, Commissioner, 5th Floor, City Hall.
Neighborhood Services - Louise V. Jackson, Commissioner.
Neighborhood Development - Sharon Dumas, Commissioner.

DEPT. OF PERSONNEL AND HUMAN RESOURCES - Eduardo A. Romero, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT - Steven Sims, Director, Room 210

DEPT. OF AGING - Jane E. Fumich, Director, Room 122

DEPT. OF CONSUMER AFFAIRS - Kenya Taylor, Director

COMMUNITY RELATIONS BOARD - Room 11, Lorna Wisham, Director;
Mayor Jane L. Campbell, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilman Kevin Conwell, Councilman Matthew Zone, City Council Representatives; Rev. Bruce Goode, Paula Castleberry, Charles E. McBee, Mary Adele Springman, Esq., Terez E. Woods, Emmett Saunders, John Banno, Mary Jane Buckshot, Kathryn M. Hall, Raymond Negron, Evangeline Hardaway, Edna Fuentes-Casiano, Janet Jankura, Gia Hoa Ryan.

CIVIL SERVICE COMMISSION - Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, Matthew Dotson.

SINKING FUND COMMISSION - Jane L. Campbell, President; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director; Council President Frank G. Jackson.

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members: Margreat Hopkins, Ozell Dobbins, Joan Shaver-Washington, Eugene Cranford, Jr., Secretary.

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

BOARD OF REVISION OF ASSESSMENTS - Law Director Subodh Chandra, President; Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

BOARD OF SIDEWALK APPEALS - Service Director Mark Ricchiuto; Law Director Subodh Chandra; Councilman Martin J. Sweeney.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director Subodh Chandra; Utilities Director Michael G. Konicek; Council President Frank G. Jackson.

CITY PLANNING COMMISSION - Room 501 - Christopher S. Ronayne, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

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

MORAL CLAIMS COMMISSION - Law Director Subodh Chandra; Chairman; Finance Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.

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

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

CLEVELAND LANDMARKS COMMISSION - Room 519 - Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; N. Kurt Wiebush, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Dwayne J. Simpson, Robert Keiser, Executive Secretary.

**CLEVELAND MUNICIPAL COURT
JUSTICE CENTER - 1200 ONTARIO STREET
JUDGE COURTROOM ASSIGNMENTS**

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

Earle B. Turner - Clerk of Courts, Michael E. Flanagan - Court Administrator, Paul J. Mizerak - Bailiff; Kenneth Thomas - Chief Probation Officer, Gregory F. Clifford - Chief Magistrate

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WEDNESDAY, NOVEMBER 6, 2002

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CITY COUNCIL

MONDAY, NOVEMBER 4, 2002

The City Record

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VALARIE J. McCALL

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

MONDAY

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

MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; Jones, Vice Chairman; Brady, Cimperman, Johnson, O'Malley, Polensek, White, Zone.

11:00 A.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chairman; Conwell, Vice Chairman; Cintron, Coats, Johnson, Reed, Polensek.

MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Coats, Gordon, O'Malley, Reed, Scott, Westbrook, White.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Cintron, Coats, Jones, Lewis, Reed, Scott, Zone.

TUESDAY—Alternating

1:00 P.M. — **Health & Human Services Committee:** Britt, Chairman; Zone, Vice Chairman; Cintron, Conwell, Gordon, Scott, Polensek.

1:30 P.M. — **Legislation Committee:** White, Chairman; Scott, Vice Chairman; Dolan, Gordon, Johnson, Rybka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Britt, Dolan, Gordon, Reed, Rybka.

10:00 A.M.—**Public Safety Committee:** Reed, Chairman; Britt, Vice Chairman; Brady, Cimperman, Coats, Conwell, Jones, White, Zone.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Coats, Chairman; O'Malley, Vice Chairman; Brady, Cintron, Jones, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M.—**City Planning Committee:** Cimperman, Chairman; Rybka, Vice Chairman; Conwell, Lewis, O'Malley, Scott, Westbrook.

The following Committees are subject to the Call of the Chairman:
Rules Committee: Jackson, Chairman; O'Malley, Reed, Sweeney.

Personnel and Operations Committee: Gordon, Chairman; Britt, Cimperman, Coats, Scott.

Mayor's Appointment Committee: Coats, Chairman; Cintron, Reed, Pierce Scott, Westbrook.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

October 30, 2002

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 30, 2002, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.
Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Henry Guzman, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 696-02.

By Director Baker.

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 October, 2002 in the amount of \$94.00, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: None.

Resolution No. 697-02.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Computer Systems Company, Inc., for an estimated quantity of microfiche and various CD-Rom services, all items, for the various divisions of City government, for the period of two (2) years beginning with the date of execution of a contract, received on September 18, 2002, pursuant to the authority of Ordinance No. 1058-02 & 1574-02, passed June 17, 2002 & August 14, 2002, which on the basis of the estimated quantity would amount to Eighty Thousand and 00/100 Dollars (\$80,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 131530 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: None.

Resolution No. 698-02.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the conditional bid of ADT Security Services, Inc., except for such terms and conditions as are unacceptable to the Director of Law, for an estimated quantity of electronic protective services, all items, for various divisions of City government, for the period of two (2) years beginning with the date of execution of a contract, received on September 20, 2002, pursuant to the authority of Ordinance No. 2025-01, passed July 22, 2002, which on the basis of the estimated quantity would amount to Ninety One Thousand Eighty One and 00/100 Dollars (\$91,081.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 127183

which shall be certified against such contract in the sum of Six Thousand and 00/100 Dollars (\$6,000.00).

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 Campbell, Directors Chandra, Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: None.

Resolution No. 699-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Peak Technologies Inc. for the following: bar-coding and hand held computing, all items, except for such terms and conditions as are unacceptable to the Director of Law, for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the later of the date of execution of a contract or receipt of a notice to proceed, received on the 7th day of August, 2002, pursuant to the authority of Ordinance No. 2365-01, passed on March 4, 2002 and Ordinance No. 1068-98 passed on August 19, 1998, amended by Ordinance No. 1565-02, passed on August 14, 2002, which on the basis of the order quantity would amount to Three Hundred Sixteen Thousand Six Hundred Seventeen Dollars and Thirty Seven Cents (\$316,617.37), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 131559

which shall be certified against such contract in the sum of Three

Hundred Sixteen Thousand Six Hundred Seventeen Dollars and Thirty Seven Cents (\$316,617.37).

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

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 700-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of AAA Flexible Pipe Cleaning Corporation for an estimated quantity of sewer test tee inspection, installation and snaking for the Division of Water Pollution Control, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 6th day of September 2002, pursuant to the authority of Section 541.13 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Five Hundred Twenty-Nine Thousand Eight Hundred Seventy and 00/100 Dollars (\$529,870.00) (2%-Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 109298

which shall be certified against such contract in the sum of Two Hundred Thousand Dollars (\$200,000.00).

