

# The City Record

Official Publication of the City of Cleveland

October the Eleventh, Two Thousand

<b>Mayor</b>	
Michael R. White	
<b>President of Council</b>	
Michael D. Polensek	
<b>Clerk of Council</b>	
Ruby F. Moss	
<b>Ward</b>	<b>Name</b>
1	Joseph T. Jones
2	Robert J. White
3	Odelia V. Robinson
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	William W. Patmon
9	Craig E. Willis
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	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	Odelia V. Robinson .....	3448 East 123rd Street	44120
4	Kenneth L. Johnson .....	2948 Hampton Road	44120
5	Frank G. Jackson .....	2327 East 38th Street	44115
6	Patricia J. Britt .....	12402 Britton Drive	44120
7	Fannie M. Lewis .....	7416 Star Avenue	44103
8	William W. Patmon .....	867 East Boulevard	44108
9	Craig E. Willis .....	11906 Beulah Avenue	44106
10	Roosevelt Coats .....	1775 Cliffview Road	44112
11	Michael D. Polensek .....	17855 Brian Avenue	44119
12	Edward W. Rybka .....	6832 Indiana Avenue	44105
13	Joe Cimperman .....	3053 West 12th Street	44113
14	Nelson Cintron, Jr. ....	3032 Vega Avenue	44113
15	Merle R. Gordon .....	1700 Denison Avenue	44109
16	Michael C. O'Malley .....	6710 Brookside Drive	44144
17	Timothy J. Melena .....	6110 West Clinton Avenue	44102
18	Jay Westbrook .....	10513 Clifton Boulevard	44102
19	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 Stillman, Executive Assistant for Development  
 Reuben Sheperd, 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 – Myrana 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** – LaVonne Sheffield-McClain, 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** – Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.  
**DIVISIONS** – Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
 Property Management – 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.; Martin Carmody, 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 Baulknigh, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.

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

**CLEVELAND LANDMARKS COMMISSION** – Room 519 – Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; 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 Colleen C. Cooney	14A
Judge C. Ellen Connolly	15C
Judge Sean C. Gallagher	12B
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	14C
Judge Kathleen Ann Keough	13D
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Robert J. Triozzi	12C
Judge Joseph J. Zone	12A

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 87

WEDNESDAY, OCTOBER 11, 2000

No. 4531

## CITY COUNCIL

MONDAY, OCTOBER 9, 2000

### The City Record

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Clerk of Council  
216 City Hall

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

#### MONDAY

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

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

**Mayor's Appointment Committee:** O'Malley, Chairman; Britt, Cimperman, Patmon, Sweeney.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, October 9, 2000.

The meeting of the Council was called to order, The President, Michael D. Polensek, in the Chair.

Councilmen present: Brady, Britt, Cimperman, Coats, Jackson, Johnson, Jones, Lewis, Melena, O'Malley, Patmon, Robinson, Rybka, Sweeney, Westbrook, White and Willis.

Also present were Directors Koniczek, Whitlow, Guzman, Patterson, Warren, Morrison, and Acting Directors Langhenry, Balraj and Miller.

Absent: Mayor White and Directors Carter, Brooks, Sheffield-McClain, Jackson and Hudecek.

Council President Polensek asked that all rise for a moment of silent prayer. Pledge of Allegiance.

#### MOTION

On the motion of Councilman Robinson, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Councilman White.

#### COMMUNICATIONS

**File No. 1744-2000.**

From the Cleveland Division of Water re: Annual Report 1999, Targeting The Future. Received.

**File No. 1745-2000.**

From the Department of Law - re: Contract No. 58485 with Camp Dresser & McKee — received pursuant to Ordinance No. 1425-2000.

**File No. 1746-2000.**

From the Department of Community Development - re: Community Development Block Grant Program — First Quarterly Report — received pursuant to Ordinance No. 135-2000.

#### OATH OF OFFICE

**File No. 1747-2000.**

Denk, Joseph F. — Oath of Office — Board of Building Standards and Building Appeals. Received.

#### FROM DEPARTMENT OF LIQUOR CONTROL

**File No. 1748-2000.**

Re: New Application - 6548589 - One Stop Liquor, Inc., d.b.a. One Stop Liquor Agency 934, 4071 Lee Road, Unit 290. (Ward 1). Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 1749-2000**—Joan E. Olsen.

**Res. No. 1750-2000**—Ruby C. Salad.

**Res. No. 1751-2000**—Ben Martin Hauserman.

#### CONGRATULATION RESOLUTIONS

The rules were suspended and following Resolutions were adopted without objection:

**Res. No. 1752-2000**—St. Mary's Court #1640, Catholic Order of Foresters.

**Res. No. 1753-2000**—Frances Lisowski.

**Res. No. 1754-2000**—Rev. Lucjan Stokowski.

**Res. No. 1755-2000**—Frank Kowalski, Jr.

**Res. No. 1756-2000**—Bernard Sokolowski.

**Res. No. 1757-2000**—Rev. William F. Tezie.

**Res. No. 1758-2000**—Roland Crowder.

#### RECOGNITION RESOLUTION

The rules were suspended and following Resolution was adopted without objection:

**Res. No. 1759-2000**—Rev. Dr. A.L. Owens.

**FIRST READING EMERGENCY  
ORDINANCES REFERRED**

**Ord. No. 1760-2000.**

**By Mayor White, Councilmen Rybka, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the Mayor and the Director of Port Control to enter into a Lease with the Western Reserve Historical Society, or their designees, for lease of certain property rights in and to property located at Burke Lakefront Airport upon which to construct a Museum of Transportation and Industry; authorizing the Director of Port Control to execute an easement granting the Western Reserve Historical Society certain easement rights in property located at Burke Lakefront Airport and declaring said easement rights no longer needed for public use; authorizing an amendment to the Common Area Maintenance Agreement for the North Coast Harbor; authorizing the appropriate City officials to enter into a Submerged Land Lease with the State of Ohio to obtain certain property rights in and to submerged land at Burke Lakefront Airport; authorizing the sublease of the Submerged Land; and proffering certain representations for purposes of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association as successor trustee and authorizing the Director of Port Control to apply to the bond trustee for land release.**

Whereas, the City of Cleveland owns certain property located at Burke Lakefront Airport ("Land"), which is not needed for public use; and

Whereas, The Western Reserve Historical Society ("Western Reserve"), or its designee, has proposed to lease said property from the City to construct a Museum of Transportation and Industry ("Museum"); and

Whereas, it has been determined that the Western Reserve lease will not negatively impact the City's Lease with Pufferbelly LTD., Inc. for the Hornblowers Restaurant or the City's Lease with the United States of America for berthing of the USS COD; and

Whereas, location of Western Reserve at the North Coast Harbor will require that Western Reserve join the Common Area Maintenance Agreement ("CAM") for the North Coast Harbor; and

Whereas, the City will be required to enter into a submerged land lease with the State of Ohio regarding the submerged land connected to the Land, so that the submerged land can be subleased to Western Reserve; and

Whereas, Western Reserve has requested the Director of Port Control to convey certain easement rights in property located on Burke Lakefront Airport; and

Whereas, the easement rights to be granted are no longer needed for public use; and

Whereas, in order to lease the Land to Western Reserve and to convey the easement, the City must apply to the bond trustee for a release of the Land and release of

the land the subject of the easement from the Airport System for purposes of the Trust Indenture; and

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

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and in conformity with Charter Section 45 the Mayor and the Director of Port Control are authorized to enter into a Lease ("Lease") with The Western Reserve Historical Society, or its designee, ("Lessee") regarding the Land on which Lessee plans to construct a Museum which is determined to be not needed for public use for the term of the lease and which is described as follows:

**LEASE AREA FOR THE  
CRAWFORD AVIATION  
MUSEUM**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a lease area over and through part of the land conveyed to the City of Cleveland, and is further bounded and described as follows:

Beginning at a stone and drillhole at the intersection of the centerline of East 9th Street, 99 feet in width, and the centerline of Lakeside Avenue 99 feet in width;

Thence North 33° 52' 23" West, along said centerline of East 9th Street, as established from City of Cleveland Survey Notes on June 6, 1985 by Garnett, Aceto, Yantko and Carter (Burke Lakefront Airport Survey), 1215.05 feet to the centerline of North Marginal Road;

Thence North 55° 23' 40" East, along said centerline of north Marginal Road as determined by said survey notes, 299.44 feet to an angle point;

Thence North 63° 12' 15" East, continuing along said centerline of North Marginal Road as determined from said field notes, 1,102.97 feet to a point;

Thence North 26° 47' 45" West, perpendicular to said centerline of North Marginal Road, 55.91 feet to the principal point of beginning of parcel herein described;

**COURSE I**

Thence Southwesterly along the arc of a curve deflecting to the right, the radius of which is 500.00 feet and the chord of which bears South 61° 15' 04" West and is 97.65 feet in length, 97.67 feet to a point of tangency;

**COURSE II**

Thence South 63° 06' 59" West, 439.97 feet to a point;

**COURSE III**

Thence North 64° 45' 01" West, 90.83 feet to a point;

**COURSE IV**

Thence North 25° 14' 59" East, perpendicular to said COURSE III, 328.52 feet to a point;

**COURSE V**

Thence North 57° 58' 59" East, 308.46 feet to a point;

**COURSE VI**

Thence South 32° 01' 01" East, perpendicular to said COURSE V, 298.98 feet to the principal point of beginning. Containing about 3.097 acres of land as calculated and described in May, 2000 by James S. Davenport, Ohio Professional Surveyor Number 7749 of Resource International, Inc.

**Section 2.** That the Lease shall be prepared by the Director of Law and shall be substantially in the form contained in File No. 1760-2000-A.

**Section 3.** That the Mayor or the Director of Parks, Recreation and Properties and the Director of Law, and other appropriate City officials are authorized to amend the CAM for the North Coast Harbor and include Western Reserve as an additional CAM participant.

**Section 4.** That the Mayor, the Director of Port Control and the Director of Law and other appropriate City officials are authorized to enter into a Submerged Land Lease with the State of Ohio to obtain certain property rights in and to submerged land at Burke Lakefront Airport and to sublease the submerged land to Western Reserve.

**Section 5.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that an easement interest in the following described property is no longer needed for public use:

**AREA B  
FOR THE CRAWFORD  
AVIATION MUSEUM**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a lease area over and through part of the land conveyed to the City of Cleveland, and is further bounded and described as follows:

Beginning at a stone monument at the intersection of the centerline of East 9th Street, 99 feet in width, and the centerline of Lakeside Avenue 99 feet in width;

Thence North 33° 52' 23" West, along said centerline of East 9th Street, as established from City of Cleveland Survey Notes on June 6, 1985 by Garnett, Aceto, Yantko and Carter (Burke Lakefront Airport Survey), 1215.05 feet to the centerline of North Marginal Road;

Thence North 55° 23' 40" East, along said centerline of North Marginal Road as determined by said survey notes, 299.44 feet to an angle point;

Thence North 63° 12' 15" East, continuing along said centerline of North Marginal Road as determined from said field notes, 1,143.03 feet to an angle point therein;

Thence North 55° 27' 36" East, continuing along said centerline of North Marginal Road, 65.90 feet to a point;

Thence North 34° 32' 24" West, perpendicular to said centerline of North Marginal Road, 14.75 feet to the principal point of beginning of parcel herein described;

**COURSE I**

Thence Southwesterly along the arc of a curve deflecting to the right, the radius of which is 1908.22 feet and the chord of which bears South 60° 05' 39" West and is 201.21 feet in length, 201.30 feet to a point of tangency;

**COURSE II**

Thence South 63° 06' 59" West, 576.19 feet to a point;

**COURSE III**

Thence North 34° 05' 01" West, 120.39 feet to a point;

**COURSE IV**

Thence North 55° 54' 59" East, perpendicular to said COURSE III, 48.55 feet to a point;

**COURSE V**

Thence North 25° 14' 59" East, 319.78 feet to a point;

**COURSE VI**

Thence North 45° 43' 11" West, 27.51 feet to a point;

**COURSE VII**

Thence North 57° 58' 59" East, 468.30 feet to a point;

**COURSE VIII**

Thence South 32° 01' 01" East, perpendicular to said COURSE VII, 380.67 feet to the principal point of beginning and containing about 5.432 acres of land as calculated and described from records in June, 2000 by James S. Davenport, Ohio Professional Surveyor Number 7749 of Resource International, Inc. excepting and reserving the following Lease area parcel, which is wholly contained within said Area B Parcel:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a lease area over and through part of the land conveyed to the City of Cleveland, and is further bounded and described as follows:

Beginning at a stone monument at the intersection of the centerline of East 9th Street, 99 feet in width, and the centerline of Lakeside Avenue 99 feet in width;

Thence North 33° 52' 23" West, along said centerline of East 9th Street, as established from City of Cleveland Survey Notes on June 6, 1985 by Garnett, Aceto, Yantko and Carter (Burke Lakefront Airport Survey), 1215.05 feet to the centerline of North Marginal Road;

Thence North 55° 23' 40" East, along said centerline of North Marginal Road as determined by said survey notes, 299.44 feet to an angle point;

Thence North 63° 12' 15" East, continuing along said centerline of North Marginal Road as determined from said field notes, 1,102.97 feet to a point;

Thence North 26° 47' 45" West, perpendicular to said centerline of North Marginal Road, 55.91 feet to the principal point of beginning of parcel herein described;

**COURSE I**

Thence Southwesterly along the arc of a curve deflecting to the right, the radius of which is 500.00 feet and the chord of which bears South 61° 15' 04" West and is 97.65 feet in length, 97.67 feet to a point of tangency;

**COURSE II**

Thence South 63° 06' 59" West, 439.97 feet to a point;

**COURSE III**

Thence North 64° 45' 01" West, 90.83 feet to a point;

**COURSE IV**

Thence North 25° 14' 59" East, perpendicular to said COURSE III, 328.52 feet to a point;

**COURSE V**

Thence North 57° 58' 59" East, 308.46 feet to a point;

**COURSE VI**

Thence South 32° 01' 01" East, perpendicular to said COURSE V, 298.98 feet to the principal point of beginning. Containing about 3.097 acres of land as calculated and described in May, 2000 by James S. Davenport, Ohio Professional Surveyor Number 7749 of Resource International, Inc.

Area B therefore contains about 2.335 acres of land.

**Section 6.** That the easement shall be non-exclusive and the purpose of the easement shall be for (a) construction, repair, replacement, maintenance and utilization of all utilities and utility facilities serving the Land and/or necessary for the proper operation of the Museum (e.g., water, gas, electric, telephone, cable, fiber optic, sanitary and storm sewer); (b) construction, repair, replacement, maintenance and utilization of all driveways, curbs, sidewalks, traffic islands, turnarounds, loading docks, signs, landscaping, patios and adjacent areas for temporary artifacts; and (c) minor encroachments of the Museum beyond the boundary of the Land (including, without limitation, the canopies, overhangs, underground footings, foundations and caissons of the Museum) and other related items necessary for the provision of Western Reserve's ("Grantee") Improvement.

**Section 7.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above described (non-exclusive) easement interest to Grantee.

