

The City Record

Official Publication of the City of Cleveland

January the Seventeenth, Two Thousand and One

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3232 East 119th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

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

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

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

DEPT. OF PORT CONTROL – Reuben Sheperd, Director,
 Cleveland Hopkins International Airport, 5300 Riverside Drive;
 Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner
 Burke Lakefront Airport – _____, Commissioner

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 88

WEDNESDAY, JANUARY 17, 2001

No. 4545

CITY COUNCIL

MONDAY, JANUARY 15, 2001

The City Record

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

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

Interim subscriptions prorated
\$6.25 per month

Address all communications to

RUBY F. MOSS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY

9:30 A.M.—**Public Parks, Property
& Recreation Committee:** Rybka,
Chairman; Dolan, Vice Chairman;
Brady, Britt, Johnson, Reed, Swee-
ney.

MONDAY—Alternating

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

11:00 A.M.—**Employment, Affirma-
tive Action & Training Committee:**
White, Chairman; Lewis, Vice Chair-
man; Cintron, Coats, Gordon, John-
son, Jones.

MONDAY

2:00 P.M.—**Finance Committee:** Pat-
mon, Chairman; Rybka, Vice Chair-
man; Britt, Cintron, Dolan, Lewis,
Melena, O'Malley, Polensek, Swee-
ney, White.

TUESDAY

9:30 A.M.—**Community and Eco-
nomic Development Committee:**
Melena, Chairman; Lewis, Vice
Chairman; Brady, Cimperman, Cin-
tron, Jackson, Johnson, Jones,
Willis.

TUESDAY—Alternating

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

1:30 P.M.—**Legislation Committee:**
Lewis, Chairman; Jones, Vice Chair-
man; Coats, Gordon, Reed, West-
brook, White.

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Com-
mittee:** O'Malley, Chairman; Pat-
mon, Vice Chairman; Britt, Coats,
Dolan, Melena, Polensek, Westbrook,
Willis.

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

The following Committee is sub-
ject to the Call of the Chairman:
Mayor's Appointment Committee:
O'Malley, Chairman; Britt, Cimper-
man, Patmon, Sweeney.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

The following measures will be on
their final passage at the next meet-
ing:

NONE

BOARD OF CONTROL

January 10, 2001

The regular meeting of the Board
of Control convened in the Mayor's
office on Wednesday, January 10,
2001, at 11:00 a.m. with Acting
Mayor Carter presiding.

Present: Acting Mayor Carter,
Directors Carter, Brooks, Konicek,
Sheperd, Acting Director Sonntag,
Director Whitlow, Acting Director
Smith, Directors Miller, Hudecek,
Patterson, Warren and Alexander.
Absent: Mayor White.

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

On motion, the following resolu-
tions were adopted.

Resolution No. 7-01.

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 and appurtenances (Areas A
& B) for the Division of Water,
Department of Public Utilities, for a
period of one (1) year beginning
with the date of execution of a con-
tract received on the 30th day of
November, 2000, pursuant to the
authority of Ordinance No. 1415-99,
passed October 4, 1999, on the basis
of the estimated quantity would
amount to One Million Seven Hun-
dred Eleven Thousand Seven Hun-
dred and no/100 Dollars,
(\$1,711,700.00), is hereby affirmed
and approved as the lowest and best
bid, and the Director of Public Utili-
ties is hereby requested to enter
into a requirement contract for such
commodities, which shall provide for
the immediate purchase as the ini-
tial amount of such contract of the
following:

Requisition No. 33460
which shall be certified against such
contract in the sum of Seven Hun-
dred Thousand Dollars (\$700,000.00).

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 esti-
mated quantity, as may be ordered
under subsequent requisitions sepa-
rately certified against said con-
tract.

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

<u>NAME</u>	<u>MBE/FBE</u>
RMC, Inc.	\$256,755.00 (15%)
Rockport Construction and Materials, Inc.	\$85,585.00 (5%)

Yeas: Acting Mayor Carter, Direc-
tors Carter, Brooks, Konicek, Shep-
erd, Acting Director Sonntag, Dir-
ector Whitlow, Acting Director Smith,
Directors Miller, Hudecek, Patter-
son, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 8-01.

By Director Sheperd.
Be it resolved by the Board of
Control of the City of Cleveland
that pursuant to Ordinance No. 552-
2000 passed by the Cleveland City
Council on June 19, 2000, and Ordi-
nance No. 1234-2000, passed by the
Cleveland City Council on July 17,
2000, Middough & Associates, Inc.
("Consultant") is hereby selected
upon the nomination of the Director

of Port Control from a list of qualified consultants available for such employment and determined after a full and complete canvass by said Director as the engineering firm to be employed by contract for the design of NASA South 40 PER facilities.

Be it further resolved that the Director of Port Control is hereby authorized to enter into contract with said Consultant for Stage I services in an amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00), with options exercisable by the Director of Port Control in writing for Stage II services in an amount not to exceed Three Million Four Hundred Sixty Five Thousand Dollars (\$3,465,000.00), Stage III services in an amount not to exceed Eight Hundred Fifteen Thousand Five Hundred One Dollars (\$815,501.00), and Stage IV services in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) on the basis of consultant's proposal dated September 18, 2000, as amended by its letter dated December 14, 2000. The contract authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by Middough & Associates, Inc. for the above-mentioned contract is hereby approved:

SUBCONSULTANTS

Central Engineering
(7% MBE)

SERVICES

Engineering

DYNATECH
(6% MBE)

Engineering

K S Associates
(1% FBE)

Surveying &
Mapping

Yeas: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 9-01.

By Director Shepherd.