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

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 701-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Terrace Construction Co., Inc. for an estimated quantity of labor and materials to repair water mains (Area A) for the Division of Water, Department of Public Utilities, for a period of six (6) months beginning with the date of execution of a contract or receipt of a notice to proceed, received on the 30th day of August, 2002, pursuant to the authority of Ordinance No. 1956-01, passed March 11, 2001, on the basis of the estimated quantity would amount to Five Hundred

Thirteen Thousand Two Hundred Thirty Two Dollars and Ninety-Four Cents (\$513,232.94) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 131553

which shall be certified against such contract in the sum of Five Hundred Thirteen Thousand Two Hundred Thirty Two Dollars and Ninety-Four Cents (\$513,232.94).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Terrace Construction Co., Inc., for the contract authorized herein hereby is approved:

NAME	MBE/FBE
Vallejo Co.	\$134,250.00
Rockport Construction	\$ 44,750.00

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 702-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Noce Enterprises, Inc. for an estimated quantity of labor and materials to repair water mains (Area B) for the Division of Water, Department of Public Utilities, for a period of six (6) months beginning with the date of execution of a contract or receipt of a notice to proceed, received on the 30th day of August, 2002, pursuant to the authority of Ordinance No. 1956-01, passed March 11, 2001, on the basis of the estimated quantity would amount to Three Hundred Sixty Thousand Eight Hundred Sixteen Dollars and Twenty Five Cents (\$360,816.25) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 131554

which shall be certified against such contract in the sum of Three Hundred Sixty Thousand Eight Hundred Sixteen Dollars and Twenty Five Cents (\$360,816.25).

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

under subsequent requisitions separately certified against said contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Noce Enterprises, Inc., for the contract authorized herein hereby is approved:

<u>NAME</u>	<u>MBE/FBE</u>
Corlett Trenching	\$36,081.63
RMC, Inc.	\$36,081.63
Julian Supply	\$ 3,608.17

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 703-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Dolbey Systems, Inc. for the following: recording equipment (items 1, 3, 4, 6) for the Division of Water, Department of Public Utilities, received on August 23, 2002, pursuant to the authority of Ordinance No. 2349-01, passed on April 8, 2002, which on the basis of the order quantities would amount to Eighty Three Thousand Seven Hundred Thirty Four Dollars (\$83,734.00) (1% Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 704-02.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on August 23, 2002 for recording equipment (Items 2 and 5) for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 2349-01, passed by the Council of the City of Cleveland on April 8, 2002, are hereby rejected.

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 705-02.

By Director Mok.

Whereas Sharon Minch wishes to utilize the banquet room at Burke Lakefront Airport (the "Airport") for a Buffet Style Dinner Party (the "Event") to be held on November 2, 2002; and,

Whereas, the City is willing to grant Sharon Minch the privilege, permit and license to 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 an agreement (the "Agreement") granting Sharon Minch the privilege, permit and license to conduct the Event in the Banquet Room at Burke Lakefront Airport from 4:00 p.m. to 12:00 a.m. on November 2, 2002, and to use and occupy the room for such period of time before the Event as necessary for preparation. Sharon Minch shall pay the City a \$700.00 fee for the Event, shall reimburse the City for the cost of two (2) City employees to perform custodial and building maintenance work related to the conduct of the Event, shall arrange for the conduct of the Event and such other activities approved as appropriate and incidental to the Event, and shall be responsible at its expense for providing traffic control, security and clean up.

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

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 706-02.

By Director Mok.

Whereas, Hermes Sports & Events wishes to utilize the Main Lobby and West Concourse at Burke Lakefront Airport (the "Airport") for the 2002 Fox Sports Net Turkey Trot (the "Event") to be held on November 28, 2002; and,

Whereas, the City is willing to grant Hermes Sports & Events the privilege, permit and license to 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 an agreement (the "Agreement") granting Hermes Sports & Events the privilege, permit and license to conduct the Event in the Main Lobby and West Concourse at Burke Lakefront Airport from 6:00 a.m. to 11:30 a.m. on November 28, 2002, and to use and occupy the terminal and concourse for such period of time before the Event as necessary for preparation. Hermes Sports & Events shall pay the City a \$1,000.00 fee for the Event, shall reimburse the City for the cost of two (2) City employees to perform custodial and building maintenance work related to the conduct of the Event, shall arrange for the conduct of the Event and such other activities approved as appropriate and incidental to the Event, and shall be responsible at its expense for providing traffic control, security and clean up.

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

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 707-02.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Plantscaping, Inc. for labor and materials necessary to maintain and replace interior plants and exterior site landscaping, Phase II, for the various divisions of the Department of Port Control, for a period not to exceed one year beginning with the date of execution of a contract, received on the 11th of September, 2002, pursuant to the authority of Ordinance No. 126-02, passed on April 22, 2002, which on the basis of the estimated quantity would amount to Thirty Four Thousand Three Hundred Ninety Six and 75/100 Dollars (\$34,396.75), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 124662

which shall be certified against such contract in the sum of Six Thousand Seven Hundred and 00/100 Dollars (\$6,700.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such labor and materials, whether more or less than said estimated quantity, but to not exceed Two Hundred Thousand and 00/100 Dollars (\$200,000.00) as may be ordered under subsequent requisitions separately certified against said contract.

No MBE/FBE participation.

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 708-02.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Nozzle New, Inc. for an estimated quantity of stationary generator repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) year beginning with the date of execution of a contract, received on September 19, 2002, pursuant to the authority of Ordinance No. 919-02, passed by the Council of the City of Cleveland on June 17, 2002, which on the basis of the estimated quantity would amount to Two Hundred Forty Two Thousand Seven Hundred and no/100 Dollars (\$242,700.00) (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. 127188 which shall be certified against such contract in the sum of Twenty Five Thousand and no/100 Dollars (\$25,000.00).

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 Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 709-02.

By Acting Director Carroll.

Resolved by the Board of Control of the City of Cleveland, that all bids received on December 14, 2001 for Installation of New Heat/Air Conditioning System (all items) for the Division of Correction, Department of Public Health, pursuant to the authority of Ordinance No. 1203-2000, passed by the Council of the City of Cleveland on August 7, 2000 be and the same are hereby rejected.

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 710-02.

By Acting Director Carroll.

Resolved by the Board of Control of the City of Cleveland, that all bids received on July 26, 2002 for Burials for the indigent dead (all items) for the Division of Health, Department of Public Health, pursuant to the authority of Ordinance No. 680-02, passed by the Council of the City of Cleveland on May 13, 2002, be and the same are hereby rejected.

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 711-02.