**Section 8.** That the duration of the easement shall be until expiration of the lease authorized herein; that the easement may include reasonable access, ingress and egress rights; that the easement shall not be assignable without the consent of the Director; that the easement shall require the Grantee to indemnify the City, provide reasonable insurance, maintain any Grantee improvements located within the easement, and pay any applicable taxes and assessments.

**Section 9.** That the conveyance referred to above shall be made by Official Deed of Easement prepared by the Director of Law and executed by the Director of Port Control on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to protect the interest of the parties. The Directors of Port Control and Law are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the construction of the improvement.

**Section 10.** That the City acknowledges, states and affirms, pursuant to Article IX of the Trust Indenture from the City of Cleveland to the Chase Manhattan Trust Company, National Association, as successor

trustee, dated November 1, 1976, as amended ("Trust Indenture"), that the City desires and requests that a certain portion of its land and certain other interests in land heretofore subject to the Trust Indenture be released and removed from all obligations under said Trust Indenture. Further, the City acknowledges, states and affirms that it is not in default under said Indenture; that release of such land is necessary in order to serve the public purpose of an educational resource for Museum uses, including school children, the general public and scholars and that certain public improvements will be constructed on the land to be released, including public roads and public utilities. The land to be released is described in Sections 1 and 5 of this ordinance.

**Section 11.** That the Director of Port Control and the Director of Law are authorized to apply to the Chase Manhattan Trust Company National Association, as successor trustee, for release of the land described in Section 1 and release of the interests in land described in Section 5; pursuant to the Trust Indenture, dated November 1, 1976, as amended.

**Section 12.** That the Director of Port Control and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the Lease, CAM Amendment, Submerged Land Lease and Sublease, Easement, Releases from the Trust Indenture authorized by this ordinance.

**Section 13.** That this ordinance is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 1761-2000.**

**By Councilmen Cimperman, Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4618, 4700 Lester Avenue to Slavic Village Development Corporation or designee.**

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

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

Codified Ordinances of the City of Cleveland, 1976; and

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 123-20-095 and 123-21-031, as more fully described in Section 2 below, to Slavic Village Development Corporation or designee.

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

P. P. No. 123-20-095

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northwesterly 39 feet 8 inches of Sublot No. 15 and the Southeasterly 5 feet of Sublot No. 16 in Jabesh Gallup's Subdivision of part of Original One Hundred Acre Lot No. 282, as shown by the recorded plat in Volume 4 of Maps, Page 52 of Cuyahoga County Records, and together forming a parcel of land 44 feet 8 inches front on the Southwesterly side of Lester Avenue, S.E., 120 feet deep on the Southeasterly line, which is also the Northwesterly line of Finn Avenue, S.E., 120 feet on the Northwesterly line and 44 feet 8 inches wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any

P. P. No. 123-21-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in Cannon and Fowler's Subdivision of part of Original One Hundred Acre Lots Nos. 324 and 282, as shown by the recorded plat in Volume 5 of Maps, Page 5 of Cuyahoga County Records and being 33 feet front on the Southwesterly side of Lester Street, S.E., and extending back 111 feet 0-3/4" deep on the Southeasterly side, 111 feet 0-3/4" deep on the Northwesterly side which is also the Southeasterly line of Finn Avenue, S.E., be the same more or less, but subject to all legal highways.

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

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

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

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

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

**Ord. No. 1762-2000.**

**By Councilmen Cimperman, Rybka and Patmon (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating the Convention Center to comply with the Americans with Disabilities Act requirements; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; authorizing said director to employ one or more professional consultants to design the improvement; and authorizing the purchase by contract of labor and materials necessary to install a moveable wall.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating the Convention Center to comply with the Americans with Disabilities Act requirements, for the Division of Convention Center and Stadium, 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 2.** That, provided the City of Cleveland sells the general obligation bonds of the City of Cleveland authorized by Ordinance No. 897-2000, passed June 19, 2000, 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 constituting units of said improvement.

**Section 3.** That, provided the City of Cleveland sells the general obligation bonds of the City of Cleveland authorized by Ordinance No. 897-2000, passed June 19, 2000, the Director of Parks, Recreation and Properties is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the public improvement authorized above.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Parks, Recreation and Properties, and certified by the Director of Finance.

**Section 4.** That, provided the City of Cleveland sells the general obligation bonds of the City of Cleveland authorized by Ordinance No. 897-2000, passed June 19, 2000, the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to install a moveable wall, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

**Section 5.** That the cost of said improvement, professional services and purchases hereby authorized shall be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds of the City of Cleveland issued for this purpose and authorized by Ordinance No. 897-2000, passed June 19, 2000, Request No. 5075.

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

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

**FIRST READING  
ORDINANCE REFERRED**

**Ord. No. 1763-2000.**

**By Councilman Brady.**

**An ordinance to change the Use, Area and Height Districts on both sides of Lorain Avenue, N.W. between W. 119 Street and W. 115 Street and both sides of West 117 Street between Triskett Road, N.W. and Governor Avenue, S.W. (Map Change No. 2020, Sheet Nos. 2 & 12)**

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

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

Beginning at the intersection of the center line of Governor Avenue, S.W. and the center line of West 117 Street; thence northerly along said center line of West 117 Street to its intersection with the easterly extension of the northerly line of Sublot No. 3 in the Crawford Land Company No. 1 Subdivision as recorded in Volume 60, Page 8 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said northerly line of said Sublot No. 3 to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 3 to its intersection with the northerly line of Sublot No. 4 in said Crawford Land Company No. 1 Subdivision; thence westerly along said northerly line of said Sublot No. 4 and continuing westerly along the northerly line of Sublot No. 93 in said Crawford Land Company No. 1 Subdivision and along its westerly extension to the center line of West 118 Street; thence northerly along said center line of West 118 Street to the center line of Lorain Avenue; thence southwesterly along said center line of Lorain Avenue to the center line of West 119 Street; thence northwesterly along said center line of West 119 Street to its intersection with the southwesterly extension of a line located one hundred forty (140) feet northwest of the northwesterly line of Lorain Avenue; thence northeasterly along said southwesterly extension and along said line which is parallel to and one hundred forty (140) feet northwest of said northwesterly line of Lorain Avenue and along its northeasterly extension to said center line of West 118 Street; thence northerly along said center line of West 118 Street to the center line of Geraldine Avenue, N.W.; thence easterly along said center line of Geraldine Avenue, N.W. to its intersection with the southerly extension of a line located approximately one hundred fifty four (154) feet west of the westerly line of West 117 Street; thence northerly along said southerly extension and along said line which is parallel to and approximately one hundred fifty four (154) feet west of said westerly line of West 117 Street and along its northerly extension to the center line of Triskett Road, N.W.; thence easterly along said center line of Triskett Road, N.W. to its intersection with the northerly extension of a line located approximately one hundred forty (140) feet west of the westerly line of West 116 Street; thence southerly along said northerly extension and along said line which is parallel to and approximately one hundred forty (140) feet west of said westerly line of West 116 Street to its intersection with the southerly line of Sublot No.

638 in the Lorain Heights No. 2 (Conger-Helper Realty Co.) as recorded in Volume 57, Sheet No 22 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 638 and along its easterly extension to the center line of West 116 Street; thence northerly along said center line of West 116 Street to its intersection with the westerly extension of the southerly line of Sublot No. 631 in said Lorain Heights No. 2 (Conger-Helper Realty Co.) Subdivision; thence easterly along said westerly extension and along said southerly line of said Sublot No. 631 to its intersection with the easterly line thereof; thence northerly along said easterly line of said Sublot No. 631 to its intersection with the southerly line of Sublot No. 498 in said Lorain Heights No. 2 (Conger-Helper Realty Co.) Subdivision; thence easterly along said southerly line of said Sublot No. 498 and along its easterly extension to the center line of West 115 Street; thence southerly along said center line of West 115 Street to the center line of Lorain Avenue; thence southwesterly along said center line of Lorain Avenue to the center line of Bosworth Road, S.W.; thence southeasterly along said center line of Bosworth Road, S.W. to its intersection with the easterly extension of a line located approximately two hundred thirty (230) feet north of the northerly line of Fidelity Avenue, S.W.; thence westerly along said easterly extension and along said line which is parallel to and approximately two hundred thirty (230) feet north of said northerly line of Fidelity Avenue, S.W. to its intersection with the easterly line of Sublot No. 9 in the Lorain Street & Denison Avenue Land Co. Subdivision as recorded in Volume 31, Page 3 of the Cuyahoga County Map Records; thence southerly along said easterly line of said Sublot No. 9 to its intersection with a line located one hundred thirty (130) feet north of said northerly line of Fidelity Avenue, S.W.; thence westerly along said line which is parallel to and one hundred thirty (130) feet north of said northerly line of Fidelity Avenue, S.W. to its intersection with the westerly line of Sublot No. 12 in the Dunham Heights Re-Subdivision as recorded in Volume 47, Page 26 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 12 and along its southerly extension to the center line of Fidelity Avenue, S.W.; thence westerly along said center line of Fidelity Avenue, S.W. to its intersection with the northerly extension of the westerly line of Sublot No. 30 in said Dunham Heights Re-Subdivision; thence southerly along said northerly extension and along said westerly line of said Sublot No. 30 and continuing southerly along the westerly line of Sublot No. 38 in said Dunham Heights Re-Subdivision and along its southerly extension to the center line of Headley Avenue, S.W.; thence westerly along said center line of Headley Avenue, S.W. to its intersection with the northerly extension of the westerly line of Sublot No. 75 in said Dunham Heights Re-Subdivision; thence southerly along said northerly extension and along said westerly line of said Sublot No. 75 and continuing southerly along the westerly line of Sublot No. 83 in said Dunham

Heights Re-Subdivision and along its southerly extension to the center line of Florian Avenue, S.W.; thence westerly along said center line of Florian Avenue, S.W. to its intersection with the northerly extension of the westerly line of Sublot No. 128 in said Dunham Heights Re-Subdivision; thence southerly along said northerly extension and along said westerly line of said Sublot No. 128 and continuing southerly along the westerly line of Sublot No. 135 in said Dunham Heights Re-Subdivision and along its southerly extension to the center line of Governor Avenue, S.W.; thence westerly along said center line of Governor Avenue, S.W. to the place of beginning, and as outlined in red on the map hereto attached be and the same are hereby changed to a Local Retail Use District, a 'C' Area District and a '1' Height District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2020, Sheet Nos. 2 & 12 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

**Section 3.** That the Use, Area and Height Districts of lands bounded and described as follows,

Beginning at the intersection of the center line of West 117 Street and the center line of Governor Avenue, S.W.; thence westerly along said center line of Governor Avenue, S.W. to its intersection with the southerly extension of a line located one hundred five (105) feet west of the westerly line of West 117 Street; thence northerly along said southerly extension and along said line which is parallel to and one hundred five (105) feet west of said westerly line of West 117 Street to its intersection with the northerly line of Sublot No. 4 in said Crawford Land Company No. 1 Subdivision; thence easterly along said northerly line of said Sublot No. 4 to its intersection with said westerly line of said Sublot No. 3 in said Crawford Land Company Subdivision; thence northerly along said westerly line of said Sublot No. 3 to its intersection with the northerly line thereof; thence easterly along said northerly line of said Sublot No. 3 and along its easterly extension to the center line of West 117 Street; thence southerly along said center line of West 117 Street to the place of beginning, and as outlined in green on the map hereto attached be and the same are hereby changed to a Two Family Use District, a 'B' Area District and a '1' Height District.

**Section 4.** That said changed designation of lands described in Section 3 shall be identified as Map Change No. 2020, Sheet Nos. 2 & 12 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose.

**Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of City Planning Commission, Law; Committee on City Planning.

**FIRST READING EMERGENCY  
RESOLUTION REFERRED**

**Res. No. 1764-2000.**

**By Councilman Polensek.**

**An emergency resolution calling upon the Administration of the City to conduct structural inspections of all elementary, intermediate and secondary schools in the Cleveland City School District.**

Whereas, last week the roof of the gymnasium at East High School collapsed, injuring several people; and

Whereas, if this type of structural collapse occurred during a period when the gymnasium was in use, the result could have been many more injuries and even deaths; and

Whereas, it is gravely important to ensure that the schools our children are in every day for many hours a day are safe and structurally sound; 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 calls upon the Administration of the City to conduct structural inspections of all elementary, intermediate and secondary schools within the Cleveland City School District.

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

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

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

**Ord. No. 1765-2000.**

**By Councilman Coats.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with The Cleveland Green County Social Club for their college scholarship program in order to carry out the public purpose of promoting access to higher education for city residents through the use of Ward 10 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with The Cleveland Green County Social Club for their college scholarship program in order to carry out the public purpose of promoting access to higher education for city residents through the use of Ward 10 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$15,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1766-2000.**

**By Councilman Coats.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Euclid St. Clair Development Corporation to develop a business improvement program in order to carry out the public purpose of creating or preserving jobs and employment opportunities to preserve the economic welfare of the state through the use of Ward 10 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Euclid St. Clair Development Corporation to develop a business improvement program in order to carry out the public purpose of creating or preserving jobs and employment opportunities to preserve the economic welfare of the state through the use of Ward 10 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$100,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read

third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1767-2000.**

**By Councilman Jackson.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to The City Mission to stretch banners around its facility at 5310 Carnegie Avenue for the period from October 16, 2000 to November 18, 2000, inclusive, publicizing the Mission's 90th Anniversary.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to The City Mission to install, maintain and remove banners in front of 5310 Carnegie Avenue, the corner of East 55th and Carnegie Avenue and adjacent to the Men's facility located in the rear of the Pathway's Building fronting Cedar Avenue (pole Nos. on Carnegie Avenue 69014, 69016, NEZ-11-35-1, on East 55th Street NEZ-117-361A and on Cedar Avenue EZ-87), for the period from October 16, 2000 to November 18, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1768-2000.**

**By Councilman Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Lavell Acoff and Cory Wade)**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way out-



side of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 5: Lavell Acoff and Cory Wade.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted herein may be revoked at any time by this Council.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1769-2000.**

**By Councilman Jones.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 1. (Cory Muhammad (Hargrove)).**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 1; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 1: Cory Muhammad (Hargrove).

**Section 2.** That all of the requirements of Chapter 675 of the Codified

Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted herein may be revoked at any time by this Council.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1770-2000.**

**By Councilman Jones.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 1. (Steven Muhammad (Hill)).**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 1; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 1: Steven Muhammad (Hill).