Resolved, by the Board of Control of the City of Cleveland that the bid of American Merchandising Services for de-icing materials for various divisions of the Department of Port Control, for the period of two (2) years beginning with the date of execution of a contract, received on the 4th day of August, 2000, pursuant to the authority of Ordinance No. 364-2000, passed on April 17, 2000, which on the basis of the estimated quantity would amount to Three Million Six Hundred Ninety Eight Thousand Nine Hundred and 00/100 Dollars, (\$3,698,900.00), is hereby affirmed and approved as the lowest and best bid for item numbers 1a through 2b, and the Director of Port Control is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 29092

which shall be certified against such contract in the sum of Eight Hundred Ten Thousand and 00/100 Dollars (\$810,000.00).

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, but not exceeding ten percent (10%) over the amount purchased during the preceding two years, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 10-01.

By Director Shepherd.

Resolved by the Board of Control of the City of Cleveland that the bid of OfficeMax for the following: Purchase, delivery and installation of office furniture (Item No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14) for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on the 20th day of December, 2000, pursuant to the authority of Ordinance No. 412-2000, passed June 22, 2000, which on the basis of order quantity would amount to \$32,119.34 Dollars, is hereby approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 11-01.

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland that all bids received on November 9, 2000 for the Rehabilitation of Eagle Ave. Lift Bridge and West 3rd Street Ramp, for the Division of Engineering and Construction, Department of Public Service, pursuant to the authority of Ordinance No. 1642-97, passed by the Council of the City of Cleveland on November 24, 1997, be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 12-01.

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland that all bids received on December 1, 2000 for Shop Equipment (All Items) for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 904-2000, passed by the Council of the City of Cleveland on August 7, 2000, be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Direc-

tor Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 13-01.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Santa Cruz Associates, Ltd. for an estimated quantity of shotgun locks and related equipment (Item 3) 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 November 3, 2000, pursuant to the authority of Ordinance No. 904-2000, passed August 7, 2000, which on the basis of the estimated quantity would amount to approximately Nine Thousand Six Hundred Forty-Five and 00/100 Dollars, (\$9,645.00), (Net Delivery), 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. 29345

which shall be certified against such contract in the sum of Nine Thousand Six Hundred Forty-Five and 00/100 Dollars (\$9,645.00).

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: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 14-01.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of D.R. Ebel Fire Equipment Sales & Service, Inc. for an estimated quantity of equipment mounting consoles (Item 2) 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 November 3, 2000, pursuant to the authority of Ordinance No. 904-2000, passed August 7, 2000, which on the basis of the estimated quantity would amount to approximately Eighteen Thousand Eight Hundred Ninety-Three and 00/100 Dollars, (\$18,893.00), (Net-Delivery), 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. 29344

which shall be certified against such contract in the sum of Eighteen Thousand Eight Hundred Ninety-Three and 00/100 Dollars (\$18,893.00).

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: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 15-01.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Fox International for an estimated quantity of emergency vehicle lighting/siren systems, Federal Signal, partition conversion kits and radio mounting trays (Items 1, 4 and 5) 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 November 3, 2000, pursuant to the authority of Ordinance No. 904-2000, passed by the Council of the City of Cleveland on August 7, 2000, which on the basis of the estimated quantity would amount to One Hundred Fifty-Two Thousand Five Hundred Seventy-Six and 00/100 Dollars, (\$152,576.00), (2%-30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 29343

which shall be certified against such contract in the sum of One Hundred Fifty-Two Thousand Five Hundred Seventy-Six and 00/100 Dollars (\$152,576.00).

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: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 16-01.

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel 118-05-045 under said Land Reutilization Program; and

Whereas, Ordinance No. 1595-00 passed November 27, 2000, authorized the sale of Westerly part of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Mansfield S. Frazier and Brenda W. Frazier have proposed to the City to purchase and develop Westerly part of 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. 1595-2000 passed November 27, 2000 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 Mansfield S. Frazier and Brenda W. Frazier for the sale and development of the Westerly part of said Permanent Parcel 118-05-045, 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 \$1.00, 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: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 17-01.

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcels 123-20-095 and 123-21-031 under said Land Reutilization Program; and

Whereas, Ordinance No. 1761-A-2000 passed December 18, 2000, authorized the sale of said parcels 123-20-095 and 123-21-031 for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Slavic Village Development Corporation or designee have proposed to the City to purchase and develop of 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. 1761-A-2000 passed December 18, 2000 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 Slavic Village Development Corporation or designee for the sale and development of said Permanent Parcels 123-20-095 and 123-21-031, 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 parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 18-01.

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. 138-01-087 located at 11815 Princeton Avenue in Ward 2; 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, Jerlynn Sapp, abutting/adjacent landowner, has proposed to the City to purchase and develop said Easterly part of 138-01-087; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has consented to the proposed sale;

2. The Easterly part of 138-01-087 is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed Jerlynn Sapp 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 Jerlynn Sapp for the sale and development of Easterly part of Permanent Parcel No. 138-01-087 located at 11815 Princeton Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for the Easterly part of 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: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Shepherd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 19-01.

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. 138-01-087 located at 11815 Princeton Avenue in Ward 2; 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, Tanissa R. Jones, abutting/adjacent landowner, has proposed to the City to purchase and develop said Westerly part of 138-01-087; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has consented to the proposed sale;

2. The Westerly part of 138-01-087 is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed Tanissa R. Jones 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 Tanissa R. Jones for the sale and development of Westerly part of Permanent Parcel No. 138-01-087 located at 11815 Princeton Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for the Westerly part of 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: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Sheperd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 20-01.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No. 795-00, adopted November 29, 2000, approving a requirement contract to Feldman Mechanical, Inc. for maintenance, repair and/or replacement of HVAC systems, Group B (all items), for the various divisions of the Department of Public Utilities, is hereby rescinded.

Be it further resolved by the Board of Control of the City of Cleveland that all bids received on September 28, 2000 for maintenance, repair and/or replacement of HVAC systems, Group B (all items), for the various divisions, for the Department of Public Utilities, pursuant to the authority of Ordinance No. 825-2000, passed June 12, 2000 be and the same are hereby rejected.

Yeas: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Sheperd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 21-01.

By Director Sheperd.