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of Noritsu American Corporation for an estimated quantity of a Digital Photography Mini-lab system, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 31, 2002, pursuant to the authority of Ordinance No. 1265-01, which was passed by Cleveland City Council on June 19, 2001, on the basis of the estimated quantity would amount to One Hundred Nine Thousand, Five Hundred Seven and 09/100 Dollars (\$109,507.09), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby

requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 119524 as specified,

which shall be certified against such contract in the sum of One Hundred Nine Thousand, Five Hundred Seven and 09/100 Dollars (\$109,507.09).

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 Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 712-02.

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of Fire Force Inc., for an estimated quantity of truck kits, item nos. 1, item nos. 2 and item nos. 3, for the Division of Fire, Department of Public Safety, for the period of one year beginning with the date of execution of a contract, received on July 25, 2002, pursuant to the authority of Ordinance No. 1726-98, passed by Cleveland City Council on November 16, 1998, which on the basis of the estimated quantity would amount to Sixty Thousand Six Hundred Thirty and 00/100 Dollars (\$60,630.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 116398 as specified,

which shall be certified against such contract in the sum of Sixty Thousand Six Hundred Thirty and 00/100 Dollars (\$60,630.00).

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 Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 713-02.

By Acting Director Glending.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Artistic Systems, Inc. for the public improvement of Highland Park and Seneca Golf Course Improvements, for Base Bid Items

#S2, #S5, #S6, #S7, #S10, #S11A, #S11B, #S11C, #S11D, #S12, #S15, Alternate Items #A1, #A2, #A4, #A5 and #A13 including the 5% contingency for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on September 18, 2002, pursuant to the authority of Ordinance No. 1728-2000, passed on April 9, 2001, upon a unit basis for the improvement in the aggregate amount of One Hundred Nineteen Thousand Six Hundred Fifty Eight and 95/100 Dollars (\$119,658.95), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Artistic Systems, Inc. for the aforementioned public improvement hereby is approved:

SUBCONTRACTORS

RESPONSIBILITY

Thompson Ground Development (MBE) Trucking

Barrow Sign (FBE) Signage

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 714-02.

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. 004-19-052 located at 2458 West 6th Street 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, Cleveland Housing Network, Inc., 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 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 requested to execute an Official Deed, for and on behalf of the City of Cleveland, with Cleveland Housing Network, Inc. for the sale and development of Permanent Parcel No. 004-19-052 located at 2458 West 6th 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 Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 715-02.

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. 004-19-050 located at 2466 West 6th Street 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, Cleveland Housing Network, Inc., 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 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 requested to execute an Official Deed, for and on behalf of the City of Cleveland, with Cleveland Housing Network, Inc. for the sale and development of Permanent Parcel No. 004-19-050 located at 2466 West 6th 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 Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 716-02.

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 provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No. 007-10-133 under said Land Reutilization Program; and

Whereas, Ordinance No. 2071-02 passed October 21, 2002, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Barry Smith has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2071-02 passed October 21, 2002, 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 Barry Smith for the sale and development of Permanent Parcel No. 007-10-133, 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 parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 717-02.

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 provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 108-04-013, 108-04-014, 108-04-015, 108-04-016, 108-04-017, 108-04-018 under said Land Reutilization Program; and

Whereas, Ordinance No. 1382-02 passed September 30, 2002, 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, Glenville Development Corporation 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. 1382-02 passed September 30, 2002, 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 Glenville Development Corporation for the sale and development of Permanent Parcel Nos. 108-04-013, 108-04-014, 108-04-015, 108-04-016, 108-04-017, 108-04-018, 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 \$100.00 each, 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 Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 718-02.

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland that all bids for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, General Construction, Contract "G-02-1", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on May 8, 2002, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995, Ordinance No. 469-98, passed on May 18, 1998, and Ordinance No. 327-00 passed on June 12, 2000 respectively be and the same are hereby rejected.

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 719-02.

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland that all bids for the public improvement of Phase 2 Continuation of the Residential Sound Insulation Program, General Construction, Contract "H-02-1", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on May 8, 2002, pursuant to the authority of Ordinance No. 930-95, passed on June 19, 1995, Ordinance No. 469-98, passed on May 18, 1998, and Ordinance No. 327-00, passed on June 12, 2000 respectively be and the same are hereby rejected.

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

Resolution No. 720-02.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction Company, Inc., for the public improvements for the City Council

Office Renovations base bid for the Department of Public Service, received on October 18, 2002, pursuant to the authority of Ordinance No. 835-02, passed June 3, 2002, for a gross price for the improvement in the aggregate amount of Two Hundred Sixty Eight Thousand Five Hundred and no/100 Dollars (\$268,500.00), 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, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Envirocom Construction Company, Inc., are hereby approved:

RCE Inc. — MBE — \$36,000
 Medina Glass Block — \$2,300
 Epic Steel — \$2,400
 Empire Glass Company — \$9,800
 Century Contractors — \$18,000
 Owens Flooring — \$12,000
 Mike McGarry & Sons — \$15,500
 Designer Accents — \$3,900
 Commerce Plumbing — \$5,900
 Unimech — \$10,000
 Ranger Electric — \$48,000

Yeas: Mayor Campbell, Directors Baker, Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Williams, Directors Romero, Sims, Fumich and Taylor.

Nays: None.

Absent: Director Chandra.

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.

REYNALDO GALINDO,
 President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 18, 2002

9:30 A.M.

Calendar No. 02-305: 3801 Muriel Avenue (Ward 15)

Brian Aldons, owner, appeals to install and maintain approximately 21 linear feet of 4' high chain link fencing and gate in the actual side street yard of a 40' x 120' corner parcel located in a Two-Family District on the southwest corner of West 38th Street and Muriel Avenue at 3801 Muriel Avenue; said installation being contrary to the Fence Regulations, where the proposed fence is chain link and in a residence district only ornamental fences are permitted in the actual side street yards as stated in Section 358.04(c)(1) of the Codified Ordinances.

Calendar No. 02-310: 9700 Kinsman Avenue (Ward 5)

Freedom Foundation Inc., owner c/o Maxey C. Clarke, appeals to construct a 37 sq. ft. x 11'-6" high illuminated free standing sign to the east of an approximate 246' x 321' irregular shaped parcel located in a Two-Family District on the southwest corner of Kingsbury Road and Kinsman Avenue at 9700 Kinsman Avenue; said construction being contrary to the Sign Regulations of Section 350.13(a), where the permitted maximum height for free-standing bulletin board sign is 8' and 11'-6" is proposed and a 1' distance from the property line is proposed and the minimum distance from all property lines is 25' as stated in Section 350.13(b) of the Codified Ordinances.