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted herein may be revoked at any time by this Council.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1771-2000.**

**By Councilman Lewis.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Hough Area Partners in Progress (HAPP) for their building security services, in order to carry out the public purpose of supporting the operations of a neighborhood based community development organization through the use of Ward 7 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Hough Area Partners in Progress (HAPP) for their building security services, in order to carry out the public purpose of supporting the operations of a neighborhood based community development organization.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$8,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

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

**Res. No. 1772-2000.**

**By Councilman Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 5353 Dolloff Road, and repealing Res. No. 1433-2000 objecting to said renewal.**

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to 5353 Dolloff Road by Res. No. 1433-2000 adopted by Council on August 7, 2000; and

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

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

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

**Section 1.** That objection to the renewal of a D1, D2, D3 and D3 Liquor Permit to 5353 Dolloff Road,

be and the same is hereby withdrawn and Res. No. 1433-2000, 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1773-2000.**

**By Councilman Gordon.**

**An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3801-03 Denison Avenue, 1st Fl. & Bsmt., and repealing Res. No. 1328-99 objecting to said renewal.**

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3801-03 Denison Avenue, 1st Fl. & Bsmt., by Res. No. 1328-99 adopted by Council on July 14, 1999; 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 D2, D2X, D3 and D3A Liquor Permit to 3801-03 Denison Avenue, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1328-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1774-2000.**

**By Councilman Gordon.**

**An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3807-09 Denison Avenue, and repealing Res. No. 1447-2000 objecting to said renewal.**

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3807-09 Denison Avenue, by Res. No. 1447-2000 adopted by Council on August 7, 2000; and

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

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

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

**Section 1.** That objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3807-09 Denison Avenue, be and the same is hereby withdrawn and Res. No. 1447-2000, 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1775-2000.**

**By Councilman Gordon.**

**An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 3382 West 44th Street, and repealing Res. No. 1449-2000 objecting to said renewal.**

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 3382 West 44th Street by Res. No. 1449-2000 adopted by Council August 7, 2000; and

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

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

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

**Section 1.** That objection to the renewal of a D5 Liquor Permit to 3382 West 44th Street, be and the same is hereby withdrawn and Res. No. 1449-2000, 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1776-2000.**

**By Councilman Johnson.**

**An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 13130 Shaker Blvd., and repealing Res. No. 1537-2000 objecting to said issuance.**

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 13130 Shaker Blvd. by Res. No. 1537-2000 adopted by Council on August 28, 2000; and

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

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

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

**Section 1.** That objection to the issuance of a C1 Liquor Permit to 13130 Shaker Blvd., be and the same is hereby withdrawn and Res. No. 1537-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**SECOND READING  
EMERGENCY ORDINANCE**

**Ord. No. 1577-2000.**

**By Mayor White.**

An emergency ordinance determining the method of making the public improvement of constructing a waste water/glycol collection system at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Relieved of Committees on Aviation and Transportation, City Planning; Recommended by Committee on Finance.

**SECOND READING ORDINANCE**

**Ord. No. 1729-2000.**

**By Councilmen O'Malley, Polensek, Patmon and Cintron.**

An ordinance conditionally approving the request to consent to transfer the cable franchise from Cablevision of Cleveland, L.P. to Adelphia Cleveland LLC and approving the extension of the franchise.

Approved by Director of Public Utilities; Recommended by Committees on Public Utilities, Legislation, Finance.

**SECOND READING  
EMERGENCY RESOLUTION**

**Res. No. 1604-2000.**

By Councilman Patmon (by departmental request).

An emergency resolution to adopt and declare a Tax Budget for the year 2001, as required by State Law, Chapter 5705 of the Revised Code.

Approved by Director of Finance, Law; Recommended by Committee on Finance.

**THIRD READING EMERGENCY  
ORDINANCES PASSED**

**Ord. No. 319-99.**

By Councilmen Sweeney, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 551.111, 551.112 and 551.113 thereof, relating to charges for the Division of Waste Collection.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 818-2000.**

By Councilmen O'Malley, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of filter rehabilitation, water treatment and monitoring improvement for the Nottingham Water Treatment Plant, for the Division of Water; authorizing the Director of Public Utilities to enter into contract for the making of such improvement; authorizing contracts for the purchase of labor and materials needed in conjunction with the public improvement; authorizing the Commissioner of Purchases and Supplies to acquire such real property as is necessary to make the public improvement; authorizing said Director to apply and pay for permits, licenses, or other authorizations as necessary to make the public improvement; and authorizing said Director to enter into such other agreements as are necessary.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 819-2000.**

By Councilmen O'Malley, Cimperman and Patmon (by departmental request).

An emergency ordinance determining the method of making the public improvement of filter rehabilitation, water treatment and monitoring improvement for the Baldwin Water Treatment Plant, for the Division of Water; authorizing the Director of Public Utilities to enter into contract for the making of such improvement; authorizing contracts for the purchase of labor and materials needed in conjunction with the public improvement; authorizing the Commissioner of Purchases and Supplies to acquire such real property as is necessary to make the public improvement; authorizing said Director to apply and pay for permits, licenses, or other authorizations as necessary to make the public improvement; and authorizing said Director to enter into such other agreements as are necessary.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 856-2000.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10503 Earle Avenue to Lee Memorial AME Church.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 901-2000.**

By Councilman Coats.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 686A.01, 686A.02, 686A.03 and 686A.99 relating to hotels.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1061-2000.**

By Councilmen Britt, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2531 East 83rd Street to Greater Cleveland Habitat for Humanity.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1064-2000.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9800 St. Clair Avenue aka 782 East 99th Street to Evening Star Missionary Baptist Church.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1106-2000.**

By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 53947, for Phase II of the Erieside and West 3rd Street Area Pump Station Project, with Nerone & Sons, for the Division of Water Pollution Control, Department of Public Utilities.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1111-2000.**

By Councilmen Britt, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on north side of Central Avenue to Fairfax Renaissance Development Corporation or designee.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1112-2000.**

By Councilmen Britt, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 82nd Street to Fairfax Renaissance Development Corporation or designee.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1115-2000.**

By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8720 Meridian Avenue to Curly Mae Jelks.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1206-2000.**

By Councilmen Britt, Melena, Cimperman and Patmon (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12009-11 Cromwell Avenue to Cleveland Housing Network, Inc.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1207-2000.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2368 East 40 Street to Pilgrim Missionary Baptist Church.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1388-2000.**

By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain, repair, replace and upgrade various security systems, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1391-2000.**

By Councilmen O'Malley and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one mobile transformer and auxiliary equipment, for the Division of Cleveland Public Power, Department of Public Utilities.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1403-2000.**

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

An emergency ordinance to amend Section 5 of Ordinance No. 1578-90, passed February 24, 1992, relating to making the public improvement of renovating and rehabilitating the headquarters building of the Division of Police, and authorizing contracts relative thereto.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1488-2000.**

By Councilman Polensek.

An emergency ordinance to renumber Chapter 686 as enacted by Ordinance No. 672-97, passed June 19, 2000, relating to used motor vehicle storage places to new Chapter 686C; and to number the inclusive Sections 686.01 to 686.10 and 686.99 to new Sections 686C.01 to

686C.10 and 686C.99; and to amend Sections 686.04, 686.05, 686.06 and 686.99 of said codified ordinances relating to used motor vehicle storage places.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1579-2000.**

By Councilman Patmon (by departmental request).

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

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1597-2000.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 862-2000, passed June 19, 2000, relating to contracts with various agencies to provide social service programs.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1601-2000.**

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

An emergency ordinance authorizing the Director of Personnel and Human Resources to lease property at 1468 East 55th Street from Northeast Ohio Neighborhood Health Services, Inc. for a term not to exceed three years, with seven one-year options to renew, for the public purpose of operating the One Stop Job Center.

Read third time. Passed. Yeas 18. Nays 0.

**Ord. No. 1602-2000.**

By Councilmen White and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Recovery Resources to provide services relating to the Employee Assistance Program.

Read third time. Passed. Yeas 18. Nays 0.

**THIRD READING EMERGENCY RESOLUTIONS ADOPTED**

**Res. No. 1416-2000.**

By Councilman Coats.

An emergency resolution urging the President of the United States and the United States Congress to take certain actions and make necessary changes to improve the quality of life in the United States.

Read third time. Adopted. Yeas 18. Nays 0.

**Res. No. 1418-2000.**

By Councilmen Polensek, Patmon and Britt.

An emergency resolution declaring this Council's endorsement of the Million Family March scheduled for Monday, October 16, 2000 in Washington, D.C.

Read third time. Adopted. Yeas 18. Nays 0.

**MOTION**

By Councilman White made the motion to amend Ordinance No. 1601-2000 and place the legislation on second reading for passage. Councilman Sweeney seconded the motion.

**SECOND READING EMERGENCY ORDINANCE PASSED**

**Ord. No. 1601-2000.**

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

An emergency ordinance authorizing the Director of Personnel and Human Resources to lease property at 1468 East 55th Street from Northeast Ohio Neighborhood Health Services, Inc. for a term not to exceed three years, with seven one-year options to renew, for the public purpose of operating the One Stop Job Center.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment and Affirmative Action, Finance; when amended as follows:

1. In the title, strike lines 7, 8, 9 and 10 in their entirety and insert in lieu thereof the following: "**for a term not to exceed one year.**"

2. In Section 2, strike lines 2, 3, 4 and 5 in their entirety and insert in lieu thereof the following: "**Section 1 shall not exceed one year.**"

Amendments agreed to.

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Passed. Yeas 18. Nays 0.

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

**MOTION**

By Councilman Patmon made the motion to revert back to First Reading Emergency Ordinances to be Passed. Councilman Johnson seconded the motion.

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

**Ord. No. 1777-2000.**

By Councilman Johnson.

An emergency ordinance to amend Section 4 of Ordinance No. 2173-99, passed January 10, 2000, relating to apply for and accept federal funding and grants from the Federal Highway Administration and from the State of Ohio Department of Development for the Shaker Square Redevelopment Area for public infrastructure improvement; and to enter into one or more contracts for the expenditure of such funds; and to enter into a Local Project Administration agreement with the Ohio Department of Transportation.

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

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

**Section 1.** That Section 4 of Ordinance No. 2173-99, passed January 10, 2000, is hereby amended to read as follows:

**Section 4.** That the Director of Public Service is hereby authorized to enter into a Local Project Administration ("LPA") agreement with the Ohio Department of Transportation to make public infrastructure improvements and to enter into one or more contracts for the expenditure of said grants and federal funding and \$52,010 from Fund No. 10 SF 166 for engineering and construction

for the making of the public improvements with the lowest responsible bidder or engineer on a unit basis.

**Section 2.** That existing Section 4 of Ordinance No. 2173-99, passed January 10, 2000, is hereby repealed.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**MOTION**

By Councilman Robinson and seconded by Councilman White and unanimously carried that the absence of Councilman Nelson Cintron, Councilman Michael A. Dolan and Councilman Merle R. Gordon be and is hereby authorized.

**MOTION**

The Council adjourned at 8:30 p.m. to meet on Monday, October 16, 2000, at 7:00 p.m. in the Council Chambers.



Clerk of Council

**THE CALENDAR**

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

**ORDINANCES**

**Ord. No. 1577-2000.**

By Mayor White.

An emergency ordinance determining the method of making the public improvement of constructing a waste water/glycol collection system at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

**Ord. No. 1729-2000.**

By Councilmen O'Malley, Polensek, Patmon and Cintron.

An ordinance conditionally approving the request to consent to transfer the cable franchise from Cablevision of Cleveland, L.P. to Adelphia Cleveland LLC and approving the extension of the franchise.

**RESOLUTION**

**Res. No. 1604-2000.**

By Councilman Patmon (by departmental request).

An emergency resolution to adopt and declare a Tax Budget for the year 2001, as required by State Law, Chapter 5705 of the Revised Code.

**BOARD OF CONTROL**

October 4, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 4, 2000, at 11:00 a.m. with Director Carter presiding.

Present: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander

Absent: Mayor White.

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

On motion, the following resolutions were adopted.

**Resolution No. 673-00.**

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kurtz Brothers, Inc. for an estimated quantity of Landscape Material (items 1 thru 6) for the various divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on September 22, 2000, pursuant to the authority of Ordinance No. 317-2000, passed April 17, 2000, which on the basis of the estimated quantity would amount to Forty Four Thousand Three Hundred Fifty-Seven and 50/100 Dollars (\$44,357.50), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 33243

which shall be certified against such contract in the sum of Five Thousand and 00/100 Dollars (\$5,000.00).

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

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 674-00.**

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of Consumer Steel Products Company for an estimated quantity of Miscellaneous Sized Steel Plates (flat mild steels (items 1-55), round mild steel (item 1-20), square mild steel (items 1-10), galvanized steel sheet (items 1-10), and steel angle (items 1-32)) for the various divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract,

received on September 20, 2000, pursuant to the authority of Ordinance No. 1220-98, passed August 19, 1998, which on the basis of the estimated quantity would amount to Thirty Nine Thousand Eighty-Six and 60/100 Dollars (\$39,086.60) (1/2% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 33334

which shall be certified against such contract in the sum of Three Thousand and 00/100 Dollars (\$3,000.00).

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

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 675-00.**

By Director Brooks.

Resolved, by the Board of Control of the City of Cleveland that the bid of American Copy Equipment for an estimated quantity of Two (2) High-Speed Printers, complete as specified (all items) for the Division of Financial Reporting & Control, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on September 21, 2000, pursuant to the authority of Ordinance No. 1196-2000, passed August 7, 2000, which on the basis of the estimated quantity would amount to Thirty Five Thousand Five Hundred Forty and 00/100 Dollars (\$35,540.00) (Net 2%, 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 4534

which shall be certified against such contract in the sum of One Thousand Seven Hundred Seventy-Seven and 00/100 Dollars (\$1,777.00).

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

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 676-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 627-00, adopted September 13, 2000, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, approving the bid of Hersey Meters Co. as lowest and best for water meters (item no 2), for the Division of Water, Department of Public Utilities, is hereby amended by deleting the language, "(list less 24%)".

Be it further resolved that all other provisions of said Resolution No. 627-2000 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 677-00.**

By Director Sheffield-McClain.

Whereas, Premier Expositions wishes to promote and conduct a AAA Vacation Expo (the "Event") at Burke Lakefront Airport (the "Airport") on October 21-22, 2000; and,

Whereas, the City is willing to grant Premier Expositions the privilege, permit and license to conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into a concession agreement (the "Agreement") with Premier Expositions granting the privilege permit and license to conduct the Event in the lobby area of the Airport terminal building from 10:00 a.m. to 5:00 p.m. on October 21-22, 2000, and to use and occupy the lobby area for such period of time before the Event as necessary for preparation. Premier Expositions shall pay the City a \$400.00 concession fee and shall reimburse the City for the cost of one (1) City employee to perform custodial work related to the conduct of the Event, shall arrange for the operation of the Event and such other concessions as may be appropriate and incidental to the Event, and shall be responsible for providing traffic control, security and clean up.

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

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 678-00.**

By Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 2049-99, passed by the Cleveland City Council on June 12, 2000, and Board of Control Resolution No. 594-00, adopted August 30,

2000, the City, through its Director of Port Control, was authorized to enter into agreement with Adache-Ciuni-Lynn Associates, Inc. ("Consultant") to provide professional engineering services for the design of roadway modifications to the Airport's existing baggage/tug road on the basis of the Consultant's July 9, 1999 proposal, as supplemented by its letter dated November 9, 1999.

Whereas, Said resolution incorrectly identified Resource International, Inc. as a sub-consultant; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 594-00, adopted by this Board of Control on August 30, 2000, authorizing the Director of Port Control to enter into an agreement with Consultant for design of roadway modifications to the existing baggage/tug road is hereby amended by changing the FBE sub-consultant from Resource International, Inc. to Oxbow Engineering, Inc., where appearing.