Whereas pursuant to the authority of Ordinance No. 1107-94, passed by the Council of the City of Cleve-

land on June 13, 1994, the City, through its Director of Port Control entered into City Contract No. 53809 with NASA Lewis Research Center and Parsons Engineering Science, Inc. of Ohio to facilitate the relocation of the NASA South 40 pursuant to the Memorandum of Understanding on Airport Expansion and Related Real Property Issues; and

Whereas the City has determined it necessary to enter into a first amendment to Contract No. 53809, to extend the term of said City Contract No. 53809 to the later of either the completion of the work to be performed by Parsons and NASA under said agreement or November 27, 2002, and to change the name of NASA Lewis Research Center to NASA Glenn Research Center, where applicable; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into a first amendment to City Contract No. 53809 among the City of Cleveland and NASA Lewis Research Center and Parsons Engineering Science, Inc. of Ohio to extend the term of said City Contract No. 53809 to the later of either the completion of the work to be performed by Parsons and NASA under said agreement or November 27, 2002, and to acknowledge the change of name by NASA Lewis Research Center to NASA Glenn Research Center, where applicable.

Yeas: Acting Mayor Carter, Directors Carter, Brooks, Konicek, Sheperd, Acting Director Sonntag, Director Whitlow, Acting Director Smith, Directors Miller, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ANNE BLOOMBERG,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 29, 2001

9:30 A.M.

Calendar No. 00-369: 5109 Memphis Avenue (Ward 16)

Nicholas Haviaras, owner, and S & P Detailing, tenant, appeal to change the use of an existing 28' x 75' one-story masonry retail store building to an auto detailing shop, situated on a 74' x 150' parcel located in a Local Retail Business District on the south side of Memphis Avenue at 5109 Memphis Avenue; said change of use being contrary to the Business District Regulations where an automobile detailing shop is first permitted in a Semi-Industry District and not permitted in a Local Retail Business District as stated in Section 343.01 of the Codified Ordinances.

Calendar No. 00-370: 2900 Lorain Avenue (Ward 14)

St. Ignatius High School, owner c/o Andrew Bramante, appeals to install four 70' high light towers to illuminate the existing 280' x 560' athletic field located in a Two-Family District on the north side of Lorain Avenue at 2900 Lorain Avenue; said installation being contrary to the Height Regulations where four 70' high light towers are proposed and in a "1" district the height of any structure shall not exceed 35' as stated in Section 353.01 of the Codified Ordinances.

Calendar No. 00-371: Appeal of Patrick Antonelli, 19615 Nottingham Road (Ward 11)

Patrick Antonelli, owner, appeals under authority of Section 367.09 from the issuance of the Violation Notice by Robert Vilkas, Commissioner of Building and Housing, on October 31, 2000 regarding the property at 19615 Nottingham Road, where a minimum seven foot high, solid masonry wall or slightly solid, non-transparent, well maintained, substantial fence is required around the property in question as stated in the Specific Uses Regulations of Section 347.06(a) of the Codified Ordinances.

Calendar No. 00-372: Appeal of Lydia Ebert, d.b.a. Sunshine Cuisine, Euclid Avenue at East 100th Street (Ward 6)

Lydia Ebert d.b.a. Sunshine Cuisine, appeals under authority of Section 76-6 from the disapproval of an application for a Temporary Peddlers Permit on October 24, 2000 by Robert C. Brown, Commissioner of Assessments and Licenses, upon the recommendation of the Department of Public Service, Bureau of Sidewalks, regarding the property at East 100th Street and Euclid Avenue (north side) where the location in question is within the public right of way and is contrary to the Peddlers and Produce Dealers Requirements of Section 675.01(a)(3) where there is a potential for hazardous food products, Section 675.04(b)(11), where the operation is limited to frankfurters and pre-cooked sausages, and Section 675.04(b)(13) where food shall not be cooked at the sidewalk area, and Section

675.04(b)(16) where the vendor cart shall be placed adjacent to the curb, and contrary to the Temporary Sidewalk Occupancy Permits Regulations, where the vendor cart exceeds the required 4' wide x 6' long x 5' high size requirements as stated in Section 508.07(a) of the Codified Ordinances.

Calendar No. 00-374: 4423 Detroit Avenue (Ward 14)

Noshyh Henen, owner, appeals to construct a 12' x 57' one-story masonry stock room addition to an existing 28' x 57' one-story masonry food mart building, all situated on an approximate 103' x 104' irregular shaped corner parcel located in a Semi-Industry District on the southeast corner of West 45th Street and Detroit Avenue at 4423 Detroit Avenue; said construction being contrary to the Specific Use Regulations of Section 347.08(a)(1)(2) where trash shall not be visible from the public street and shall be screened with opaque fencing not lower than the refuse container height and Section 347.08(b) where all trash must be compacted and all odorous materials stored in an airtight container and Section 347.08(c) where trash containers shall be non-combustible materials placed on a concrete slab and doors locked at all times other than when loaded or collected and contrary to the Yards and Courts Requirements, where a 10' distance is proposed between the proposed stock room and the existing dwelling, and a residence building located behind any main building on the same lot must be not less than 40' away as stated in Section 357.15(a) of the Codified Ordinances.

Calendar No. 00-375: 17718 South Waterloo Road (Ward 11)

Clifford Senor, owner, and Alpha Metals, tenant c/o Richard Taylor, appeal to expand the use of an existing scrap metals facility to include outside storage of scrap metals all situated on an approximate 106' x 319' acreage parcel located in a Semi-Industry District on the south side of South Waterloo Road at 17718 South Waterloo Road; said expansion being contrary to the Industrial District Requirements of Section 345.03(c)(33) where outside storage of scrap metals is not permitted in a Semi-Industry District but first permitted in a General Industry District provided that 7' high masonry walls completely surround the storage facility as stated in Section 345.04 and subject to the expansion of non-conforming use limitations of Section 359.01 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, JANUARY 16, 2001

At the meeting of the Board of Zoning Appeals on Tuesday, January 16, 2001, the following appeals were heard by the Board:

The following appeals were **Approved:**

None.