Calendar No. 02-311: 777 East 185th Street (Ward 11)

John Fuduric, owner c/o Fred O'Dell, tenant appeals to change the use of an existing 20' x 44' legal nonconforming body piercing shop into a body piercing shop, tattoo parlor and retail clothing and jewelry sales all situated on an approximate 25' x 88' parcel located in a Local Retail Business District on the east side of East 185th Street at 777 East 185th Street; said change of use being contrary to the Business District Regulations, where the proposed use is 80' from a Residence District to the east and 300' from Oliver Hazard Perry Elementary School and Playground at 18400 Schenley Avenue and body piercing shops and tattoo parlors are not permitted in a Local Retail Business District but first permitted in a General Retail Business District, only if not within 500' of a Residence District or a school as stated in Section 343.01 of the Codified Ordinances.

Calendar No. 02-312: 1891-1905 East 93rd Street (Ward 7)

Kinder Care Learning Centers, owners c/o Emos Curtis, agent, appeal to construct a 98' x 133' one-story metal frame day care building all situated on an approximate 185' x 264' parcel located in a Multi-Family District on the east side of East

93rd Street at 1891-1905 East 93rd Street; said construction being contrary to the Residential District Requirements of Section 337.08, where by reference as regulated in a One-Family District, Section 337.02(f)(3), where a day care use is required to be 30' from any adjoining premises in a residence district not used for similar purposes and the proposed parking, trash enclosure and playground equipment are within 30' of the Residence District to the rear of the property and contrary to the Off-Street Parking and Loading Requirements of Section 349.04(c), where 16 parking spaces are required and 12 are proposed and contrary to the Landscaping and Screening Requirements, where a 4' wide landscape strip along East 93rd Street between the parking lot and the street is proposed and 6' is required as stated in Section 352.10 of the Codified Ordinances.

Calendar No. 02-313: 4020 Memphis Avenue (Ward 15)

Robert Beal, owner, appeals to construct an 11' x 27' one-story frame attached shed to an existing 16'-10" x 29'-9" accessory garage all situated on a 40' x 125' parcel located in a Multi-Family District on the north side of Memphis Avenue at 4020 Memphis Avenue; said construction being contrary to the Residential District Requirements, where 778 sq. ft. is proposed and in a dwelling house district, the floor area of a partial garage shall not exceed 650 sq. ft. as stated in Section 337.23(a) of the Codified Ordinances.

Calendar No. 02-314: 15040 Columbine Avenue (Ward 21)

Sandra Sanders, owner, appeals to construct an 8' x 15' one-story attached, wood frame open porch to the front of an existing 28' x 30' one family dwelling all situated on a 40' x 118' parcel located in a One-Family District on the north side of Columbine Avenue at 15040 Columbine Avenue; said construction being contrary to the Yards and Courts Requirements, where the proposed porch projected 8' and no open porticos or porches shall project more than 6' as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 02-315: 1472-74 East 116th Street (Ward 9)

Janice L. Blackburn, owner, appeals to use the front yard of a 40' x 108' parcel for parking in a Two-Family District located on the west side of East 116th Street at 1472-74 East 116th Street; said proposed parking being contrary to the Off-Street Parking and Loading Requirements of Section 349.13(c)(6), where the parking of motor vehicles is prohibited and contrary to the Yards and Courts Requirements, where no parking is permitted in the front yard and all parking shall be at the rear half of the lot as stated in Section 357.14 of the Codified Ordinances.

Calendar No. 02-316: 10601 Union Avenue (Ward 3)

Thomas Blakely, owner c/o Vera Blakely, tenant, appeals to change the use of an existing drycleaners

and 2 dwelling units, two-story building into 2 dwelling units and a day care center for children from 18 months to 12 years of age, all situated on a 45' x 150' parcel located in a Local Retail Business District on the north side of Union Avenue at 10601 Union Avenue; said change of use being contrary to the Retail Business District Requirements, where the proposed use abuts a Two-Family District to the rear and as regulated in a One-Family District, Section 337.02(f)(3), a day care use is required to be 30' from any adjoining premises in a residence district not used for similar purposes and requires the Board of Zoning Appeals approval as stated in Section 343.01 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 4, 2002

At the meeting of the Board of Zoning Appeals on Monday, November 4, 2002, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 02-286: 2074 West 25th Street

Melvin S. and Daryl B. Ross, owners, and Natalie Roelle, tenant, appealed to change the use of a 960 sq. ft. studio building into a tattoo shop in a General Retail Business District.

Calendar No. 02-287: 9600 Lorain Avenue

Sunbeam Partners appealed to change the use of a 3900 sq. ft. one-story retail building into an auto detailing school in a General Retail Business District.

Calendar No. 02-288: 770 East 185th Street

Musca Properties LLC, owner, and Al Bucco, tenant, appealed to change the use of a 540' x 72' one-story restaurant into a restaurant/nightclub in a Local Retail Business District; subject to conditions.

Calendar No. 02-289: 2262 West 5th Street (Unit 12)

Calendar No. 02-290: 2266 West 5th Street (Unit 11)

Calendar No. 02-291: 2272 West 5th Street (Unit 10)

Calendar No. 02-292: 2278 West 5th Street (Unit 9)

Calendar No. 02-293: 2282 West 5th Street (Unit 8)

Calendar No. 02-294: 2286 West 5th Street (Unit 7)

Calendar No. 02-295: 2292 West 5th Street (Unit 6)

Calendar No. 02-296: 2298 West 5th Street (Unit 5)

Lori Properties appealed to construct a 20' x 52' three-story residence townhouse on an approximate 27' x 115' parcel in a Two-Family District at each of the street addresses captioned above.

Calendar No. 02-299: 12512 Miles Avenue

Carol Williams appealed to install 156 linear feet of 5' high ornamental fencing to the front perimeter of a 45' x 200' parcel in a General Retail Business District.

Calendar No. 02-300: 2165 East 89th Street

E.F. Boyd & Sons appealed to construct a 65' x 126' two-story funeral home building attached to the rear of a chapel on a 271' x 390' parcel in a Local Retail Business District.

Calendar No. 02-266: 7000 Euclid Avenue

H&K Kim, LLC appealed to change the use of a two-story 56,000 sq. ft. auto sales building into an industrial warehouse and wholesale business building in a General Retail Business District.

The following appeals were **Denied**:

Calendar No. 02-202: 17528 Tarkington Avenue

Lisa Wallace appealed to expand the use of a day care facility by changing a one-story attached garage into a play room.

Calendar No. 02-238: 14500 Puritas Avenue

Paul Haddad appealed to establish a two-story frame dwelling as office use for a palm reader advisor facility in a General Retail Business District.

The following appeal was **Postponed**:

Calendar No. 02-298: 1810 Lamaille Court postponed to November 25, 2002.

The following appeal was **Withdrawn**:

Calendar No. 02-297: Appeal of Lots Real Estate, Inc., 3855 Ridge Road

Lots Real Estate, Inc., owner c/o Brian Alley, agent, appealed from a violation notice issued September 24, 2002 by the Department of Community Development, Division of Building and Housing.