Be it further resolved that all other provisions of said Resolution No. 594-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 679-00.**

By Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 469-98, passed by the Council of the City of Cleveland on May 18, 1998, and Board of Control Resolutions Nos. 90-99, adopted on February 24, 1999, and 374-00, adopted June 7, 2000, the Director of Port Control entered into City Contract No. 54377 with Acentech Incorporated (Consultant) to provide analysis of the sound test data along with treatment recommendations for Phase 2 Continuation of the Residential Sound Insulation Program, for the Division of Cleveland Hopkins International Airport, Department of Port Control, and a first modification thereto; and

Whereas, in said Resolution No. 374-00, Consultant's fee proposal date was incorrectly stated as February 3, 2000; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 374-00, adopted by this Board of Control on June 7, 2000, authorizing the Director of Port Control to enter into a first modification to Contract No. 54377 with Acentech Incorporated ("Consultant") for analysis of the sound test data along with treatment recommendations related to the Residential Sound Insulation Program (RSIP), is hereby amended by changing Consultant's fee proposal date to April 4, 2000, where appearing.

Be it further resolved that all other terms of said Resolution No. 374-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 680-00.**

By Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of C.E. Neubert Company for the rental of snow removal equipment and operators, for various divisions of the Department of Port Control, for the period of one year beginning with the date of execution of a contract, received on the 17th day of August 2000, pursuant to the authority of Ordinance No. 362-99, passed on April 26, 1999, which on the basis of the estimated quantity would amount to One Hundred Thousand Nine Hundred Four and 00/100 Dollars (\$100,904.00), is hereby affirmed and approved as the lowest and best bid for all items, 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. 30824

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

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

Be it further resolved by the Board of Control that the following subcontractors for C.E. Neubert Company are hereby approved:

Obon  
MBE — \$15,000.00 15%

Lito Trucking  
FBE — \$5,046.00 — 5%

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 681-00.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Republic Services of Ohio for an estimated quantity of transfer and disposal of bulk waste of, item 1, alternate 1 for the Division of Waste Collection and Disposal, Department of Public Service, for the period of one (1) year with one (1) option to renew for an additional year which the Director has determined to exercise beginning with the date of execution of a contract, received on September 13, 2000, pursuant to the authority of Ordinance No. 716-2000, passed May 22, 2000, which on the basis of the estimated quantity would amount to approximately One Million Five Hundred Forty Seven Thousand and no/100 Dollars (\$1,547,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 21178

which shall be certified against such contract in the sum of Seventy Seven Thousand Three Hundred Fifty and no/100 Dollars (\$77,350.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Republic Services of Ohio, for the transfer and disposal of bulk waste is hereby approved:

Granger Trucking, Inc.  
MBE — 15% — \$232,500

LT Services, Inc.  
FBE — 5% — \$77,500

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 682-00.**

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland that the bid of 6000 Corporation dba Marshall Ford West for an estimated quantity of Ford passenger car parts and labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on September 1, 2000, pursuant to the authority of Ordinance No. 268-2000, passed May 8, 2000, which on the basis of the estimated quantity would amount to Five Hundred Fifty Thousand and no/100 Dollars (\$550,000.00) (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17957

which shall be certified against such contract in the sum of Sixty Thousand and no/100 Dollars (\$60,000.00).

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

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 683-00.**

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Finley Fire Equipment, for an

estimated quantity of Various Types of Safety Equipment (Hurst Rescue Equipment), item nos. 1, 2, 3 and 4 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on June 29, 2000, pursuant to the authority of Ordinance No. 2051-99, passed March 6, 2000, which on the basis of the estimated quantity would amount to Sixty Nine Thousand, Five Hundred Sixty Three and 44/100 Dollars (\$69,563.44) (net 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. 24135
- Item #1 — Four-Cycle Power Units, as specified
- Item #2 — Heavy Duty Spreaders, as specified
- Item 93 — Straight-Blade Combination Tool, as specified
- Item #4 — Cutting Tools, as specified which shall be certified against such contract in the sum of Sixty Nine Thousand, Five Hundred Sixty Three 44/100 Dollars (\$69,563.44.)

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

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.  
Nays: None.  
Absent: Mayor White.

**Resolution No. 684-00.**

By Director Jackson.  
Resolved, by the Board of Control of the City of Cleveland that the bid of The Whitmer Company for the following: pool steps (items 3, 4, 5, 6, 7, 8) for the Division of Recreation, Department of Parks, Recreation and Properties, received on the 14th day of September, 2000 pursuant to the authority of Ordinance No. 1748-99, passed April 17, 2000, which on the basis of the estimated quantities would amount to \$10,998.00, is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such commodities.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.  
Nays: None.  
Absent: Mayor White.

**Resolution No. 685-00.**

By Director Jackson.  
Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. DiLillo & Company for the public improvement of Luke Easter Park Sidewalk Improvements Phase III, for Base Bid #1 - #6, #8 - #16, Add Alternate Items #1AA, #2AA, #3AA, #5AA

and #6AA including the adjusted 5% contingency, for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on September 20, 2000, pursuant to the authority of Ordinance No. 1429-2000, passed August 7, 2000, upon a unit basis for the improvement in the aggregate amount of One Hundred Nineteen Thousand, Seven Hundred Twenty Six and 25/100 Dollars (\$119,726.25), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for R. DiLillo & Company on the public improvement for Luke Easter Park Sidewalk Improvements Phase III are hereby approved.

**SUBCONTRACTORS RESPONSIBILITY**

McTech, d.b.a. Tech Ready Mix (MBE)	Concrete
Barrow Sign (FBE)	Signage

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.  
Nays: None.  
Absent: Mayor White.

**Resolution No. 686-00.**

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

Whereas, City has acquired Permanent Parcel Nos. 123-19-064, 123-19-111, 123-19-112, 123-19-113, 131-18-020 under said Land Reutilization Program; and

Whereas, Ordinance No. 1691-2000 passed September 25, 2000, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Cleveland Housing Network Limited Partnership XVII has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1691-2000 passed September 25, 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 Cleveland Housing Network Limited Partnership XVII for the sale and development of Permanent Parcel Nos. 123-19-064, 123-19-111, 123-19-112, 123-19-113, 131-18-020, 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 each, which amount is hereby determined to be not less than the

fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.

Nays: None.  
Absent: Mayor White.

**Resolution No. 687-00.**

By Director Warren.  
Be it resolved by the Board of Control of the City of Cleveland, that That all bids received on April 19, 2000 for Cleveland Enterprise Park Landscape Improvements for the Department of Economic Development pursuant to the authority of Ordinance No. 1235-95, passed by the Council of the City of Cleveland on October 23, 1995, be and the same are hereby rejected.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.  
Nays: None.  
Absent: Mayor White.

**Resolution No. 688-00.**

By Director Konicek.  
Be it resolved by the Board of Control of the City of Cleveland that all bids received on September 27, 2000 for maintenance and calibration of biological and chemical testing apparatus and appurtenances (all items), for the Division of Water, Department of Public Utilities, pursuant to the authority of Section 129.28 of the Codified Ordinances of Cleveland, Ohio, 1976, are hereby rejected.

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Ricchiuto, Whitlow, Acting Director Smith, Directors Jackson, Hudecek, Patterson, Warren and Alexander.  
Nays: None.  
Absent: Mayor White.

**Resolution No. 689-00.**

By Director Brooks.  
Resolved by the Board of Control of the City of Cleveland that the bid of Lakewood Steel, Inc. for an estimated quantity of Miscellaneous Sized Steel Plates Steel excavation Plates (items 1-7), steel plates (items 1-30), black steel sheets (items 1-22), stainless steel sheets (items 1-5), structural channel steel (items 1-5), steel rebar (items 1-5), and special sizes and materials (item 1), for the various divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on September 20, 2000, pursuant to the authority of Ordinance No. 1220-98, passed August 18, 1998, which on the basis of the estimated quantity would amount to One Hundred Sixty Three Thousand Two Hundred Eighty Eight and 68/100 Dollars (\$163,288.68), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 33335 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Yeas: Directors Carter, Brooks, Konicek, Acting Director Balraj, Directors Riechiuto, Whitlow, Acting Director Smith, Directors Jackson, 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

**CIVIL SERVICE NOTICE**

**ANNOUNCEMENT - 2000**

Announcement No.	Classification
93	Buyer (Open)
94	Paralegal (Open)
95	Secretary, Mayor's Office (Open)
96	Superintendent of Motorized Equipment (Open)

**PROOF OF CITY RESIDENCY**

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of

items that an applicant may present **at the time of filing.** The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current.** Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C MINUTES  
ANNOUNCEMENT NO. 93**

**BUYER (Open)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$17,705.24 to \$39,604.83 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, OCTOBER 23 UNTIL 5:00 P.M. ON FRIDAY, OCTOBER 27, 2000.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, OCTOBER 27, 2000.**

**THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume.

**NOTE:** Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

**DUTIES OF THE POSITION**

Under supervision locates supply sources and purchases supplies and equipment. Advertises for bids. Analyzes bids received and makes recommendations. Resolves purchase and/or supplier issues. May write purchase specifications. Performs other job-related duties as required.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

Bachelor's Degree in Business; minimum of two (2) years of prior purchasing experience or any equivalent combinations of education, training, and experience that provides the requisite knowledge, skills, and abilities for this position. Proficient in computers and computer software applications, including but not limited to Microsoft Office Suites 97/2000. Applicant must be highly skilled in using the Internet. Proven written and oral communication skills. Applicant must have excellent organizational skills. On-line procurement experience is necessary. A valid Ohio Driver's License is also required. Substitution: Two (2) years of experience equals one (1) year of experience.

**NOTE:** Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.



**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 94**

**PARALEGAL (Open)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$16,043.58 to \$35,711.05 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, OCTOBER 23, 2000 UNTIL 5:00 P.M. ON FRIDAY, OCTOBER 27, 2000.**

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, OCTOBER 27, 2000.

**THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

**EXAMINATION INFORMATION**

**TYPE: WRITTEN EXAMINATION**

**DUTIES OF THE POSITION**

Under supervision, performs legal research and provides paralegal support services. Provides assistance to attorneys in case preparation. Prepares correspondence, pleadings, and other legal forms. Prepares deposition summaries. Compiles citations and research. Operates various office equipment. Performs other job-related duties as required.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

Applicant must have an Associate's Degree with a paralegal certificate, a paralegal certificate from an accredited American Bar Association program, OR two complete years of law school. Applicant must have one (1) year of experience with basic office operations and have basic computer knowledge; or any equivalent combination of education, training, and experience that provides the requisite knowledge, skills, and abilities for this job. Substitution: Two (2) years of full time experience may substitute for each year of education lacking.

**NOTE:** Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other

minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 95**

**SECRETARY, MAYOR'S OFFICE (Open)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$6.30 to \$14.17 per hour.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, OCTOBER 23 UNTIL 5:00 P.M. ON FRIDAY, OCTOBER 27, 2000.**

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, OCTOBER 27, 2000.

**THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

**EXAMINATION INFORMATION**

**TYPE: WRITTEN EXAMINATION**

**DUTIES OF THE POSITION**

Under the immediate supervisor's direction, to be responsible for performing various office and clerical work including: the typing and filing of reports, requisitions, invoices and office memos, keeping of personnel records, etc., and other duties as required by the supervisor.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

Applicant must have a High School Diploma or G.E.D.; Three years of full-time secretarial experience is required, five years preferred; or any equivalent combination of education training, and experience which provides the requisite knowledge, skills, and abilities for this job. Applicant should have good customer service skills. Secretarial training is preferred.

**NOTE:** Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**NOTE:** Those persons who are residents of the City of Cleveland and who received passing scores shall have ten (10) additional points added to their grades. See accompanying list of acceptable form of proof of residency applicants need to present at the time of filing.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 96**

**SUPERINTENDENT OF MOTORIZED EQUIPMENT (Open)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$26,273.96 to \$57,861.80 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, OCTOBER 23, 2000 UNTIL 5:00 P.M. ON FRIDAY, OCTOBER 27, 2000.**

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON FRIDAY, OCTOBER 27, 2000.

**THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

**EXAMINATION INFORMATION**

**TYPE: WRITTEN EXAMINATION**

**DUTIES OF THE POSITION**

Under general supervision, directs the activities of the fleet Management Satellite Section for the Public Safety Department. Develops capital budget, operating budget, staffing plan and writes specifications for new vehicles. Analyzes bids and makes recommendations for the award of contracts. Determines facility requirements and equipment requirements

necessary to maintain and repair motorized equipment of the Department of Public Safety. Schedules section personnel. Makes recommendations with respect to hiring, terminating, and promoting section personnel and maintaining satisfactory relations with appropriate collective bargaining representation. Negotiates vendor contracts and makes recommendations with respects to subcontracting repairs and maintenance work. Monitors equipment in operation at fire sites. Oversees repairs of equipment at fire sites or at repair shop. Reviews trade magazines and attends trade shows to stay current with the latest technology changes.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

High School Diploma or G.E.D. required. Bachelor's Degree preferred; five (5) years of general administrative or fleet maintenance experience required; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills and abilities for this job. Supervisor experience required. A Heavy Duty Mechanic Certification required.

**NOTE:** Applicants will be required to pay a \$10.00 filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination.

**NOTE:** All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications will not be accepted if copies are not submitted with application at time of filing. The Civil Service Commission will make copies for a standard fee.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

ANNE BLOMBERG,  
President

October 11, 2000

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, OCTOBER 23, 2000**

**9:30 A.M.**

**Calendar No. 00-265:** 9006 Columbia Avenue (Ward 8)

Andrew and Teresa Hamilton, owners, appeal to install approximately 55 linear feet of 6' high wooden fencing to the east of a 35' x 94' parcel located in a One-Family District on the south side of Columbia Road at 9006 Columbia Road; said installation being contrary to the Residential District Regulations where a fence in

interior side yard may be no higher than the least distance between such fence and residential building on the adjacent lot and the distance between the neighboring house and the proposed fence equals 3' which is permitted as stated in Section 337.23(a)(6) of the Codified Ordinances.

**Calendar No. 00-267:** 15234 Triskett Road (Ward 21)

R.H.B., Inc., owner c/o Mark Lesner, agent, appeals to construct an approximate 58' x 100' one-story masonry retail sales building and an 18 car parking lot situated on an approximate 134' x 140' corner parcel located in a Local Retail Business District on the northeasterly corner of Warren Road and Triskett Road at 15234 Triskett Road; said construction being contrary to the Business District Regulations of Section 343.18(c) where any driveway providing access shall be so located that there would not be less than 15' between the driveway and apron radius and a prolongation of the property line to the curb line, and the proposed driveway on Warren Road is 0' from the property line and Section 343.18(d) where the maximum width of driveway allowed is 30' and 4 driveways are proposed at 35' through 40' in width and Section 343.18(e) where there must be a minimum of 30' of unbroken curb between successive driveways on the same land use, and 20' of unbroken curb is proposed on interior driveways and contrary to the Landscaping and Screening Requirements of Sections 343.08, 343.09 and 343.11 where a 0' to 4' landscaping strip is proposed where the Local Retail Business District abuts the Residential District at the rear and side yards of the property and an 8' wide transition strip is required and Section 352.10 where landscaped strips of widths varying from 2' to 5' are proposed and a 6' wide medium frontage landscaped strip is required for screening the parking lot from Warren and Triskett Roads; and contrary to the Yards and Courts Requirements where 8 parking spaces are proposed in the setback area along Warren and Triskett Roads and the parking of motor vehicles is not permitted in the front setback building line as stated in Section 357.14(a)(1) of the Codified Ordinances.