The following appeal was **Denied:**

Calendar No. 00-361: 11307 Harbor View Drive

David J. Untener, owner, appealed from the issuance of a Violation Notice by Building and Housing on November 21, 2000.

The following appeals were **Postponed:**

Calendar No. 00-359: 1208 East 55th Street postponed to February 20, 2001.

Calendar No. 00-368: 3950 East 86th Street postponed to February 20, 2001.

Calendar No. 00-309: 16013 Seville Road postponed to February 26, 2001.

The following appeals were **Withdrawn:**

Calendar No. 00-354: 10019 Cliff Drive

Andrew William Gallagher, owner, appealed from a Violation Notice issued on October 20, 2000 regarding the tear down of the second floor structure of an existing garage; withdrawn by the Zoning Administrator for Building and Housing as to the ordinances related to zoning, only.

Calendar No. 00-355: 3920 East 91st Street

Jack Weingold, owner, d.b.a. M. Weingold & Company, appealed from disapproval of an application for Junk Dealer or Scrap Metal Processor License.

Calendar No. 00-356: 3939 East 91st Street

Jack Weingold, owner, d.b.a. M. Weingold & Company, appealed from disapproval of an application for Junk Dealer or Scrap Metal Processor License.

Calendar No. 00-357: 3967 East 93rd Street

Jack Weingold, owner, d.b.a. M. Weingold & Company, appealed from disapproval of an application for Junk Dealer or Scrap Metal Processor License.

Calendar No. 00-360: 6531 Quincy Avenue

Abraham Seligman, owner, d.b.a. Al's Salvage Company, appealed from disapproval of an application for Junk Dealer or Scrap Metal Processor License.

Calendar No. 00-256: 5007-5009 Fleet Avenue

Robert Clark, owner, appealed to change the use of a one-story tavern and four dwelling units building into an expanded tavern and three dwelling units in a Local Retail Business District.

On Tuesday, January 16, 2001, in Executive Session:

The following appeals were heard on Monday, January 8, 2001, and said decisions were approved and adopted by the Board on January 16, 2001:

The following appeals were **Approved:**

Calendar No. 00-351: 6947 St. Clair Avenue

Dana Nicholas, owner, and Farid Mohamed, tenant, and Century Sign,

agent, appealed to install a 20'-6" high sign pole to the southeast corner of a corner parcel in a Local Retail District.

Calendar No. 00-352: 10645 Leuer Avenue

Liberty Self-Storage, owners, and Cicogna Electric Company appealed to install a 40' high sign pole with an 8' high x 12' wide sign cabinet in a Semi-Industry District.

Calendar No. 00-353: 4207 Ardmore Avenue

Maurice Burch, owner, appealed to enclose a 24' x 7.8' existing front porch on a one family dwelling in a Two-Family District.

Calendar No. 00-253: 3981 Rocky River Drive

Westpark Unit of Jehovah's Witnesses, owner c/o Donald Jones, agent, appealed to construct a one-story addition to an existing one-story church building in a Two-Family District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

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

FRIDAY, JANUARY 26, 2001

First Aid Supplies, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 315-2000, passed by the Council of the City of Cleveland, April 17, 2000.

January 10, 2001 and January 17, 2001

WEDNESDAY, JANUARY 31, 2001

Animal Trapping, for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 365-2000, passed by the Council of the City of Cleveland, April 3, 2000.

Window Washing Services, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1578-2000, passed by the Council of the City of Cleveland, October 30, 2000.

Towel and Linen Service, for the Various Divisions of City Government, Department of Finance.

January 10, 2001 and January 17, 2001

THURSDAY, FEBRUARY 1, 2001

Masonry Repair/Replacement, and Restoration at Various City Fire and Police Stations, for the Department of Public Safety, as authorized by Ordinance No. 927-2000, passed by the Council of the City of Cleveland.

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

A PRE-BID CONFERENCE WILL BE HELD ON FRIDAY, JANUARY 19, 2001, AT FIRE STATION NO. 24, 4311 CLARK AVENUE, CLEVELAND, OHIO, 10:00 A.M., THOUGH NOT MANDATORY, ATTENDANCE IS **STRONGLY** ENCOURAGED.

Rowley Avenue Sewer Replacement, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2156-99, passed by the Council of the City of Cleveland, March 27, 2000.

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

Rehabilitation of Broadway Avenue from Aetna Road to Fleet Avenue, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 241-98, passed by the Council of the City of Cleveland, June 15, 1998.

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

January 10, 2001 and January 17, 2001

WEDNESDAY, FEBRUARY 14, 2001

Baldwin Building Renovation Project, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 818-2000, passed by the Council of the City of Cleveland, October 9, 2000.

A NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK, BANK CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER FOR BID DOCUMENTS. OUT OF AREA BIDDERS — PLEASE PROVIDE FEDERAL EXPRESS, UPS OR OTHER ACCOUNT INFORMATION FOR SHIPMENT. PACKAGE/FEE INCLUDES PLANS, TECHNICAL SPECIFICATIONS AND CONTRACTUAL REQUIREMENTS AND ANY ADDENDA.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JANUARY 23, 2001, 10:00 A.M., AT THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, AUDITORIUM. THOUGH NOT MANDATORY, ATTENDANCE IS **STRONGLY RECOMMENDED**. ALL QUESTIONS PRIOR TO AND/OR SUBSEQUENT TO THE PRE-BID MEETING MUST BE SUBMITTED IN WRITING VIA FACSIMILE TO MITCHELL BROOKS IN THE DIVISION OF PURCHASES AND SUPPLIES (FAX 216-664-2611). A COPY MUST ALSO BE FORWARDED TO DAVE ROSSETTI, PROGRAM MANAGEMENT CONSULTANT (FAX 216-623-2683). QUESTIONS WILL BE RECEIVED UNTIL 5:00 P.M. FEBRUARY 2, 2001.