On Monday, November 4, 2002, in Executive Session:

In Executive Session on November 4, 2002, the following appeals heard by the Board on Monday, October 21, 2002, were adopted and approved:

The following appeals were **Approved**:

Calendar No. 02-275: 6825 Colfax Road

Laverne Milligan appealed to construct a 27'-6" x 60' two-story, four dwelling unit apartment building on a 50' x 160' parcel in a Two-Family District.

Calendar No. 02-277: 3375 West 88th Street

George and Lillian Dreamer appealed to construct a 22' x 22' one-story gable roof garage to the rear of a 35' x 96' parcel in a Two-Family District.

Calendar No. 02-278: 5317 Magnet Avenue

James J. Malloy appealed to install 90 linear feet of 4' high chain link fencing with a gate and 120 linear feet of 5' high chain link fencing around the perimeter of a 42' x 120' corner parcel in a Two-Family District.

The following appeal was **Denied**:

Calendar No. 02-274: 4391 West 182nd Street

Larry Wimberly appealed to construct a 20' x 30' reverse gable, two car garage to the rear of a 20' x 20' garage on a 50' x 180' parcel in a One-Family District.

In Executive Session on November 4, 2002, the following appeals heard by the Board on October 28, 2002 were adopted and approved:

The following appeals were **Approved**:

Calendar No. 02-280: 13513 Rugby Road

Popie and Lizzie Howard appealed to enclose a 7' x 18' masonry porch on a 34' x 120' parcel in a B-1 Two Family District.

Calendar No. 02-281: 7820 Beman Avenue

Valerie Tomlinson appealed to enclose a 5' x 20' masonry porch on a 35' x 140' parcel in a B-1 Two-Family District.

Calendar No. 02-283: 14602 Milverton Road

Blanche Foster appealed to construct a 10' x 10' deck with a disability ramp to the rear of a house on a 50' x 122' corner parcel in a One-Family District.

The following appeal was **Denied**:

Calendar No. 02-239: 16606 S. Waterloo Road

Joe Mobily appealed to change the use of a 21' x 38' one-story office building into a truck sales building and wrecking yard on a 511' x 172' parcel in a Semi-Industry and General Industry District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, NOVEMBER 14, 2002

Rehabilitation of Willow Avenue Lift Bridge Roller Bearing Repair and Replacement North Tower — North West Sheave Shaft Assembly, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1642-97.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, NOVEMBER 7, 2002, AT 1:00 P.M., LOCATED AT CITY HALL, ROOM 514, 601 LAKESIDE AVE., CLEVELAND, OHIO 44114.

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

Paper and Cloth Wipers, for Various Divisions, Department of Finance, as authorized by Ordinance No. 1064-02, passed by the Council of the City of Cleveland, September 16, 2002.

October 30, 2002 and November 6, 2002

WEDNESDAY, NOVEMBER 20, 2002

Burials for the Indigent Dead, for the Division of Vital Statistics, Department of Public Health, as authorized by Ordinance No. 680-02, passed by the Council of the City of Cleveland, May 13, 2002.

Typewriter Maintenance, for various divisions, Department of Finance, as authorized by Ordinance No. 1061-02, passed by the Council of the City of Cleveland, September 16, 2002.

November 6, 2002 and November 13, 2002

THURSDAY, NOVEMBER 21, 2002

Cushman Equipment Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 912-02, passed by the Council of the City of Cleveland, June 17, 2002.

November 6, 2002 and November 13, 2002

FRIDAY, NOVEMBER 22, 2002

Computer Related Hardware Equipment, for the various divisions, Department of Finance, as authorized by Ordinance No. 1936-02, passed by the Council of the City of Cleveland, September 30, 2002. THERE WILL BE A PRE-BID MEETING ON THURSDAY, NOVEMBER 14, 2002, AT 11:00 A.M., INFORMATION TECHNOLOGY SERVICES, LOCATED AT 1404 EAST 9TH STREET, SUITE #400, CLEVELAND, OHIO 44114.

November 6, 2002 and November 13, 2002

WEDNESDAY, DECEMBER 18, 2002

Crown Water Works Plant Residual Handling System, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2361-01, passed by the Council of the City of Cleveland, March 4, 2002.

THERE WILL BE A PRE-BID MEETING ON MONDAY, NOVEMBER 25, 2002 AT 1:00 P.M., CROWN WATER PLANT, LOCATED AT 955 CLAGUE ROAD, WESTLAKE, OHIO 44145.

November 6, 2002 and November 13, 2002

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 1935-02.**

By Council Members Coats, Jackson, Conwell and Pierce-Scott.

An emergency resolution urging the federal government to provide adequate funding to regional political subdivisions and local governments to enable these entities to comply with the combined sewer overflow mandates established by the federal government.

Whereas, the federal government and the United States Environmental Protection Agency have enacted

laws and regulations that mandate regional political subdivisions and local governments to address combined sewer overflow issues;

Whereas, this mandate is not coupled with funding necessary to ensure compliance with the combined sewer overflow requirements established by the federal government; and

Whereas, many regional political subdivisions and local governments are struggling to provide basic services in this challenging economic time; and

Whereas, many regional political subdivisions and local governments are forced to consider utility rate increases in order to fund the federal government's combined sewer overflow mandates; and

Whereas, proposed utility rate increases, in many instances, exceed the rate of inflation; and

Whereas, such rate increases, if approved, would place an unreasonable burden on consumers of utility services; and

Whereas, it is the opinion of this Council that the federal government should provide funding necessary for regional political subdivisions and local governments to comply with the combined sewer overflow mandates established by the federal government; and

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

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

Section 1. That this Council urges the federal government to provide adequate funding to regional political subdivisions and local governments to enable these entities to comply with the combined sewer overflow mandates established by the federal government.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to U.S. Senator Michael DeWine, U.S. Senator George Voinovich, Congressman Dennis Kucinich, Congresswoman Stephanie Tubbs-Jones, Congressman Steven LaTourette, Congressman Sherrod Brown, and Congressman Ralph Regula.

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

Adopted October 28, 2002.
Effective October 30, 2002.

Res. No. 1944-02.

By Council Member Coats.

An emergency resolution urging President Bush, the U.S. Senate and the U.S. House of Representatives to allocate more federal funds to the Clean Water Act for storm water management projects.

Whereas, the Northeast Ohio Regional Sewer District ("NEORS") is commencing a \$1.2 billion improvement to the storm water management system in Cuyahoga County; and

Whereas, the NEORSRD has proposed to significantly raise the sewer rates of the citizens of Cleveland in order to pay for this improvement; and

Whereas, in the absence of increased federal funding under the Clean Water Act to defray a portion of the cost of these improvements, the sewer ratepayers least able to pay increased sewer use costs will be asked to pay a significant rate increase; 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 this Council urges President Bush, the U.S. Senate and the U.S. House of Representatives to allocate more federal funds to the Clean Water Act for storm water management projects, including the \$1.2 billion storm water management program proposed by the NEORSRD.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to President Bush, Senator Voinovich, Senator DeWine and the members of the congressional delegation representing Cuyahoga County.