**Calendar No. 00-275:** 3304 Henninger Road (Ward 15)

B & L Development, owner, and Rockport Construction and Materials, Inc., tenant c/o Janet Leslie, appeal to use an existing acreage parcel situated in a One-Family, Semi-Industry and General Industry District for the use of storage of soil, stone, construction material and vehicles and located on the north side of Henninger Road at 3304 Henninger Road; said storage being contrary to the Off-Street Parking and Loading Requirements of Section 349.04(j) where open storage use requires one space for employee, plus space equal to 15% of the gross lot area, 3,900 sq. ft. parking area is required for 26,000 sq. ft. lot area and approximately 840 sq. ft. is proposed and contrary to the Landscaping and Screening Requirements where the existing landscaping does not meet 75% year round opacity screen barrier require-

ments and a 10' wide landscaping strip is required where the Industrial District abuts the Residential District with screening intensity as required in table and a screen barrier providing 75% opacity is required as stated in Section 352.08 through 352.12 of the Codified Ordinances.

**Calendar No. 00-276:** 3525 Henritze Avenue (Ward 16)

Robert L. Goff, owner, appeals to install approximately 172 linear feet of 8' high chain link fencing to the north and west and south of a 40' x 122' vacant parcel situated on the south side of Henritze Avenue and located in a Two-Family District at 3525 Henritze Avenue; said installation being contrary to the Residential District Regulations of Section 337.23(a)(6) where a fence in interior side yard may be no higher than the least distance between such fence and residential building on the adjacent lot and the distance between the neighboring house and the proposed fence equals 2' which is permitted and 8' is proposed and contrary to the Yards and Courts Requirements where the proposed fence height is 8' and the maximum height of fencing permitted in the setback area is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 00-277:** 16146 St. Clair Avenue, a.k.a. 16144 St. Clair Avenue (Ward 11)

Tyrone Hampton, owner, appeals to change the use of an existing 58' x 58' one-story masonry store and tavern building into a day care facility and situated on a 60' x 110' corner parcel located in a Local Retail Business District on the southwest corner of London Avenue and St. Clair Avenue at 16146 St. Clair Avenue, a.k.a. 16144 St. Clair Avenue; said change of use being contrary to the Local Retail Business District Regulations of Section 343.01(b)(1) as regulated in the least restricted Residence District and contrary to the Residential District Regulations where a day care facility must be located at least 30' from an adjoining premises in a Residential District not used for a similar purpose and contrary to the One-Family District Regulations of Section 337.02(f)(3)(c) which requires the Board of Zoning Appeals approval for adequate side yard spaces and other safeguards to preserve the character of the neighborhood and contrary to the Yards and Courts Requirements where a 6' fence is proposed along London Avenue and a 4'-6" fence is permitted as stated in Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 00-278:** 2222-2298 Clarkwood Road (Ward 5)

Charles C. Pearson, owner, and Robert M. Lustig, guardian of Charles C. Pearson, appeal under the authority of Section 329.02(c), where the appellant has the right to appeal to the Board of Zoning Appeals from a notice of violation for the property known as 2222-2298 Clarkwood Road issued on June 29, 2000 by the City of Cleveland Department of Community Development, Division of Building and Housing, for violating the Enforcement and Penalty Requirements of Section 327.02(c) where there shall be no change or substitution in the use of any build-

ing or premises and no extension of any existing use, nor shall any premises be occupied for any new use until a certificate of occupancy has been issued and violating the Specific Uses Requirements of Section 347.06 where regulations for junk and wrecking yards, wall and fencing were violated and violating the Industrial District Requirements where the requirements for wrecking and/or dismantling of motor vehicles, a minimum area of 50,000 sq. ft. and the premises must be enclosed within a minimum 7' high solid masonry non-transparent, well maintained substantial fence as stated in Section 345.04(c-4) of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, OCTOBER 9, 2000**

At the meeting of the Board of Zoning Appeals on Monday, October 9, 2000, the following appeals were heard by the Board:

The following appeals were **Approved**:

**Calendar No. 00-260:** 2120 Seymour Avenue

Henrietta Bell, owner, appealed to install 198 linear feet of 6' high wooden fencing with a gate to the north, east and west rear yard of a 40' x 119' parcel in a Multi-Family District; approval upon submission of revised plan.

**Calendar No. 00-262:** 4315 Bridge Avenue

Grand Slam Properties, Inc., owner c/o David Hundertmark, appealed to install 7 accessory off-street parking spaces to the rear of a 49' x 183' parcel in a Two-Family District.

**Calendar No. 00-247:** 11609 Miles Avenue

Gail Gray, owner, appealed to change the use of a 28' x 56' one-story masonry gas station/mini mart building into a carry-out restaurant on a 150' x 170' parcel in a General Retail Business and Multi-Family District.

The following appeal was **Denied**:

**Calendar No. 00-248:** East 100th Street and Miles Avenue

Carmen Angelo, owner, appealed from the refusal to approve a lot split for an 80' x 107' parcel in a General Retail Business District.

The following appeal was **Withdrawn**:

**Calendar No. 00-263:** 7630 Lorain Avenue

Ripcho Studio Inc., owner, appealed to construct a one-story building addition to an existing one-story photography studio in a General Retail Business District.

The following appeal was **Dismissed**:

**Calendar No. 00-261:** 1520 East 108th Street

Darlene Hawkins and Pearl Petty, owners, appealed to enclose a 9' x 22' front porch with wooden fencing in a Limited One-Family District.

The following appeal was **Postponed**:

**Calendar No. 00-251:** 1925-1933 Columbus Road postponed to October 30, 2000.

**On Monday, October 9, 2000, in Executive Session:**

The following appeals were heard on Monday, October 2, 2000 and said decisions were approved and adopted by the Board on October 9, 2000.

The following appeals were **Approved**:

**Calendar No. 00-255:** 3249 Perkins Avenue

Cecilia B. Jufko, owner, and Paula Lyons, her guardian, appealed from a refused lot split of a 130' x 120' parcel in a Semi-Industry District.

**Calendar No. 00-239:** 2352 East 40th Street

Pilgrim Baptist Church, owner c/o Phillip Hatcher, agent, appealed to expand an existing parking lot with 37 spaces to 46 spaces in a Multi-Family District.

**Calendar No. 00-243:** 3132 West 41st Street

Tim Smith, owner, appealed to change the use of the first floor and second floor of an existing two-story frame tavern building into a day care facility in a Multi-Family District.

**Calendar No. 00-244:** 13000 St. Clair Avenue

Barger Management Group Inc., owners, and Crown Castle GT Company, tenant c/o Donald Graves, Esq., appealed to increase an existing 186' tall lattice type antenna tower to 196' in height and construct a one-story prefab radio equipment building in a General Retail Business District.

The following appeals were **Denied**:

**Calendar No. 00-252:** 16011 Talford Avenue

Rameana Foster, owner, appealed to install 160 linear feet of 6' high wooden fence around the rear of a corner parcel in a One-Family District.

**Calendar No. 00-254:** 4019 Bailey Avenue

Bailey Orchard Development Ltd., owners, appealed to install 222 linear feet of 6' high wooden fencing at the south and west perimeters of a corner parcel in a Two-Family District.

EUGENE CRANFORD, JR.,  
Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE

2485

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing By the Council Committee On City Planning**

**Mercedes Cotner Committee Room 217 City Hall, Cleveland, Ohio On Monday, October 16, 2000 1:30 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Monday, October 16, 2000, at 1:30 P.M., to consider the following ordinance now pending in the Council:

**Ord. No. 1307-2000.**

By Councilman O'Malley.

An ordinance to change the Use and Height Districts on the north side of Melber Avenue, S.W. and the east side of Ridge Road, S.W. (Map Change No. 2016, Sheet No. 2)

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

JOSEPH C. CIMPERMAN,  
Chairman  
Committee on City Planning

October 4, 2000 and October 11, 2000

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

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

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

tions made on these forms may result in cancellation of the contract or other civil or criminal penalties."

**THURSDAY, OCTOBER 19, 2000**

**Automotive Paint**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 711-99, passed by the Council of the City of Cleveland, May 17, 1999.

October 4, 2000 and October 11, 2000

**FRIDAY, OCTOBER 20, 2000**

**Three (3) Natural Gas Overhead Heaters**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1198-2000, passed by the Council of the City of Cleveland, August 7, 2000.

**Overhead Doors**, for the Various Divisions of City Government, Department of Finance.

October 4, 2000 and October 11, 2000

**WEDNESDAY, OCTOBER 25, 2000**

**Sheldon Road 30" Water Supply Main**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 964-93, passed by the Council of the City of Cleveland, June 14, 1993.

A DEPOSIT OF TWO HUNDRED DOLLARS (\$200.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON OCTOBER 16, 2000, 10:00 A.M. IN ROOM 101 AT THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44144. ATTENDANCE IS NOT MANDATORY.

**Refurbishment of Front End Loaders and Roll Off Containers**, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 725-2000, passed by the Council of the City of Cleveland, May 22, 2000.

October 4, 2000 and October 11, 2000

**FRIDAY, OCTOBER 27, 2000**

**Three (3) 4X4 Cab/Chassis with Dump Body**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 104-2000, passed by the Council of the City of Cleveland, April 17, 2000.

October 4, 2000 and October 11, 2000

**FRIDAY, NOVEMBER 3, 2000**

**Redundant Electrical Source Project**, for the Department of Port Control.

BEGINNING FRIDAY, OCTOBER 6, 2000, AN ALL INCLUSIVE BID PACKAGE MAY BE PURCHASED IN THE DIVISION OF PURCHAS-

ES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO, 44114, FOR THE NON-REFUNDABLE FEE OF ONE HUNDRED FIFTY DOLLARS (\$150.00) (CERTIFIED CHECK OR MONEY ORDER ONLY). 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 NUMBER FOR SHIPMENT. PACKAGE/FEE INCLUDES PLANS, TECHNICAL SPECIFICATIONS, GENERAL AND CONTRACTUAL REQUIREMENTS AND ANY ADDENDA.

A PRE-BID MEETING WILL BE HELD ON **THURSDAY, OCTOBER 12, 2000**, IN THE PROGRAM MANAGEMENT TEAM CONFERENCE ROOM, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135 (LOCATED AT THE S.E. CORNER OF CARGO ROAD AND FIVE POINTS ROAD). THOUGH NOT MANDATORY, ATTENDANCE IS **STRONGLY** ENCOURAGED, AS THIS WILL BE THE **ONLY** OPPORTUNITY TO INTERFACE DIRECTLY WITH PORT CONTROL AND CONSULTANTS. ALL QUESTIONS PRIOR TO AND/OR SUBSEQUENT TO THE PRE-BID MEETING MUST BE DIRECTED TO DEBORAH MIDGETT IN THE DIVISION OF PURCHASES AND SUPPLIES VIA FACSIMILE AT (216) 664-2177. PROJECT DETAILS: PROJECT SCOPE INCLUDES BUT IS NOT LIMITED TO: INSTALLATION, CONSTRUCTION, TESTING, START-UP AND COMMISSIONING OF A NEW 138Kv SUBSTATION COMPLETE WITH ASSOCIATED SYSTEMS AND AFFILIATED EQUIPMENT, INCLUDING THE CONSTRUCTION OF A NEW SWITCH GEAR BUILDING, HIGH VOLTAGE EQUIPMENT YARD WITH REQUIRED SITE WORK AND RELATED CONSTRUCTION ACTIVITIES. ADDITIONALLY, THE PROJECT INCLUDES CONSTRUCTION WORK AND SERVICES, CONSTRUCTION OF CONCRETE DUCT BANKS, PROVISIONS AND INSTALLATION OF MEDIUM AND LOW VOLTAGE CABLES AND WIRES WHICH MAY INTERFACE WITH EXISTING AIRPORT SYSTEMS. ENGINEER'S COST ESTIMATE IS BETWEEN \$5.2 AND \$5.6 MILLION. THE PROJECT IS SCHEDULED FOR COMPLETION ON OR BEFORE AUGUST 1, 2001.

October 4, 2000 and October 11, 2000

**Request for Qualifications (RFQ) Concourse "C" Overlay Project**

Interested firms may obtain Qualification Packages beginning September 29, 2000 by going to:

[www.clevelandairport.com](http://www.clevelandairport.com)

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

[proposal@clevelandairport.com](mailto:proposal@clevelandairport.com)

For Further Information Contact:

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

PRE-QUALIFICATION MEETING:

THURSDAY, OCTOBER 5, 2000, 10:00 a.m.  
Program Management  
Team Office  
19501 Five Points Road  
Cleveland, Ohio 44135

SUBMITTAL DUE DATE:

THURSDAY, OCTOBER 19, 2000  
AT 12:00 O'CLOCK NOON

October 4 and October 11, 2000

**FRIDAY, OCTOBER 27, 2000**

**Maintenance and Calibration of Biological and Chemical Testing Apparatus and Appurtenances**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

**Plumbing and Heating Supplies**, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1956-98, passed by the Council of the City of Cleveland, December 7, 1998.

October 11 and October 18, 2000

**WEDNESDAY, NOVEMBER 1, 2000**

**Three (3) Mechanical Assist Movable Shelving/Filing Systems**, for the various divisions of the Department of Public Service, as authorized by Ordinance No. 1198-2000, passed by the Council of the City of Cleveland, August 7, 2000.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, OCTOBER 20, 2000, 9:00 A.M. IN ROOM 516, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

October 11 and October 18, 2000

**THURSDAY, NOVEMBER 2, 2000**

**Labor and Materials to Maintain and Repair Fuel and Oil Water Separators**, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 328-2000, passed by the Council of the City of Cleveland.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, OCTOBER 20, 2000, 10:00 A.M. IN THE DEPARTMENT OF PORT CONTROL'S ENGINEERING OFFICE CONFERENCE ROOM, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135-3193.

**X-Ray Fluorescent Portable Lead Analyzers**, for the Division of Administrative Services, Department of Community Development, as authorized by Ordinance No. 1210-2000, passed by the Council of the City of Cleveland, August 7, 2000.

**Ballistic Vests**, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

October 11 and October 18, 2000

**FRIDAY, NOVEMBER 3, 2000**

**One (1) Cab/Chassis with Heavy-Rescue Body**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 904-2000, passed by the Council of the City of Cleveland, August 7, 2000.

**Police Car Accessory Items**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 904-2000, passed by the Council of the City of Cleveland, August 7, 2000.

**Chevrolet Medium Duty Truck Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 270-2000, passed by the Council of the City of Cleveland, May 1, 2000.

October 11 and October 18, 2000

**THURSDAY, NOVEMBER 9, 2000**

**Rehabilitation of Eagle Avenue Lift Bridge and West 3rd Street Ramp**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1642-97, passed by the Council of the City of Cleveland, December 27, 1997.