PROJECT SCOPE INCLUDES, BUT IS NOT LIMITED TO: ARCHITECTURAL AND STRUCTURAL RENOVATION OF THE FILTER BUILDING EXTERIOR SHELL, INCLUDING ROOF RENOVATION, WINDOW REPLACEMENT, AND MASONRY REPAIR. EAST WING FILTER AREA CONCRETE ROOF RECONSTRUCTION IS ALSO PLANNED. WORK SHALL BE PERFORMED TO MAINTAIN HISTORICAL ACCURACY OF THIS LANDMARK STRUCTURE.

January 10, 2001, January 17, 2001 and January 24, 2001

THURSDAY, FEBRUARY 1, 2001

Office Renovation, Division of Engineering and Construction, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 1747-99, passed by the Council of the City of Cleveland.

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

January 17, 2001 and January 24, 2001

FRIDAY, FEBRUARY 2, 2001

Cushman Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2022-2000, passed by the Council of the City of Cleveland, December 18, 2000.

Ford Tractor, Mower and Construction Equipment Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2021-2000, passed by the Council of the City of Cleveland, December 18, 2000.

January 17, 2001 and January 24, 2001

THURSDAY, FEBRUARY 15, 2001

Meters and Metering Equipment, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 8, 2001, 3:00 P.M., AT THE OFFICE OF CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE. ATTENDANCE IS **MANDATORY**.

January 17, 2001 and January 24, 2001

FRIDAY, FEBRUARY 16, 2001

Various Cab/Chassis With Refuse Packers, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1685-2000, passed by the Council of the City of Cleveland, October 30, 2000.

January 17, 2001 and January 24, 2001

Request for Qualifications (RFQ): WBS NO. K510 — INTERIM MEASURES FEASIBILITY STUDIES

Interested firms may obtain Qualification Packages beginning January 19, 2001 by going to:

www.clevelandairport.com

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

proposal@clevelandairport.com

SUBMITTAL DUE DATE:

FRIDAY, FEBRUARY 9, 2001
AT 12:00 O'CLOCK NOON

PRE-QUALIFICATIONS MEETING:

THURSDAY, JANUARY 25, 2001
10:00 a.m.
Program Management
Team Office
19501 Five Points Road
Cleveland, Ohio 44135

For Further Information Contact:

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

January 17, 2001 and January 24, 2001

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 29-01.

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

An emergency resolution urging the United States Congress to support U.S. steel manufacturers by invoking the federal Defense Production Act as a way to protect and save U.S. Steel manufacturers from demise.

Whereas, the recent filing by LTV Corp. for Chapter 11 bankruptcy has brought home to northeast Ohio the plight of integrated steel manufacturers across the country; and

Whereas, it is vitally important to the citizens of the City of Cleveland, to the City's economy and to steelworkers' livelihoods to help LTV Corp. maintain a viable presence here in Cleveland as an integrated steel producer; and

Whereas, the closing of LTV Corp. would have a grave negative impact on both this City and the State of Ohio, and

Whereas, it is incumbent upon local, state and federal governmental bodies to seek ways in which to save LTV Corp. as well as preserve the viability of other U.S. steel manufacturers; and

Whereas, the federal Defense Production Act requires, among other things, that, in case of national crisis, the United States must have the military industrial base to produce its own weapons; 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 hereby urges the United States Congress to support U.S. steel manufacturers by invoking the federal Defense Production Act as a way to protect and save U.S. steel manufacturers from demise.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the offices of President-elect George W. Bush, the Senate Majority Leader, the Speaker of the House, Senators DeWine and Voinovich, and Representatives Oxley, Regula, Tubbs-Jones, Kucinich, LaTourette, Brown and Sawyer.

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 January 8, 2001.
Effective January 17, 2001.

Res. No. 30-01.

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

An emergency resolution urging the Mayor and his administration to enforce certain laws under the City's housing code that would help to prevent the practice of property "flipping".

Whereas, in recent months, Cleveland has been plagued by a resurgence in the purchase and rapid resale of residential property at huge mark-ups, a practice known as property "flipping"; and

Whereas, the property "flipping" phenomenon is characterized by questionable pre-sale appraisals, sometimes falsified property transfer records and "straw-man" borrowers; and

Whereas, property "flipping" has squeezed tens of millions of dollars of potential value out of Cleveland's old and often deteriorating housing stock, allowing the middle-man to reap huge profits, while little or no improvements are being made to the properties; and

Whereas, the City's Codified Ordinances currently contain certain provisions that, if enforced, would help to prevent the practice known as property "flipping"; and

Whereas, Sections 367.04 and 367.12 of the Codified Ordinances of the City of Cleveland, 1976, obligate the seller to provide and the buyer to obtain copies of violation notices; and

Whereas, these sections further require the escrow agent to obtain a receipt for the notice of violation before the property is transferred; and

Whereas, it is the knowledge and belief of the Housing Court that the above mentioned provisions are not used in filing citations with the court; and

Whereas, Section 367.04 of the Codified Ordinances further provide that the mortgagee of the property receive a written notice of violations, and

Whereas, it is the knowledge and belief of the Housing Court and City Council that said notices of violation are not sent consistently to the mortgagee as required by the Codified Ordinances; and

Whereas, enforcement of the above-mentioned Codified Ordinance provisions would help to reduce or even prevent the practice of property "flipping" in Cleveland; 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 the Mayor and his administration are hereby urged to enforce Sections 367.04 and 367.12 of the Codified Ordinances of the City of Cleveland in order to help prevent the practice of property "flipping".

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

Adopted January 8, 2001.
Effective January 17, 2001.

Res. No. 31-01.

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

An emergency resolution urging the President-elect and Congress to review international trade laws to determine methods by which the United States can easily ship domestic steel to U.S. companies located on foreign soil.