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

Adopted October 28, 2002.

Effective October 30, 2002.

Res. No. 2121-02.

By Council Member Cimperman (by departmental request).

An emergency resolution to name the Cleveland Browns Football Stadium Roadway "Alfred Lerner Way".

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 is with deepest sympathy that the Citizens of the City of Cleveland send their thoughts and prayers to mourn the passing of Alfred ("Al") Lerner. And that we extend our condolences to his family, friends and his "extended family". Thousands of persons will remember Mr. Lerner for bringing our beloved Cleveland Browns Football home again. Many others will remember him for his humanitarian gifts and kindness to local hospitals and charities. The Cleveland Browns Football Fans and Players will remember him as a "Fan" and one of their own. We, the Citizens of Cleveland, have truly lost one of our best and dearest friends; therefore, as a memorial and tribute to Mr. Lerner we propose:

Section 2. That the name of all that portion of the Cleveland

Browns Football Stadium Roadway (width varies) directly bordering the Cleveland Browns Football Stadium on its Southerly perimeter, and running between Relocated Erieside Avenue (70.00 feet wide) and West 3rd Street (99.00 feet wide) be and the same is now named "Alfred Lerner Way".

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

Adopted October 28, 2002.

Effective October 30, 2002.

Res. No. 2122-02.

By Council Member Cimperman. An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 761 Starkweather Avenue, 1st Floor and Bsmt.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of ownership of a C1 and C2 Liquor Permit to S & R Browns Food Market, Inc., DBA Browns Food Market, 761 Starkweather Avenue, 1st Floor and Basement, Cleveland, Ohio 44113, Permanent Number 8459405; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit to S & R Browns Food Market, Inc., DBA Browns Food Market, 761 Starkweather Avenue, 1st Floor and Basement, Cleveland, Ohio 44113, Permanent Number 8459405, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 28, 2002.

Effective October 30, 2002.

Res. No. 2123-02.

By Council Member Cimperman. An emergency resolution objecting to the stock transfer of ownership of a C2 and C2X Liquor Permit to 4302 John Avenue, 1st Floor and Bsmt.

Whereas, Council has been notified by the Department of Liquor Control of an application for a stock transfer of ownership of a C2 and C2X Liquor Permit to Soli, Inc., DBA New York Grocery, 4302 John Avenue, 1st Floor and Basement, Cleveland, Ohio 44113, Permanent Number 8356699; 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 provid-

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

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

Section 1. That Council does hereby record its objection to the stock transfer of ownership of a C2 and C2X Liquor Permit to Soli, Inc., DBA New York Grocery, 4302 John Avenue, 1st Floor and Basement, Cleveland, Ohio 44113, Permanent Number 8356699, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 28, 2002.
Effective October 30, 2002.

Res. No. 2124-02.
By Council Member Zone.
An emergency resolution objecting to a New C1 Liquor Permit to 7120 Denison Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Ezeldean, Inc., DBA Dollar Lots, 7120 Denison Avenue, Cleveland, Ohio 44102, Permanent Number 2598330; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Ezeldean, Inc., DBA Dollar Lots, 7120 Denison Avenue, Cleveland, Ohio 44102, Permanent Number 2598330; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 28, 2002.
Effective October 30, 2002.

Ord. No. 1083-02.
By Councilmen Coats and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide services that verify accuracy of personal information in the Cleveland Public Power customer databases.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide services that verify accuracy of personal information in the Cleveland Public Power customer databases.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants available for such employment as may be determined after a full and complete canvass

by the Director of Utilities for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 58 SF 001, Request No. 122244.

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

Passed October 28, 2002.
Effective October 30, 2002.

Ord. No. 1263-02.
By Council Members Zone, Britt, Brady, Jones, O'Malley, Cintron, Polensek and Coats.

An emergency ordinance to amend Section 411.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976, relating to mobile basketball hoops.

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 411.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976, is hereby amended to read as follows:

Section 411.04 Toy Vehicles and Games on Streets; Seizure and Disposal of Mobile Basketball Hoops

(a) No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon a roadway except while crossing a street at a crosswalk and except upon streets set aside as play streets when authorized as such.

(b) No person shall fly a kite or play any game of ball, including playing or using mobile or moveable basketball hoops, or other game on any street unless the same has been set aside for playground purposes.

(c) In addition to the penalties set forth in Section 403.99 any mobile or moveable basketball hoop or any equipment or device used as a moveable or mobile basketball hoop, that has been used on two (2) occasions in the commission of a violation of division (b) of this section for which convictions have been entered in the court's journal, without regard to the ownership of the property and without regard to whether the same person(s) were convicted of both offenses, is hereby declared to be contraband, and shall be seized and disposed of in accordance

with Section 2933.43 of the Revised Code.

Section 2. That existing Section 411.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976 is hereby repealed.

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

Passed October 28, 2002.

Effective October 31, 2002.

Ord. No. 1533-02.

By Council Members Reed and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to lease space for the purpose of minority recruitment for the Division of Fire, Department of Public Safety, for a period not to exceed one year.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is authorized to lease space for the purpose of minority recruitment for the Division of Fire, Department of Public Safety. The term of the lease shall not exceed one year.

That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the purposes of the grant. That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

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

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

Section 2. That the costs for the lease authorized shall be paid from Fund No. 01-600306-636000, Request No. 116308.

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

Passed October 28, 2002.

Effective October 30, 2002.

Ord. No. 1849-02.

By Council Member Jackson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9520 Fuller Avenue to Burten, Bell, Carr Development, Inc.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 127-16-129, as more fully described below, to Burten, Bell, Carr Development, Inc.

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

P. P. No. 127-16-129

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 20 in Abraham Fuller's Subdivision of part of Original One Hundred Acre Lot No. 441 as shown by the recorded plat in Volume 6 of Maps, Page 11 of Cuyahoga County Records and being 40 feet front on the Southerly side of Fuller Avenue, S.E., and extending back between parallel lines 133.6 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed October 28, 2002.

Effective October 30, 2002.

Ord. No. 1885-02.

By Council Members Coats and Jackson (by departmental request).

An emergency ordinance ratifying and approving the emergency repair and rewind of one Delta Star MR# 1147, 5/6.25 MVA, three phase, oil filled power transformer, including labor and materials, in accordance with the Mayor's emergency repair letter dated July 25, 2002.

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 ratifies and approves the repair and rewind of one Delta Star MR# 1147, 5/6.25 MVA, three phase, oil filled power transformer, including labor and materials, authorized under Section 181.12 of the Codified Ordinances of Cleveland, Ohio, 1976, on July 25, 2002 and ratifies the payment for the repair from Fund No. 58 SF 001.

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

Passed October 28, 2002.