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

October 11 and October 18, 2000

**WEDNESDAY, NOVEMBER 15, 2000**

**Upgrade of Existing Varian Gas Chromatograph and Accessories**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID CONFERENCE WILL BE HELD ON WEDNESDAY, OCTOBER 25, 2000, 10:00 A.M. AT THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114. ATTENDANCE IS MANDATORY.

October 11 and October 18, 2000

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 1742-2000.**  
**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 October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 1743-2000.**

**By Councilmen Cimperman and Rybka.**

**An emergency resolution endorsing the Corridor Management Plan for the Ohio & Erie National Heritage Corridor, and recognizing the significance of preserving, enhancing and promoting the resources along the Corridor.**

Whereas, in 1996, Congress enacted the Ohio & Erie National Heritage Corridor Act establishing a National Heritage Corridor in Northeast Ohio, incorporating the general areas along the Ohio & Erie Canal, running from Cleveland, Ohio to Dover/New Philadelphia, Ohio; and

Whereas, that legislation recognizes the Ohio & Erie Canal Association as the management entity for the Heritage Corridor and further requires the preparation of a Corridor Management Plan; and

Whereas, the Ohio & Erie Canal Association has prepared a Corridor Management Plan, with the assistance of widespread public improvement; and

Whereas, the Ohio & Erie Canal National Heritage Corridor Committee and the regional and federal offices of the National Park Service have reviewed and approved the Corridor Management Plan; and

Whereas, the Corridor Management Plan has been submitted to the U.S. Secretary of the Interior for approval; and

Whereas, the Corridor Management Plan provides the framework for development of the Ohio & Erie Canal Heritage Corridor and does the following:

1. establishes the boundary for the National Heritage Corridor, which is

110 miles in length and follows the course of the historic Ohio & Erie Canal and Cuyahoga Valley Line Railroad, crossing 4 counties and multiple communities; and

2. supports regional environmental and water quality goals by promoting resource stewardship practices, including the protection, preservation, enhancement and management of natural, cultural, and historic resources within the corridor for future generations; and

3. promotes a network of alternative means of transportation, including a series of trails that connect to the Towpath Trail, the Cuyahoga Valley Scenic Railroad, and the Canal Way Ohio National Scenic Byway; and

4. facilitates public-private partnerships for fulfilling the goals outlined in the Corridor Management Plan; and

5. provides no additional regulations for land use and/or zoning; and

6. adds to the quality of life of Northeast Ohio through support of educational, cultural, community and economic development programs; and

Whereas, the National Heritage Corridor Act specifies that, "No privately owned property shall be included in the corridor unless the municipality in which the property is located agrees to be so included and submits notification to the Secretary of the Interior;" and

Whereas, the Ohio & Erie Canal Association is authorized to request and receive up to \$10 million on projects and programs within the Corridor boundary that meet the purposes of the Heritage Corridor Act and the Corridor Management Plan; and

Whereas, the Management Plan has received recommendations from NOACA, the Cleveland Metroparks, Greater Cleveland Growth Association and numerous other organizations and political subdivisions; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health and safety since preservation of the waterway is in the best interest of our citizens; now, therefore,

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

**Section 1.** That this Council of the City of Cleveland endorses the Corridor Management Plan for the Ohio & Erie National Heritage Corridor, and recognizes the significance of preserving, enhancing and promoting the resources along the Corridor.

**Section 2.** That this Council endorses the boundary alignment and agrees to be included in the boundary of the Ohio & Erie Canal National Heritage Corridor as defined in the Corridor Management Plan.

**Section 3.** That this Council recognizes the importance of a northern anchor park (Canal Way Center) and the potential development of other destination sites along the Cuyahoga River (Journey Gateways) and will help explore development of these areas.

**Section 4.** That the Clerk of Council is hereby requested to forward a copy of this Resolution to Bruce Babbitt, U.S. Secretary to the Interior and to the President of the Ohio & Erie Canal Association.

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

Adopted October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1068-2000.**  
**By Councilmen Melena and Patmon (by departmental request).**

**An emergency ordinance to amend the title, the third whereas clause and Section 2 of Ordinance No. 530-93, passed June 14, 1993, relating to an Enterprise Zone Agreement with R.S.I. Company, or its designee.**

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

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

**Section 1.** That the title, the third whereas clause and Section 2 of Ordinance No. 530-93, passed June 14, 1993, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with R.S.I. Company, or its designee, to provide for a ten year tax abatement for certain tangible personal property as an incentive to expand its operation located at 12911 Taft Road, in the Collinwood Area Enterprise Zone.

Whereas, R.S.I. Company, or its designee, (the "Enterprise") has proposed to expand its operation located at 12911 Taft Road, Cleveland, Ohio, thereby creating twenty new jobs; and

Section 2. That the Director of Economic Development is autho-

rized to enter into an Enterprise Zone Agreement with the Enterprise, to provide said Enterprise with a ten (10) year tax abatement for certain tangible personal property as an incentive to expand its operation at 12911 Taft Road in Cleveland, Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 2.** That the existing title, the third whereas clause and Section 2 of Ordinance No. 530-93, passed June 14, 1993, are hereby repealed.

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1217-2000.**

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

**An ordinance to assess the cost and expense of construction and repairing of sidewalks and curbing. (East Side)**

Whereas, pursuant to Resolution No. 1095-97 adopted June 16, 1997, written notice requiring the laying, relaying and repairing of sidewalks, driveway aprons, curbs, and gutters in front of premises hereinafter set forth was duly served upon the owners in the manner prescribed by law, but which work was not undertaken by the owners of said premises, the same being done by the City of Cleveland, pursuant to section 165 of the Charter; and,

Whereas, the Director of Finance has reported to this Council on the 17th day of July, 2000, all of the expenses of such construction and repairing by the City of Cleveland, and,

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

**Section 1.** That for the purpose of paying for the cost and expense of construction and repairing of sidewalks and curbing, there be and hereby is levied and assessed upon the following described property abutting said improvements situated in the City of Cleveland, County of Cuyahoga and State of Ohio, the following respective amounts:

PERMANENT PARCEL	OWNER NAMES	LOCATION ADDRESS	TOTAL AMOUNT
138-20-045	C. CARTER	4368 E. 141ST STREET	\$ 1,060.00
138-20-046	M. BURNSIDE	4364 E. 141ST STREET	\$ 1,576.20
138-20-047	LESTER CANNON	4360 E. 141ST STREET	\$ 1,538.30
138-20-048	GWEN ALLEN	4356 E. 141ST STREET	\$ 1,202.30
138-20-049	R. BRADLEY	4352 E. 141ST STREET	\$ 1,327.60
138-20-050	P. THOMAS	4348 E. 141ST STREET	\$ 1,020.40
138-20-051	MICHAEL HART	4344 E. 141ST STREET	\$ 991.60
138-20-052	ETHEL CROWDER	4340 E. 141ST STREET	\$ 739.25
138-20-053	RUTH NAPIER	4336 E. 141ST STREET	\$ 1,267.60
138-20-054	ERIC GOLDEN	4332 E. 141ST STREET	\$ 1,576.20
138-20-055	B. ROBINSON	4328 E. 141ST STREET	\$ 591.50
138-20-056	BETTY TERRY	4324 E. 141ST STREET	\$ 1,185.90
138-20-057	ELIJAH BROWN, JR.	4320 E. 141ST STREET	\$ 1,062.40
138-20-058	VON E. JONES	4316 E. 141ST STREET	\$ 1,510.80
138-20-059	ANNIE WHITE	4312 E. 141ST STREET	\$ 1,060.00
138-20-060	EMMA WORTHY	4304 E. 141ST STREET	\$ 1,220.00
138-20-061	N. HENDERSON	4300 E. 141ST STREET	\$ 1,162.00
138-20-062	N. HENDERSON	4300 E. 141ST STREET	\$ 1,372.50
138-20-063	L. W. LEONARD	4292 E. 141ST STREET	\$ 1,676.60
138-20-064	DEBRA K. WHITE	4301 E. 141ST STREET	\$ 1,060.00

138-20-065	DEBRA K. WHITE	4301 E. 141ST STREET	\$ 1,480.80
138-20-066	WM. SORRELL, JR.	4305 E. 141ST STREET	\$ 1,507.60
138-20-067	WILLIE HUDSON	4309 E. 141ST STREET	\$ 1,691.20
138-20-068	C. HIGHTOWER	4313 E. 141ST STREET	\$ 978.60
138-20-069	V. WEAVER	4317 E. 141ST STREET	\$ 1,507.60
138-20-070	DORIS WOODEN	4321 E. 141ST STREET	\$ 1,474.60
138-20-071	IDELL C. FARLEY	4325 E. 141ST STREET	\$ 591.50
138-20-072	L. NORWOOD	4329 E. 141ST STREET	\$ 895.50
138-20-073	CITY OF CLEVELAND	4333 E. 141ST STREET	\$ 1,060.00
138-20-074	BENNY WILLIAMS	4337 E. 141ST STREET	\$ 751.50
138-20-075	C. HEMPSTEAD	4341 E. 141ST STREET	\$ 1,507.60
138-20-076	F. HENDERSON	4345 E. 141ST STREET	\$ 1,325.00
138-20-077	J. COLEMAN	4349 E. 141ST STREET	\$ 1,507.60
138-20-078	T. FREEMAN	4353 E. 141ST STREET	\$ 1,027.60
138-20-079	KEITH RENDER	4357 E. 141ST STREET	\$ 1,606.60
138-20-080	ANN R. HILL	4361 E. 141ST STREET	\$ 1,474.60
138-20-081	ELIZABETH LEE	4365 E. 141ST STREET	\$ 932.00
138-20-082	TIMOTHY LEWIS	4369 E. 141ST STREET	\$ 4,356.80
138-22-001	R. TIMBERLAKE	4382 E. 141ST STREET	\$ 1,060.00
138-22-002	K. CHAMBERS	4386 E. 141ST STREET	\$ 1,689.90
138-22-003	C. RICHARDSON	4390 E. 141ST STREET	\$ 1,121.60
138-22-004	BRENDA WATKINS	4394 E. 141ST STREET	\$ 929.60
138-22-005	RUTH CURRY	4398 E. 141ST STREET	\$ 1,144.20
138-22-006	GLADYS. TATE	4402 E. 141ST STREET	\$ 420.00
138-22-007	GLADYS. TATE	4402 E. 141ST STREET	\$ 420.00
138-22-008	CHERRIE JONES	4414 E. 141ST STREET	\$ 2,221.90
138-22-010	J. MCREYNOLDS	4418 E. 141ST STREET	\$ 1,199.40
138-22-011	D. OUTLER	4422 E. 141ST STREET	\$ 649.75
138-22-012	VIRGINIA MCINTOS	4426 E. 141ST STREET	\$ 1,557.90
138-22-013	A. SPRAGGINS	4430 E. 141ST STREET	\$ 1,576.20
138-22-014	THOMAS OBIE	4434 E. 141ST STREET	\$ 1,538.30
138-22-015	RITA BROWN	4438 E. 141ST STREET	\$ 1,327.60
138-22-016	HORACE HILL	4442 E. 141ST STREET	\$ 1,172.00
138-22-017	S. WOODSON	4443 E. 141ST STREET	\$ 1,236.85
138-22-018	C. M. H. A.	4439 E. 141ST STREET	\$ 1,083.60
138-22-019	KIM PARKER	4435 E. 141ST STREET	\$ 1,507.60
138-22-020	Y. ROBERTS	4431 E. 141ST STREET	\$ 1,507.60
138-22-021	DENISE UTER	4427 E. 141ST STREET	\$ 1,441.60
138-22-022	D. HATCHER	4423 E. 141ST STREET	\$ 1,378.30
138-22-023	LOUISE MITCHELL	4419 E. 141ST STREET	\$ 1,500.00
138-22-024	B. REGISTER	4415 E. 141ST STREET	\$ 1,500.00
138-22-025	C. HARRISON	4411 E. 141ST STREET	\$ 612.00
138-22-026	CHAS. YOUNG	4407 E. 141ST STREET	\$ 1,076.60
138-22-027	JEROME STCYR	4403 E. 141ST STREET	\$ 1,117.50
138-22-028	VIOLA CHAPMAN	4399 E. 141ST STREET	\$ 1,250.00
138-22-029	P. GRIFFIN	4395 E. 141ST STREET	\$ 1,474.60
138-22-030	NANCY L. MOORE	4391 E. 141ST STREET	\$ 1,121.60
138-22-031	LEE E. OWENS	4387 E. 141ST STREET	\$ 1,441.60
138-22-032	SECY. OF HUD	4383 E. 141ST STREET	\$ 1,060.00
		TOTAL	\$ 88,215.65

**Section 2.** It is determined that the assessments do not exceed the special benefits resulting from the improvement and do not exceed the statutory limit.

**Section 3.** That the owners of the several lots and parcels of land included in said assessment shall pay the amounts from them severally due, as set forth in Section 1 above, to the City Treasurer within forty (40) days from and after the date of passage of this Ordinance, and in default thereof said tax, together with a penalty of five percent (5%) and interest not to exceed seven and one half percent (7.5%) per annum, shall be payable to the County Treasurer in five (5) annual installments, and the Commissioner of Assessments and Licenses is hereby authorized and directed to certify all unpaid assessments to the Cuyahoga County Auditor to be entered on the tax duplicate.

**Section 4.** That the Clerk of Council be and is hereby authorized and directed to cause notice of the levy of assessment herein provided for to be filed with the County Auditor within twenty (20) days following the passage of this Ordinance.

**Section 5.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed October 2, 2000.

Effective November 11, 2000.