Whereas, the recent filing by LTV Corp. for Chapter 11 bankruptcy has brought home to northeast Ohio the plight of integrated steel manufacturers across the country; and

Whereas, domestic steel companies are struggling for survival in a tight domestic steel market; and

Whereas, U.S. companies manufacture certain goods made of steel at plants located on foreign soil and;

Whereas, certain international trade laws prevent the simple shipment of U.S.-produced steel to those U.S. manufacturers located overseas; and

Whereas, it is incumbent upon the federal government to review international trade laws to ensure fair steel trade in the United States; and

Whereas, it is incumbent upon federal legislators to seek ways in which to prevent further financial difficulties upon U.S. steel manufacturers; 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 the Council of the City of Cleveland urges the President-elect and Congress to review international trade laws to determine methods by which the United States can easily ship domestic steel to U.S. companies located on foreign soil.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the offices of President-elect George W. Bush, the Senate Majority Leader, the Speaker of the House, Senators DeWine and Voinovich, and Representatives Oxley, Regula, LaTourette, Tubbs-Jones, Brown and Sawyer.

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 January 8, 2001.
Effective January 17, 2001.

Res. No. 32-01.
By Councilmen White, Polensek, Rybka, Brady, Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Reed, Sweeney, Westbrook and Willis.

An emergency resolution urging the President-elect and Congress to seek ways in which to ban the use of foreign steel by U.S. companies.

Whereas, the recent filing by LTV Corp. for Chapter 11 bankruptcy has brought home to northeast Ohio the plight of integrated steel manufacturers across the country; and

Whereas, LTV Corp. filed for bankruptcy partly because of overseas competition which has driven steel prices to a 20-year low; and

Whereas, LTV Corp. and other United States steel manufacturers cannot compete against overseas companies that dump steel in the United States at prices below production costs or below home market prices; and

Whereas, in October, 2000, Congress passed the Continued Dumping and Subsidy Offset Act which redirects the duties imposed on foreign producers of steel to eligible U.S. companies injured by the dumping of foreign steel; and

Whereas, this federal law may not be strong enough to prevent the continued financial difficulties to, and perhaps even the demise of, LTV Corp. and other U.S. steel manufacturers; and

Whereas, it is incumbent upon federal legislators to seek ways in which to save the integrated steel industry in the United States; 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 the Council of the City of Cleveland urges the President-elect and Congress to seek ways in which to ban the use of foreign steel by U.S. companies.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the offices of President-elect George W. Bush, the Majority Leader of the Senate, the Speaker of the House, and Senators DeWine and Voinovich, and Representatives Kucinich, LaTourette, Oxley, Regula, Tubbs-Jones, Brown and Sawyer.

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 January 8, 2001.
Effective January 17, 2001.

Res. No. 33-01.
By Councilmen Brady, Polensek, O'Malley, Westbrook, Jones, White, Reed, Johnson, Jackson, Britt, Lewis, Patmon, Willis, Coats, Rybka, Cimperman, Cintron, Gordon, Melena, Sweeney and Dolan.

An emergency resolution opposing the proposed rate increase in natural gas sought by Dominion East Ohio; urging the PUCO to hold a local hearing on the proposed rate increase; and urging the PUCO to reject such proposal.

Whereas, on December 29, 2000, Dominion East Ohio filed a petition with the Public Utilities Commission of Ohio (PUCO) seeking to increase its rate from \$7.17 to \$8.70 per thousand cubic feet beginning February 1, 2001; and

Whereas, this is the fifth increase in for Dominion East Ohio since last year; and

Whereas, according to figures recently published by The Plain Dealer, the average Dominion East Ohio customer already pays \$70 more per month to heat their home than they were paying one year ago, and with the proposed rate increase, the increase per month would be \$97; and

Whereas, such outrageous rate increases impose an extreme financial hardship on many of our residents and most severely impacts those citizens on a fixed income; and

Whereas, the extreme increase may cause many residents to choose between heating their homes and purchasing necessities, such as food and prescription drugs; and

Whereas, Cleveland City Council believes that forcing citizens to make such choices is reprehensible, and as such, is adamantly opposed to the rate increase proposed by Dominion East Ohio;

Whereas, Cleveland City Council urges the PUCO to hold public hearings, both in Columbus and in Cleveland, to consider the negative impact on residents prior to acting on the proposed rate increase; and

Whereas, Cleveland City Council strenuously urges the PUCO to disallow the proposed rate increase by Dominion East Ohio; and

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

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

Section 1. That this Council of the City of Cleveland strenuously opposes the proposed rate increase sought by Dominion East Ohio.

Section 2. That this Council urges the Public Utilities Commission of Ohio to hold public hearings in Columbus and Cleveland concerning the proposed rate increase and to reject such proposal due to the severe financial hardship that such increase imposes on the residents of the City of Cleveland.

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 January 8, 2001.
Effective January 17, 2001.

Res. No. 34-01.
By Councilmen Brady, Polensek, O'Malley, Westbrook, Jones, White, Reed, Johnson, Jackson, Britt, Lewis, Patmon, Willis, Coats, Rybka, Cimperman, Cintron, Gordon, Melena, Sweeney and Dolan.

An emergency resolution urging the PUCO to suspend the proposed rate increase by Dominion East Ohio; urging the PUCO to conduct an audit of Dominion's gas purchases; and urging Governor Taft, the PUCO and Dominion East Ohio to begin a comprehensive campaign to promote the Gas Choice Program.