Effective October 30, 2002.

Ord. No. 1886-02.

By Council Members Coats, Lewis and Jackson (by departmental request).

An emergency ordinance to amend Sections 4 and 6 of Ordinance No. 910-98, relating to the use of revenue from an incremental charge and tax remittances by Cleveland Public Power.

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

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

Section 1. That Sections 4 and 6 of Ordinance No. 910-98, passed February 14, 2000, are amended to read as follows:

Section 4. That the revenue resulting from the increase in the incremental charge provided for herein shall be applied for the following purposes only: 1) to the repayment of any bonded indebtedness of Cleveland Public Power; or 2) to the cost in calendar year 2003 of replacing utility poles treated with copper naphthenate in the Cleveland Public Power distribution system, up to a maximum of \$1,000,000.

Section 6. That Cleveland Public Power shall collect and pay over, at least annually, to the general fund all tax remittances due the City collected under Section 5727.81 of the Ohio Revised Code. That by the end of each calendar year except 2003, Cleveland Public Power shall receive from the general fund an amount equal to eighty-five percent (85%) of the tax remittances described in the preceding sentence to be applied exclusively to the repayment of any bonded indebtedness of Cleveland Public Power. The general fund shall retain 100% of the tax remittances collected during calendar year 2003. Notwithstanding anything in this ordinance to the contrary, Cleveland Public Power may expend up to \$1,000,000 of tax remittances received from the general fund prior to January 1, 2003 on the cost in calendar year 2003 of replacing utility poles treated with copper naphthenate in the Cleveland Public Power distribution system. If the Director of Finance certifies that money has become available to Cleveland Public Power for this purpose from any source not identified above up to a maximum of \$6,000,000.00, that money shall be appropriated for the purposes of and be applied as partial or full repayment of bonded indebtedness.

Section 2. That existing Sections 4 and 6 of Ordinance No. 910-98, passed February 14, 2000, are repealed.

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

Passed October 28, 2002.
Effective October 30, 2002.

Ord. No. 1891-02.
By Council Members Lewis and Jackson (by departmental request).

An emergency ordinance to authorize the Director of Personnel and Human Resources to exercise an option to renew Contract No. 59598 with Integrated Consulting Services, Ltd. for the purchase of professional services to provide workers' compensation actuarial and auditing services, for the Department of Personnel and Human Resources.

Whereas, Ordinance No. 731-02, passed May 20, 2002, authorized the Director of Personnel and Human Resources to enter into contract with Integrated Consulting Services, Ltd. for the purchase of professional services to provide workers' compensation actuarial and auditing services, for the Department of Personnel and Human Resources; and

Whereas, Ordinance No. 731-02 requires further legislative authority prior to exercising the option to renew Contract No. 59598 with Integrated Consulting Services, Ltd.; and

Whereas, the Council desires to grant authority to exercise an option to renew Contract No. 59598 with Integrated Consulting Services, Ltd.; 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 any provision of Ordinance No. 731-02, passed May 20, 2002 to the contrary, the Director of Personnel and Human Resources is authorized to exercise the option to renew Contract No. 59598, for an additional six-month period, with Integrated Consulting Services, Ltd., for professional services to provide workers' compensation actuarial and auditing services for the Department of Personnel and Human Resources. This ordinance constitutes the additional legislative authority required by Ordinance No. 731-02, passed May 20, 2002, to exercise this option. At the expiration of the contract term as extended by the first option to renew, Contract No. 59598 shall expire.

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

Passed October 28, 2002.
Effective October 30, 2002.

Ord. No. 1924-02.
By Council Members Coats and Jackson (by departmental request).

An emergency ordinance authorizing the purchase by contract or contracts of a character generator, for the Office of Cable Television, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one character generator, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Office of Cable Television, Department of Public Utilities.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 50 SF 001, Request No. 113356.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all

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

Passed October 28, 2002.
Effective October 30, 2002.

Ord. No. 1926-02.
By Council Members Sweeney, Gordon and Jackson (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 302-02, passed February 25, 2002, as amended by Ordinance No. 1423-02, passed July 17, 2002; and to amend the title, and Sections 1 and 2 of Ordinance No. 1137-02, passed June 17, 2002, relating to the Director of Economic Development entering into one or more contracts and agreements with Bellaire Puritas Development Corporation for various projects.

Whereas, Bellaire Puritas Development Corporation has established a real estate holding company, BPDC Building, Ltd.; and

Whereas, Bellaire Puritas Development Corporation wishes to change the borrower/recipient to BPDC Building, Ltd.; 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 title and Section 1 of Ordinance No. 302-02, passed February 25, 2002, as amended by Ordinance No. 1423-02, passed July 17, 2002, are amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with BPDC Building, Ltd. to further the public purpose creating or preserving jobs and employment opportunities to preserve the economic welfare of the State, by eradicating blight through the use of Ward 20 Neighborhood Equity funds.

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with BPDC Building, Ltd. using Ward 20 Neighborhood Equity Funds, for the acquisition of certain property which is determined by this Council to further the public purpose of creating or preserving jobs and employment opportunities to preserve the economic welfare of the State, by eradicating blight through the use of Ward 20 Neighborhood Equity funds.

Section 2. That the existing title and Section 1 of Ordinance No. 302-02, passed February 25, 2002, as amended by Ordinance No. 1423-02, passed July 17, 2002, are repealed.

Section 3. That the title and Sections 1 and 2 of Ordinance No. 1137-02, passed June 17, 2002, are amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Economic Development to enter into a con-

tract and a grant agreement with BPDC Building, Ltd. to provide economic development assistance to partially finance the acquisition and renovation, including site improvements of real property located at 14701 Puritas Avenue, Cleveland, Ohio.

Section 1. That the Director of Economic Development is authorized to enter into a loan agreement with BPDC Building, Ltd. to provide economic development assistance to partially finance the acquisition and renovation, including site improvements of real property located at 14701 Puritas Avenue, Cleveland, Ohio (the "Improvement").

Section 2. That the Director of Economic Development is authorized to enter into a grant agreement with BPDC Building, Ltd. to provide economic development assistance to partially finance the above-described Improvement.

Section 4. That the existing title and Sections 1 and 2 of Ordinance No. 1137-02, passed June 17, 2002, are repealed.

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

Passed October 28, 2002.

Effective October 30, 2002.

Ord. No. 1974-02.
By Council Members Coats and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Systems & Computer Technology Corporation for technical support for the banner system for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to enter into one or more contracts with Systems & Computer Technology Corporation for professional services necessary to provide technical support for the banner system for the Division of Cleveland Public Power on the basis of their proposal dated September 3, 2002, in the total sum of \$774,922.84, payable from Fund No. 58 SF 001, Request No. 122429, for the Department of Public Utilities.

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

Passed October 28, 2002.

Effective October 30, 2002.