**Ord. No. 1218-2000.****By Councilman Patmon (by departmental request).****An ordinance to assess the cost and expense of construction and repairing of sidewalks and curbing. (West Side)**

Whereas, pursuant to Resolution No. 813-99 adopted May 3, 1999, written notice requiring the laying, relaying and repairing of sidewalks, driveway aprons, curbs, and gutters in front of premises hereinafter set forth was duly served upon the owners in the manner prescribed by law, but which work was not undertaken by the owners of said premises, the same being done by the City of Cleveland, pursuant to section 165 of the Charter; and,

Whereas, the Director of Finance has reported this Council on this 17th day of July, 2000, all of the expenses of such construction and repairing by the City of Cleveland, and,

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

**Section 1.** That for the purpose of paying for the cost and expense of construction and repairing of sidewalks and curbing, there be and hereby is levied and assessed upon the following described property abutting said improvements situated in the City of Cleveland, County of Cuyahoga and State of Ohio, the following respective amounts:

PERMANENT PARCEL	OWNER NAMES	LOCATION ADDRESS	TOTAL AMOUNT
005-25-028	WILSON A. LEECE	2180 W. 95TH STREET	\$ 1,159.00
005-25-029	WILSON A. LEECE	2184 W. 95TH STREET	\$ 2,165.50
005-25-030	WAYNE D. LEWIS	2194 W. 95TH STREET	\$ 1,189.50
005-25-039	CALVIN MCKENZIE	2195 W. 95TH STREET	\$ 1,067.50
005-25-040	LILLIAN M. HORN	2191 W. 95TH STREET	\$ 786.00
005-25-041	D. KASPERAK	2187 W. 95TH STREET	\$ 1,484.50
005-25-042	EPPICH ECKHART	2183 W. 95TH STREET	\$ 1,460.00
005-25-043	F. HENDERSON	2181 W. 95TH STREET	\$ 367.50
005-25-083	P. CLEMENCE	9412 WILLARD AVE.	\$ 1,680.00
005-25-084	DEAN CAMPBELL	9500 WILLARD AVE.	\$ 1,680.00
005-26-064	ED. WALKER	2100 W. 95TH STREET	\$ 1,380.00
005-26-065	MARK SHAFER	2106 W. 95TH STREET	\$ 1,782.40
005-26-066	D. BRANHAM	2110 W. 95TH STREET	\$ 1,782.90
005-26-067	M. JASZFALVI	2114 W. 95TH STREET	\$ 804.00
005-26-068	EVA KNIGHT	2118 W. 95TH STREET	\$ 1,380.00
005-26-069	BURCHAM PAET	2122 W. 95TH STREET	\$ 1,380.00
005-26-070	RICHARD A. KRAFT	2126 W. 95TH STREET	\$ 924.00
005-26-071	T. MCCLELLAND	2130 W. 95TH STREET	\$ 1,481.70
005-26-072	JESUS P BADEA	2134 W. 95TH STREET	\$ 1,380.00
005-26-073	ROY E. SIPE	2138 W. 95TH STREET	\$ 1,220.00
005-26-074	C. FORMAN	2142 W. 95TH STREET	\$ 1,220.00
005-26-075	ARTHUR MUSSON	2146 W. 95TH STREET	\$ 1,327.50
005-26-076	L. SCHIMKOLA	2150 W. 95TH STREET	\$ 420.00
005-26-077	R. ROBERTO	2154 W. 95TH STREET	\$ 1,617.00
005-26-078	A. HUERTAS	2158 W. 95TH STREET	\$ 1,020.00
005-26-079	WALTER LEHMAN	2162 W. 95TH STREET	\$ 420.00
005-26-080	SAMUEL P PEREZ	2166 W. 95TH STREET	\$ 1,280.00
005-26-081	W. YUZVA	2170 W. 95TH STREET	\$ 1,730.00
005-26-082	WALTER RHODES	2174 W. 95TH STREET	\$ 862.00
005-26-084	VIORL FIERAN	2177 W. 95TH STREET	\$ 1,082.00
005-26-085	THOMAS SABA	2173 W. 95TH STREET	\$ 1,431.00
005-26-086	KEVIN P. MANZ	2169 W. 95TH STREET	\$ 847.50
005-26-087	J. HERNANDEZ	2167 W. 95TH STREET	\$ 607.50
005-26-088	C. E. DUNLAP, JR.	2165 W. 95TH STREET	\$ 567.50
005-26-089	FRANCIS GORDON	2161 W. 95TH STREET	\$ 1,082.00
005-26-090	ELIZABETH OTTO	2159 W. 95TH STREET	\$ 1,431.00
005-26-091	J. KENDRICK	2153 W. 95TH STREET	\$ 1,411.00
005-26-092	F. GRIMES	2149 W. 95TH STREET	\$ 1,039.00
005-26-093	S. O'DONNELL	2145 W. 95TH STREET	\$ 1,637.00
005-26-094	NORMAN KLETKE	2141 W. 95TH STREET	\$ 660.00
005-26-095	L. A. GRACE	2137 W. 95TH STREET	\$ 1,250.50
005-26-096	TWILLA SEXTON	2133 W. 95TH STREET	\$ 1,299.20
005-26-097	WALTER LAWSON	2129 W. 95TH STREET	\$ 1,790.40
005-26-098	WALTER LAWSON	2125 W. 95TH STREET	\$ 1,380.00



005-26-099	EDWARD ZERBY	2121 W. 95TH STREET	\$	1,088.80
005-26-100	MILDRED CARTER	2117 W. 95TH STREET	\$	1,372.80
005-26-101	IMRE IGAZ	2115 W. 95TH STREET	\$	1,719.20
005-26-102	LILLIAN RUVOLO	2109 W. 95TH STREET	\$	1,687.10
005-26-103	JOHN JOHNSTON	2105 W. 95TH STREET	\$	1,346.80
005-26-104	C. BROWNING	2101 W. 95TH STREET	\$	1,669.20
005-26-105	FRANK DERY	2097 W. 95TH STREET	\$	1,689.80
005-27-031	DON A LUTZ	9501 MADISON AVE.	\$	1,680.10
005-27-057	ROCHELLE FRITZ	2093 W. 95TH STREET	\$	1,208.80
005-27-058	R. DELACRUZ	2089 W. 95TH STREET	\$	1,586.80
005-27-059	R. MORCUS	2085 W. 95TH STREET	\$	1,735.40
005-27-060	CMS PROPERTIES	2081 W. 95TH STREET	\$	1,839.80
005-27-061	V. MCGERVEY	2077 W. 95TH STREET	\$	1,660.40
005-27-062	J. NEWBURY	2069 W. 95TH STREET	\$	1,453.00
005-27-063	J. NEWBURY	2069 W. 95TH STREET	\$	1,614.10
005-27-064	MARY JOHNSON	2065 W. 95TH STREET	\$	1,672.40
005-27-065	ARTHUR KNIGHT	2061 W. 95TH STREET	\$	252.00
005-27-066	S. STEWART	2057 W. 95TH STREET	\$	1,694.85
005-27-067	J. ABRAMOVIC	2053 W. 95TH STREET	\$	1,688.45
005-27-068	L. GOSHORN	2049 W. 95TH STREET	\$	1,398.95
005-27-069	V. NELSON, SR.	2045 W. 95TH STREET	\$	1,002.00
005-27-070	TONY TOMATZ, JR.	2041 W. 95TH STREET	\$	1,695.20
005-27-071	W. MARCANO	2037 W. 95TH STREET	\$	1,084.80
005-27-072	M. MCGERVEY	2033 W. 95TH STREET	\$	1,573.00
005-27-073	DONAL NICHOLAS	2029 W. 95TH STREET	\$	1,434.00
005-27-074	MADISON AV. B.C.	2025 W. 95TH STREET	\$	1,680.12
005-27-076	FELIX GUTIERREZ	2018 W. 95TH STREET	\$	1,207.50
005-27-077	RUTH CICERO	2020 W. 95TH STREET	\$	1,550.60
005-27-078	A. MANFREDI	2026 W. 95TH STREET	\$	2,351.25
005-27-079	LANA HOVAN	2036 W. 95TH STREET	\$	900.00
005-27-080	JOSEPH RICH	2038 W. 95TH STREET	\$	960.00
005-27-081	ED. ALTMANN, JR.	2044 W. 95TH STREET	\$	1,092.00
005-27-082	NGUYEN TRAN	2048 W. 95TH STREET	\$	1,728.00
005-27-083	DANIEL MASON	2052 W. 95TH STREET	\$	1,751.10
005-27-084	G. BASTAWROS	2056 W. 95TH STREET	\$	1,380.00
005-27-085	JEFFREY ZICKES	2060 W. 95TH STREET	\$	1,380.00
005-27-086	KAROLY FABIAN	2068 W. 95TH STREET	\$	1,771.00
005-27-087	J. NEWBURY	2074 W. 95TH STREET	\$	805.50
005-27-088	R. CHAMBERS	2078 W. 95TH STREET	\$	535.50
005-27-089	LINDA BAILLIE	2082 W. 95TH STREET	\$	1,219.00
005-27-090	ED. HULESCH	2088 W. 95TH STREET	\$	1,815.50
005-27-091	SEYMOUR SMITH	2092 W. 95TH STREET	\$	420.00
017-19-010	ED. HULESCH	3240 W. 98TH STREET	\$	4,750.00
017-24-001	W.S. HUNG. CHUR	3243 W. 98TH STREET	\$	1,837.50
TOTAL			\$	119,948.92

**Section 2.** It is determined that the assessments do not exceed the special benefits resulting from the improvement and do not exceed the statutory limit.

**Section 3.** That the owners of the several lots and parcels of land included in said assessment shall pay the amounts from them severally due, as set forth in Section 1 above, to the City Treasurer within forty (40) days from and after the date of passage of this Ordinance, and in default thereof said tax, together with a penalty of five percent (5%) and interest not to exceed seven and one half percent (7.5%) per annum, shall be payable to the County Treasurer in five (5) annual installments, and the Commissioner of Assessments and Licenses is hereby authorized and directed to certify all unpaid assessments to the Cuyahoga County Auditor to be entered on the tax duplicate.

**Section 4.** That the Clerk of Council be and is hereby authorized and directed to cause notice of the levy of assessment herein provided for to be filed with the County Auditor within twenty (20) days following the passage of this Ordinance.

**Section 5.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1386-2000.**  
**By Councilmen O'Malley and Patmon (by departmental request).**  
**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to test and dispose of PCB oils and contaminate materials and to retro-fill or filter contaminated transformers, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to test and dispose of PCB oils and contaminate materials and to retro-fill or filter contaminated transformers, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 16663)

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1390-2000.**  
**By Councilmen O'Malley, Lewis and Patmon (by departmental request).**

**An emergency ordinance to enact Section 129.331 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to contracts for the provision of retail electric aggregation services and power supply.**

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 129.331 to read as follows:

**Section 129.331 Contracts for the Provision of Retail Electric Aggregation Services and Power Supply**

Notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities is hereby authorized to enter into contracts for the provision of retail electric aggregation services and power supply, following express legislative approval by Cleveland City Council authorizing such contract or contracts, in order to provide for the delivery of retail electric power to the customers of The Cleveland Electric Illuminating Company in the City pursuant to a City-wide aggregation program adopted pursuant to Section 4928.20 of the Ohio Revised Code.

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1392-2000.**  
**By Councilmen O'Malley and Patmon (by departmental request).**

**An emergency ordinance authorizing the Mayor to apply for and accept a Water Supply Revolving Loan Account loan to finance the construction of the Parma Reservoir renovation project.**

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

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

**Section 1.** That the Mayor is hereby authorized to apply for and accept a Water Supply Revolving Loan Account ("WSRLA") loan in the approximate amount of \$6,800,000.00 to finance the construction of the Parma Reservoir renovation project, including but not limited to, making exterior and interior renovations to the reservoir, installing influent and effluent lines, replacing several yard valves, installing a drain system and a security access system (the "Improvement").

**Section 2.** That the Mayor is authorized to enter into a loan agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for a WSRLA loan, which loan agreement shall be in substantially the same form as the Water Supply Revolving Loan Account Agreement, File No. 1392-2000-A, and shall contain such additional terms as are acceptable to the Director of Law to protect the public interest. The

Mayor is further authorized to file all papers and execute all documents necessary to receive the funds under said loan agreement; and said loan funds are hereby appropriated for the purposes set forth in the loan agreement.

**Section 3.** That upon execution of the loan agreement, the Director of Public Utilities is authorized to repay the loan funds to the WSRLA in accordance with the terms and conditions of the loan agreements, from the operation revenues of the Division of Water.

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1393-2000.**  
**By Councilmen O'Malley and Patmon (by departmental request).**

**An emergency ordinance to amend Section 3 of Ordinance No. 1743-99, passed June 19, 2000, relating to rates, rules and regulations for water service provided by the Division of Water, Department of Public Utilities.**

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

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

**Section 1.** That Section 3 of Ordinance No. 1743-99, passed June 19, 2000, is hereby amended to read as follows:

Section 3. That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976: Section 535.04, as amended by Ordinance No. 935-96, passed June 18, 1996,

Section 535.05, as amended by Ordinance No. 935-96, passed June 18, 1996,

Section 535.051, as amended by Ordinance No. 1411-99, passed June 12, 2000,

Section 535.06, as amended by Ordinance No. 935-96, passed June 18, 1996,

Section 535.18, as amended by Ordinance No. 311-98, passed May 4, 1998, and

Section 535.21, as amended by Ordinance No. 935-96, passed June 18, 1996,

are hereby repealed.

**Section 2.** That existing Section 3 of Ordinance No. 1743-99, passed June 19, 2000, is hereby repealed.

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1407-2000.**  
**By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 79th Street to Frederick Johnson and Anne Marie Johnson.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 118-09-114 and (part of 118-09-115), as more fully described in Section 2 below, to Frederick Johnson and Anne Marie Johnson.

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

Parcel "B"

P.P. No. 118-09-115 and  
 (part of 118-09-114)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 24 and 25 and part of Block "A" in George M. Spangler's Subdivision, Volume 24, Page 22 and bounded and described as follows:

Beginning at the intersection of the Northerly right of way line of Sagamore Avenue (40 feet wide) and Westerly right of way line of East 79th Street (50 feet wide), said point also being the place of beginning for the parcel herein described; thence North 00° 45' 47" East, a distance of 91.80 feet to a point; thence North 89° 49' 48" West, a distance of 155.01 feet to a point; thence South 00° 45' 47" West, a distance of 90.54 feet to a point; thence South 89° 21' 46" East, a distance of 155.0 feet to the place of beginning, and containing therein 14,131 square feet (0.3244 acre) of land, be the same more or less, but subject to all legal highways.

This description was prepared by Suhail & Suhail, Inc. based on a survey performed in April 2000.

**Section 3.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months

of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1408-2000.**  
**By Councilmen Lewis, Melena, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 79th Street to Steven Williams and Rebecca Williams.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 118-09-114 (part of), as more fully described in Section 2 below, to Steven Williams and Rebecca Williams.

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

Parcel "A"

P.P. No. 118-09-114 (part of)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Block "A" in the G.M. Spangler Subdivision, Volume 24, Page 22 of Cuyahoga County Records and bounded and described as follows:

Beginning at the intersection of the Northerly right of way line of Sagamore Avenue (40 feet wide) and the Westerly right of way line of East 79th Street (50 feet wide); thence North 00° 45' 47", East, a distance of 91.80 feet to a point, said point also being the place of beginning for the parcel herein described; thence North 00° 45' 47" East, a distance of 91.85 feet to a point; thence North 89° 49' 48" West, a distance of 155.01 feet to a point; thence South 00° 45' 47" West, a distance of 91.85 feet to a point; thence South 89° 49' 48" East, a distance of 155.01 feet to the place of beginning, and containing therein 14,237 square feet (0.3268 acre) of land, be the same more or less, but subject to all legal highways.

This description was prepared by Suhail & Suhail, Inc. based on a survey performed in April 2000.