Whereas, Dominion East Ohio Gas Co. has announced that it will increase its rates more than 20%, effective at the end of January, 2001, by increasing its Gas Cost Recovery (GCR) rate from \$7.18 per thousand cubic feet (mcf) of gas used to \$8.70 per mcf; and

Whereas, this large rate increase, on top of other recent increases, will place a tremendous burden on consumers in Cleveland, who are facing the highest natural gas costs ever, and combining these astronomical rates with the colder than normal winter that Cleveland consumers are experiencing means that everyone, rich and poor, will feel the sting of this rate increase; and

Whereas, the Gas Choice Program which began in Cleveland on October 1, 2000, at the start of the heating season when rates were already increasing and choices were decreasing, has been only of limited success in providing rate relief to consumers in Cleveland; and

Whereas, the Gas Choice Program in the Dominion East Ohio territory was instituted without any of the large scale and well financed education and promotion campaign financed by the utilities that is occurring with the inauguration of electric choice in Ohio, and an insufficient effort has been made by the State of Ohio, PUCO, OCC and Dominion East Ohio to encourage additional providers of gas and to make such choices accessible to the public; and

Whereas, Ohio law declares (Section 4929.02 Ohio Revised Code) that it is the policy of the State of Ohio to "promote the availability to consumers of adequate, reliable and reasonably priced natural gas services and goods," and to give "consumers effective choices over the selection of ... supplies and suppliers of natural gas;" now therefore,

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

Section 1. That this Council urges the Public Utilities Commission of Ohio (PUCO) to order a suspension or postponement of the rate increase and/or of its effective date, pursuant to Section 4901:1-14-06 Ohio Adminis-

trative Code (OAC), and/or that the PUCO and Office of Consumers Counsel (OCC) enter an agreement with Dominion East Ohio to allow future recovery, under just and reasonable conditions, of the rate increase, so that it need not go into effect with this heating season, but will be postponed to a future date when competition is more established and effective choices are practically available to all consumers; and

Section 2. That this Council urges the PUCO to conduct an audit of East Ohio's gas purchases, pursuant to Section 4901:1-14-07(B) OAC, including in said audit an investigation of the financial and management practices and performance of Dominion East Ohio, whether East Ohio's gas procurement policies and practices are reasonable and prudent, and whether its long term strategic supply plan is reasonable; and

Section 3. That this Council urges the PUCO to hold a public hearing in Cleveland in the month of January 2001, which will assist the PUCO in determining whether to conduct a larger investigation and audit, and the full scope of such an audit, and the hearing should be held for the purpose of having East Ohio, the State, the PUCO and the OCC explain why gas costs are increasing so much, what can be done to reverse the trend, what the prospects are for reduced prices and for additional choices of alternative suppliers, and what changes in the law and rules will be considered to prevent this from happening in the future; and

Section 4. That this Council urges Governor Taft, the PUCO, OCC and Dominion East Ohio to immediately begin a comprehensive campaign to promote the Gas Choice Program, in order to find additional suppliers and to advertise to and educate consumers about gas choice alternatives that are still available this winter, and that may become available in the future, taking care to ensure consumers are not pushed into long term contracts that prevent them from shopping for less costly gas that may become available after the heating season; and

Section 5. That this resolution shall be transmitted by the Clerk of Council to Governor Taft, to each of the Commissioners of the PUCO, to the Consumers Counsel, and to Dominion East Ohio Gas Co.

Section 6. 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 January 8, 2001.
Effective January 17, 2001.

Res. No. 35-01.
By Councilman Brady.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 11022 Bellaire Rd., 1st Fl.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2

Liquor Permit from Permit No. 0003648, AHMM Inc., DBA Uncle Sams Beverage & Deli, 11022 Bellaire Rd., 1st Fl., Cleveland, Ohio 44111 to Permit No. 4418200, KKMT Beverage & Deli Inc., DBA Uncle Sams Beverage & Deli, 11022 Bellaire Rd. 1st Fl., Cleveland, Ohio 44111; 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 from Permit No. 0003648, AHMM Inc., DBA Uncle Sams Beverage & Deli, 11022 Bellaire Rd., 1st Fl., Cleveland, Ohio 44111 to Permit No. 4418200, KKMT Beverage & Deli Inc., DBA Uncle Sams Beverage & Deli, 11022 Bellaire Rd. 1st Fl., Cleveland, Ohio 44111 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 January 8, 2001.
Effective January 17, 2001.

Res. No. 36-01.

By Councilman Brady.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 3353 West 117th Street, 1st Fl., and repealing Res. No. 1327-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to 3353 West 117th Street, 1st Fl. By Res. No. 1327-2000, adopted by Council on July 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 3353 west 117th Street, 1st Fl., be and the same is hereby withdrawn and Res. No. 1327-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 8, 2001.
Effective January 17, 2001.

Res. No. 37-01.

By Councilman Cimperman.

An emergency resolution withdrawing objection to the transfer of ownership and location of a D5 and D6 Liquor Permit to 806 Literary, and repealing Res. No. 2281-2000 objecting to said transfer of ownership and location.

Whereas, this Council objected to the transfer of ownership and location of a D5 and D6 Liquor Permit to 806 Literary by Res. No. 2281-2000, adopted by Council on December 11, 2000; and

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

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

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

Section 1. That objection to the transfer of ownership and location of a D5 and D6 Liquor Permit to 806 Literary, be and the same is hereby withdrawn and Res. No. 2281-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Adopted January 8, 2001.
Effective January 17, 2001.

Res. No. 38-01.
By Councilman Polensek.
An emergency resolution withdrawing objection to the renewal of a C1, C2 and D6 Liquor Permit to 15428 Lakeshore Blvd., and repealing Res. No. 1271-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a C1, C2 and D6 Liquor Permit to 15428 Lakeshore Blvd. by Res. No. 1271-2000, adopted by Council on July 17, 2000; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement signed October 1, 2000, a copy of which is in the file for this address with the City of Cleveland's Law Department; and

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

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

Section 1. That objection to the renewal of a C1, C2 and D6 Liquor Permit to 15428 Lakeshore Blvd., be and the same is hereby withdrawn and Res. No. 1271-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 8, 2001.
Effective January 17, 2001.