Ord. No. 2116-02.
By Council Member Reed.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Kinsman Road to Mt. Pleasant Now 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 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). 130-04-028, 130-04-030 and 130-04-031, as more fully described below, to Mt. Pleasant Now Development Corporation.

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

P. P. No. 130-04-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublot Nos. 83 and 84 in Crawford-Woodhill Subdivision of part of Original One Hundred Acre Lot Nos. 436, 444 and 445 as shown by the recorded plat in Volume 47 of Maps, Page 12 of Cuyahoga County Records. Said parts of Sublots 83 and 84 together form a parcel of land bounded and described as follows:

Beginning on the Northeastery line of Kinsman Road, S.E., at a point 6 33/100 feet Northwesterly, measured along said Northeastery line from the Southeastery corner of said Sublot No. 84, thence Northerly on a line parallel with the Easterly line of said Sublot No. 84, 110 34/100 feet; thence Easterly on a line parallel with the Northerly line of said Sublot Nos. 84 and 83, 39 27/100 feet; thence Southerly on a line parallel with the Westerly line of said Sublot Nos. 83, 122 13/100 feet to the said Northeastery line of Kinsman Road, S.E.; thence Northwesterly along said Northeastery line of Kinsman Road, S.E. 41 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P. P. No. 130-04-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublot Nos. 81 and 82 in Crawford-Woodhill Subdivision of part of Original One Hundred Acre Lots

Nos. 436, 444 and 445 as shown by the recorded plat of said Subdivision in Volume 47 of Maps, Page 12 of Cuyahoga County Records: Said parts of Sublot Nos. 81 and 82 together forming a parcel of land bounded and described as follows:

Beginning on the Northeastery line of Kinsman Road, S.E., at a point 20 51/100 feet Northwesterly measured along said Northeastery line from the Southeastery corner of said Sublot No. 82; Thence Northerly on a line parallel with the Easterly line of said Sublot No. 82, 133 91/100 feet; Thence Easterly on a line parallel with the Northerly line of said Sublot No. 82, 19 64/100 feet to the Easterly line thereof; Thence Southerly along said Easterly line of Sublot No. 82, 40 feet; Thence Easterly on a line parallel with the Northerly line of said Sublot No. 81, 19 64/100 feet; Thence Southerly parallel with the Westerly line of said Sublot No. 81, 105 70/100 feet to the Northeastery line of Kinsman Road, S.E.; Thence Northwesterly along the Northeastery line of Kinsman Road, S.E., 41 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P. P. No. 130-04-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 80 and 81 in Crawford-Woodhill Subdivision of part of Original One Hundred Acre Lots Nos. 436, 444 and 445 as shown by the recorded plat in Volume 47 of Maps, Page 12 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Northeastery line of Kinsman Road, S.E., at a point 13 415/100 feet Southeastery measured along the Northeastery line from the Southwestery corner of said Sublot No. 80; thence Northerly on a line parallel with the Westerly line of said Sublot No. 80, 117 49/100 feet; Thence Westerly on a line parallel with the Northerly lines of Sublot Nos. 80 and 81, 39 27/100 feet; Thence Southerly on a line parallel with the Easterly line of said Sublot No. 81, 105 70/100 feet to said Northeastery line of Kinsman Road, S.E.; Thence Southeastery along the Northeastery line of Kinsman Road, S.E. 41 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

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

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

Passed October 28, 2002.

Effective October 30, 2002.

Ord. No. 2117-02.

By Council Member Reed.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Mt. Pleasant Now Development Corporation.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 127-27-068 as more fully described below, to Mt. Pleasant Now 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. 127-27-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 46 in the Highland Park Subdivision of part of Original Township Lot No. 443, as shown by the recorded plat in Volume 15 of Maps, Page 8 of Cuyahoga County Records, said Sublot has a frontage

of 35.75 feet on the Easterly side of East 114th Street, and extending back of equal width 150 feet as appears by said plat, be the same more or less, but subject to all legal highways.

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. 127-27-069 as more fully described below to Mt. Pleasant Now Development Corporation.

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

P. P. No. 127-27-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 47 in Southern and Latimer's Highland Park Subdivision of part of Original One Hundred Acre Lot No. 443, as shown by the recorded plat in Volume 15 of Maps, Page 8 of Cuyahoga County Records, and being 40 feet front on the Easterly side of Weidner Avenue (now known as East 114th Street), and extending back of equal width 150 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 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. 130-04-070 as more fully described below, to Mt. Pleasant Now Development Corporation.

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

P. P. No. 130-04-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 91 in the Crawford-Woodhill Subdivision of part of Original One Hundred Acre Lots Nos. 436, 445, and 444, as shown by the recorded plat in Volume 47 of Maps, Page 12 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 123rd Street, by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 130-07-002 as more fully described, to Mt. Pleasant Now Development Corporation.

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

P.P. No. 130-07-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 126 in Walton Brother's Mt. Pleasant Allotment of part of Original One Hundred Acre Lot No. 445, as shown by the recorded plat in

Volume 14 of Maps, Page 6 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 128th Street (formerly Collinwood Avenue) and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 130-10-022 as more fully described below, to Mt. Pleasant Now Development Corporation.

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

P. P. No. 130-10-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 188 in the Kinsman Heights Allotment of part of Original One Hundred Acre Lot No. 446, as shown by the recorded plat in Volume 44 of Maps, Page 26 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 134th Street, and extending back of equal width 120 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 139-02-063 as more fully described below, to Mt. Pleasant Now Development Corporation.

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

P. P. No. 139-02-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in Normile, Zoul, and Zverinas Subdivision of a part of Original Warrensville Township Lots Nos. 51 and 61 now in the City of Cleveland. Said Sublot No. 21 has a frontage of 62.08 feet on the Westerly side of Elm Street, (now East 142nd Street) and extends back of equal width 145.40 feet deep as per plat of said Subdivision recorded in Volume 41 of Maps, Page 11 of Cuyahoga County Records be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 139-11-061 as more fully described below, to Mt. Pleasant Now Development Corporation.

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

P. P. No. 139-11-061
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 198 in Jankovsky-Bubna Subdivision of part of Original Warrensville Township Lot Nos. 51 and 61 as shown by the recorded plat in Volume 51 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 149th Street, S.E., and extending back between parallel lines 240.06 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 15. 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 16. 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 17. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the

Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

Section 18. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 28, 2002.
 Effective October 30, 2002.

Ord. No. 2120-02.
By Council Member White.
An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with the Community Assessment Foundation for the Community Assessment Renovation Project in order to carry out the public purpose of creating jobs for the residents of Cleveland through the use of Ward 2 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with the Community Assessment Foundation for the Community Assessment Renovation Project in order to carry out the public purpose of creating jobs for Cleveland residents through the use of Ward 2 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$30,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed October 28, 2002.
 Effective October 30, 2002.

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