Res. No. 39-01.
By Councilman Westbrook.
An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 8806 Almira Avenue, 1st Fl.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 87372580015, Deborah L. Swet, DBA Literary Deli Mart, 8806 Almira Avenue, 1st Fl., Cleveland, Ohio 44102 to Permit No. 5185227, Liberty Deli Mart Inc., DBA Literary Deli Mart, 8806 Almira Avenue, 1st Fl., Cleveland, Ohio 44102; and

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard

of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 87372580015, Deborah L. Swet, DBA Literary Deli Mart, 8806 Almira Avenue, 1st Fl., Cleveland, Ohio 44102 to Permit No. 5185227, Liberty Deli Mart Inc., DBA Literary Deli Mart, 8806 Almira Avenue, 1st Fl., Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 8, 2001.
Effective January 17, 2001.

Ord. No. 1404-2000.
By Councilmen Rybka, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating Cleveland Memorial Gardens; and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing Phase II of the roadways at Cleveland Memorial Gardens, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing a Maintenance building and culverting the drainage ditch at Cleveland Memorial Gardens, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 4. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement provided however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said Director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items of said improvement.

Section 5. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 20 SF 351, 20 SF 362 and 20 SF 364, Request No. 5055.

Section 6. That the cost of the public improvement authorized herein and the cost of the public improvement authorized in Ordinance No. 1422-98, passed December 7, 1998, shall not exceed a combined total of \$1,300,000.00.

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

Passed January 8, 2001.
Effective January 17, 2001.

Ord. No. 1799-2000.
By Councilman Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to the Old Arcade LLC, to encroach into the public right-of-way of Superior Avenue with a Canopy and associated supports for the Hyatt Regency Hotel at the Arcade.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to the Old Arcade LLC, 401 Euclid Avenue Suite 152, Cleveland, Ohio 44114, its successors and assigns, for the construction, use and maintenance of a canopy with associated supports for the Hyatt Regency Hotel at the Old Arcade LLC, which will encroach into the public right-of-way of Superior Avenue at the location described as follows:

LEGAL DESCRIPTION/PROPOSED ENCROACHMENT/ARCADE, SUPERIOR AVENUE

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being part of Original Ten Acre Lot Number 91 and bounded and described as follows:

Beginning at the intersection of the Southwesterly line of East 6th Street, 50.00 feet wide, with the Southeasterly line of Superior Avenue, 132.00 feet wide;

Thence South 56°-14'-50" West, along the Southeasterly line of Superior Avenue, 149.26 feet to a point being the most Northerly corner of a parcel of land conveyed to The Arcade Company Limited by deed recorded in Volume 14691, Page 851 of Cuyahoga County Records;

Thence continuing South 56°-14'-50" West, along the Southeasterly line of Superior Avenue and the Northwesterly line of land conveyed to the Arcade Company Limited, 60.31 feet to a point and the principal place of beginning of the land to be described;

Thence South 56°-14'-50" West, along the Southeasterly line of Superior Avenue and the Northwesterly line of land conveyed to the Arcade Company Limited, a distance of 30.00 feet to a point;

Thence North 33°-45'-10" West, a distance of 25.00 feet point;

Thence North 56°-14'-50" East, a distance of 30.00 feet to a point;

Thence South 33°-45'-10" East, a distance of 25.00 feet point and the principal place of beginning, containing 750.00 square feet or 0.01722 acres of land;

North is assumed and is based on the assumption that Superior Avenue bears North 56°-14'-50" East, be the same more or less but subject to all legal highways.

Section 2. That said canopy and associated supports will be placed within the public right-of-way as

aforsaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before said canopy is constructed.

Section 3. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

Section 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 January 8, 2001.
Effective January 17, 2001.

Ord. No. 2273-2000.
By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Greater Cleveland Media Development Corporation to administer a program for marketing the City of Cleveland as a production venue for film, television and commercials.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a grant agreement with Greater Cleveland Media Development Corporation to administer a program for marketing the City of Cleveland as a production venue for film, television and commercials.

Section 2. That the terms of said grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2273-2000-A.

Section 3. That the costs of said grant shall not exceed Seventy-Five Thousand Dollars (\$75,000.00), and shall be paid from Fund No. 17 SF 652, Request No. 26643.

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

Section 5. That 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 January 8, 2001.
Effective January 17, 2001.

Ord. No. 40-01.
By Councilmen Cimperman and Polensek.

An emergency ordinance to repeal Ordinance No. 2221-2000, passed December 4, 2000 and to change the name of a portion of the north side of Superior Avenue to "Plain Dealer Plaza, 1801 Superior Avenue".

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 Ordinance No. 2221-2000, passed December 4, 2000 is hereby repealed.

Section 2. That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the name of the north side of Superior Avenue from East 18th Street extending Easterly to East 21st Street, is changed to "Plain Dealer Plaza, 1801 Superior Avenue".

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 January 8, 2001.
Effective January 17, 2001, without the signature of the Mayor.

COUNCIL COMMITTEE MEETINGS

Thursday, January 11, 2001

Public Utilities Committee: 10:00 a.m.—Present: O'Malley, Chairman; Coats, Dolan, Westbrook, Willis. Excused: Patmon, Vice Chairman; Britt, Melena, Polensek.

Tuesday, January 16, 2001

Community & Economic Development Committee: 9:30 a.m.—Present: Melena, Chairman; Lewis, Vice Chairman; Cimperman, Cintron, Jackson, Willis. Excused: Brady, Johnson, Jones.

Legislation Committee: 1:30 p.m.—Present: Lewis, Chairman; Coats, Gordon, Reed, White, Westbrook. Excused: Jones, Vice Chairman.

Wednesday, January 17, 2001

Aviation & Transportation Committee: 10:00 a.m.—Present: Dolan, Chairman, O'Malley, Vice Chairman; Jones, Patmon, Rybka, Sweeney. Excused: Brady.

Mayor's Appointment Committee: 12:30 p.m.—Present: O'Malley, Chairman; Britt, Cimperman, Patmon, Sweeney.

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O—Ordinance; R—Resolution; F—File
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

Board of Control - Cleveland Hopkins International Airport Division

Furniture, office - contract pursuant to Ord. 412-2000 to OfficeMax - Division of
 Cleveland Hopkins International Airport, Dept. of Port Control
 (BOC Res. 10-01) 44

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