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

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

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

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1487-2000.**

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

**An emergency ordinance to amend Section 42 of Ordinance No. 434-2000, passed March 20, 2000, relating to compensation for various classifications.**

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

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

**Section 1.** That Section 42 of Ordinance No. 434-2000, passed March 20, 2000, is hereby amended to read as follows:

**Section 42. Part-Time/Seasonal Group**

That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Box Office Cashier .....	\$10.33 per hour	\$13.97 per hour
2. Chaplain .....	\$ 6.74 per hour	\$11.04 per hour
3. Checker .....	\$ 5.15 per hour	\$ 6.94 per hour
4. Conservation Aide .....	\$ 5.15 per hour	\$ 5.63 per hour
5. Dentist .....	\$13.38 per hour	\$27.48 per hour
6. Head Usher .....	\$ 5.15 per hour	\$10.91 per hour
7. Medical Examiner .....	\$21.40 per hour	\$56.36 per hour
8. Organ Tuner .....	\$ 9.63 per hour	\$24.11 per hour
9. Park Maintenance Aide .....	\$ 5.15 per hour	\$ 8.25 per hour
10. Ranger .....	\$ 5.15 per hour	\$10.77 per hour
11. School Crossing Guard .....	\$20.50 per day	\$25.00 per day
12. Section Supervisor.....	\$ 5.50 per hour	\$ 6.62 per hour
13. Snow Removal Vehicle Operator .....	\$10.40 per hour	\$13.56 per hour
14. Stage Hand .....	\$18.55 per hour	\$24.66 per hour
15. Stage Hand Casual .....	\$20.00 per hour	\$24.35 per hour
16. Stage Hand — Show Rate .....	\$63.00 per show	\$81.02 per show
17. Student Aide .....	\$ 6.00 per hour	\$ 8.33 per hour
18. Student Assistant .....	\$ 5.15 per hour	\$ 7.34 per hour
19. Usher .....	\$ 5.15 per hour	\$ 6.35 per hour
20. Usher Captain .....	\$ 5.89 per hour	\$ 7.68 per hour

**Section 2.** That existing Section 42 of Ordinance No. 434-2000, passed March 20, 2000, is hereby repealed.

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1591-2000.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2001 State Childhood Lead Poisoning Prevention Program.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$86,528, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 2001 State Childhood Lead Poisoning Prevention Program, for the purposes set forth in the executive summary and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the executive summary for said grant.

**Section 2.** That the executive summary for said grant, File No. 1591-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1731-2000.**

**By Councilman Brady.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Westown Community Development Corporation in order to carry out the public purpose of improving and promoting the Westown local retail business district by implementing the Westown CDC's holiday lighting program through the use of Ward 19 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Westown Community Development Corporation in order to carry out the public purpose of improving and promoting the Westown local retail business district by implementing the Westown CDC's holiday lighting program through the use of Ward 19 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$50,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1732-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for a Footrace on October 28, 2000, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a Footrace sponsored by Hermes Race Systems on October 28, 2000, starting at Burke Lakefront Airport and proceed to Erieside to West 3rd Street, West 3rd Street to Lakeside Avenue, Lakeside to West 9th Street, West 9th Street to St. Clair Avenue, St. Clair Avenue to West 3rd Street, West 3rd Street to Erieside, Erieside to North Marginal, North Marginal to East 26th Street turn around and return to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1733-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the Smith-Barney 15K on October 22, 2000, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Smith-Barney 5K Walk and Run sponsored by Hermes Race Systems on October 22, 2000, starting

at East 9th and Superior, East 9th to Erieside, Erieside to West 3rd, West 3rd to Lakeside, Lakeside to Main Avenue, Main Avenue to Old River Road, Old River Road to St. Clair, St. Clair to West 3rd, West 3rd and Erieside, Erieside to North Marginal, North Marginal to East 26th, East 26th turn around and go North Marginal to Erieside, Erieside to West 3rd, West 3rd to St. Clair, St. Clair to East 12th, East 12th to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1734-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the Smith-Barney 5K Walk and Run on October 22, 2000, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Smith-Barney 5K Walk and Run sponsored by Hermes Race Systems on October 22, 2000, starting at East 9th and Superior, East 9th to Erieside, Erieside to West 3rd, West 3rd to Lakeside, Lakeside to Main Avenue, Main Avenue to Old River Road, Old River Road to St. Clair, St. Clair to East 12th Street to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1735-2000.**

**By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the 23rd Annual Walk-A-Thon on October 7, 2000, sponsored by the Catholic Charities Services Corp.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 23rd Annual Walk-A-Thon sponsored by the Catholic Charities Services Corp. on October 7, 2000, leaving OLA/St. Joseph Center Parking lot on Kenilworth, head (east) on Kenilworth to West 11th St., turn right circle Lincoln Park 2 times, return to West 11th/Kenilworth, intersection, turn left onto West 11th Avenue walk to University Rd., turn right onto University Rd. walk to West 10th St., turn right onto West 10th St. walk to stop sign, veer left onto Professor Avenue (stay on right side of street), walk to Jefferson, turn right onto Jefferson walk to Starkweather (cross West 14th St. to west side of West 14th St.), turn left on West 14th St. walk (south) to Clark Ave., turn right onto Clark Ave. & walk across bridge (over highway) to Scranton Rd., turn right onto Scranton Rd. walk to Kenilworth, turn right onto Kenilworth, return to OLA/St. Joseph Center (on your left on other side of highway overpass), **5K Walkers Stop Here**, 10K walkers continue walking on Kenilworth to West 11th St., turn left onto West 11th St. walk to Abbey Rd., turn left onto Abbey Ave. (cross street to north side of Abbey), cross Abbey Ave. Bridge to West 20th St., (enjoy the view of Downtown), cross street to south side of Abbey Ave., turn left and return across Abbey Ave. Bridge (enjoy the view of the industrial side of the Flats), walk to West 11th St., turn left to University Rd., walk to West 10th St., turn right onto West 10th St. walk to Literary (right side of street), turn right onto Literary walk to Kenilworth (veer left & cross street), turn right onto Kenilworth, return to OLA/St. Joseph Center and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

**Section 2.** That this ordinance is hereby declared to be an emergency

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1736-2000.**

**By Councilman Cintron, Mayor White and Councilman Polensek.**

**An emergency ordinance to change the name of Detroit-West 25th Street Park to Jimmy Bivins Park and authorizing the Director of Parks, Recreation and Properties to effectuate such change.**

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

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

**Section 1.** That the name of Detroit-West 25th Street Park, located at the corner of Detroit Avenue and West 25th Street, is hereby changed to Jimmy Bivins Park.

**Section 2.** That the Director of Parks, Recreation and Properties is authorized and directed to give effect to this ordinance by the placement of appropriate signs, nameplates and plaques and altering the references to the park to reflect the change of name.

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1737-2000.**

**By Councilman Dolan.**

**An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Kamms Corners Development Corporation to further the public purpose creating or preserving jobs and employment opportunities to preserve the economic welfare of the State, by eradicating blight within the Kamms Corners Business Revitalization District through the use of Ward 21 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into a grant agreement with Kamms Corners Development Corporation using Ward 21 Neighborhood Equity Funds, for the acquisition of certain property which is determined by this Council to fur-

ther the public purpose of creating or preserving jobs and employment opportunities to preserve the economic welfare of the State, by eradicating blight within the Kamms Corners Business Revitalization District.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$275,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1738-2000.**

**By Councilman Lewis.**

**An emergency ordinance authorizing and directing the sale of real property as part of the Land Reutilization Program and located at 1787 and 1789 East 86th Street to Cleveland Housing Network Limited Partnership XVII.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 119-05-108 and 119-05-109 to Cleveland Housing Network Limited Partnership XVII.

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

P. P. No. 119-05-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 24 in Crumb Baslington and Oviatt's Allotment of part of Original One Hundred Acre Lot No. 400 as shown by the recorded plat in Volume 5 of Maps, Page 49 of Cuyahoga County Records part of Sublot No. 17 in Heisel and Stew-

art's Allotment of part of Original One Hundred Acre Lots Nos. 391 and 393 and Re-Allotment of part of said Sublot No. 24 in Crumb, Baslington and Oviatt's Allotment as aforesaid, as shown by the recorded plat of said Allotment and a Re-Allotment in Volume 13 of Maps, Page 20 of Cuyahoga County Records and part of Sublot No. 18 in Henrietta E. Weatherhead's Subdivision of part of Original One Hundred Acre Lots Nos. 391 and 399, 400 and Re-Subdivision of part of said Sublot No. 24 in Crumb, Baslington and Oviatt's Allotment as aforesaid etc., as shown by the recorded plat of said Subdivision and Re-Subdivision in Volume 33 of Maps, Page 13 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 86th Street at a point 40.22 feet Northerly measured along said Easterly line from the Southwesterly corner of said Sublot No. 18 in Henrietta E. Weatherhead's Subdivision said beginning point being also the Northwesterly corner of land conveyed to Lena C. Albinger and others by deed dated August 25, 1909 and recorded in Volume 1199, Page 615 of Cuyahoga County Records; thence Easterly along the Northerly line of land so conveyed to Lena C. Albinger and others 45 feet to the Easterly line of Henrietta E. Weatherhead's Subdivision as aforesaid; thence Northerly along said Easterly line 0.20 feet to the Northerly line of the parcel conveyed to Lena C. Albinger and others as aforesaid; thence Easterly along said Northerly line 58.00 feet to the Northeastly corner of a parcel of land conveyed to Phil M. Marquard by deed dated June 28, 1909 and recorded in Volume 1206, Page 205 of Cuyahoga County Records;

P. P. No. 119-05-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 24 in Crumb, Baslington and Oviatt's Subdivision of part of Original One Hundred Acre Lot No. 400 as shown by the recorded plat in Volume 5 of Maps, Page 49 of Cuyahoga County Records, and part of Sublots Nos. 15, 16, 17 and 19 in Heisel and Steward's Allotment of part of Original One Hundred Acre Lots Nos. 391, 392 and 400 as shown by the recorded plat in Volume 13 of Maps, Page 20 of Cuyahoga County Records and part of Sublot No. 18 in Henrietta E. Weatherhead's Subdivision of part of Original One Hundred Acre Lots Nos. 391, 392, 399 and 400, as shown by the recorded plat in Volume 33 of Maps, Page 13 of Cuyahoga County Records and part of Original One Hundred Acre Lot No. 400 and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 86th Street at the Northwesterly corner of land conveyed to Katherine G. McCurdy by deed dated March 25, 1921, and recorded in Volume 2382, Page 632 of Cuyahoga County Records; thence Northerly along the Easterly line of East 86th Street to an angle; thence Northwesterly along the Northeastly line of East 80th Street to the most Southerly corner of land con-

veyed to the Library Board of the City District of the City of Cleveland by deed dated October 1, 1909 and recorded in Volume 1238, Page 387 of Cuyahoga County Records; thence Northeasterly along the Southeasterly line of land conveyed to the Library Board of the City School District of the City of Cleveland to the Easterly line of said Sublot No. 19; thence Southerly along said Easterly line of Sublot No. 19 to the Northwesterly corner of said Sublot No. 15; thence Easterly along the Northerly line of said Sublot No. 15 to the Northwesterly corner of land conveyed to John A. Parshall by deed dated March 13, 1891, and recorded in Volume 515, Page 512 of Cuyahoga County Records, thence Southerly along the Westerly line of land conveyed to John A. Parshall and along the Westerly line conveyed to Swen Emil Swanbeck and Marie J. Swanbeck by deed dated November 28, 1906, recorded in Volume 1074, Page 323 of Cuyahoga County Records to the Southerly line of said Sublot No. 16; thence Westerly along said Southerly line of said Sublot No. 16 to the Northwesterly corner of land conveyed to Elizabeth Miller by deed dated April 2, 1908, and recorded in Volume 1144, Page 601 of Cuyahoga County Records, thence Southerly along the Westerly line of land so conveyed to Elizabeth Miller to the Northeasterly corner of land conveyed to Katherine G. McCurdy as aforesaid; thence Westerly along the Northerly line of land so conveyed to Katherine G. McCurdy to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1739-2000.**

**By Councilman Patmon.**

**An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with A Cultural Exchange for their family literacy programs in Ward 8 elementary schools in order to carry out the public purpose of promoting and developing basic reading skills for children and families through the use of Ward 8 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into a grant agreement with A Cultural Exchange for their family literacy programs in Ward 8 elementary schools in order to carry out the public purpose of promoting and developing basic reading skills for children and families, through the use of Ward 8 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be for services rendered by the grantee on or after October 1, 2000, in an amount not to exceed \$15,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1740-2000.**

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

**An emergency ordinance to amend the title, the fourth whereas clause and Section 1 of Ordinance No. 962-2000, passed June 5, 2000, relating to contract for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the Cleveland Municipal Court.**

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

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

**Section 1.** That the title, the fourth whereas clause and Section 1 of

Ordinance No. 962-2000, passed June 5, 2000, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with The Legal Aid Society of Cleveland and/or the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the Cleveland Municipal Court, for a period of one year, with four three-month options to renew.

Whereas, it is the recommendation of the Cleveland Municipal Court, the district of which encompasses Bratenahl and the City of Cleveland, that such indigent defense should be provided by The Legal Aid Society of Cleveland and/or the Cuyahoga County Public Defender Commission contracting to the Legal Aid Society of Cleveland, to provide these services; and

Section 1. That, the Director of Finance, on behalf of the Cleveland Municipal Court, is hereby authorized to enter into contract with The Legal Aid Society of Cleveland and/or the Cuyahoga County Public Defender Commission contracting to the Legal Aid Society of Cleveland, at the option of the Presiding Judge of the Cleveland Municipal Court, for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the period of one year beginning January 1, 2000, with four (4) options, exercisable by the Director of Finance, to renew for an additional three (3)-month term, and cancellable upon thirty days' written notice by said Director, at the estimated cost of \$1,000,000, payable from Fund No. 01-011502-632000, Request No. 19254.

**Section 2.** That the existing title, the fourth whereas clause and Section 1 of Ordinance No. 962-2000, passed June 5, 2000, are hereby repealed.

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

Passed October 2, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1741-2000.**

**By Councilman Westbrook.**

**An emergency ordinance to amend the Title and Sections 1 and 2 of Ordinance No. 1248-2000, passed July 17, 2000, relating to a grant agreement with Cudell Improvement Inc., for support for the Midwest Housing Partnership, in order to carry out the public purpose of promoting and providing assistance for safe, decent and affordable housing through the use of Wards 18 Neighborhood Equity Funds.**

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That the Title and Sections 1 and 2 of Ordinance No. 1248-2000, passed July 17, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Cudell Improvement, Inc., for support for the Midwest Housing Partnership, in order to carry out the public purpose of promoting and providing assistance for safe, decent and affordable housing, through the use of Ward 18 Neighborhood Equity Funds.

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with Cudell Improvement, Inc., for support for the Midwest Housing Partnership, in order to carry out the public purpose of promoting and providing assistance for safe, decent and affordable housing, through the use of Ward 18 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$137,575 and shall be paid from Fund No. 10, SF 166.

**Section 2.** That the existing Title and Sections 1 and 2 of Ordinance No. 1248-2000, passed July 17, 2000 are hereby repealed.

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

Passed October 2, 2000.  
Awaiting the approval or disapproval of the Mayor.

**a.m.—Present:** Lewis, Chairman; Jones, Vice Chairman; Brady, Coats, Gordon. **Excused:** Johnson, Westbrook.

**Monday, October 9, 2000**

**Public Service Committee: 10:00 a.m.—Present:** Sweeney, Vice Chairman; Britt, Coats, Johnson, Melena, O'Malley, Westbrook, Willis. **Excused:** Cintron, Chairman.

**Finance Committee Meeting: 2:00 p.m.—Present:** Patmon, Chairman; Dolan, Johnson, Lewis, Melena, O'Malley, Polensek, Robinson, Sweeney. **Excused:** Rybka, Vice Chairman; Cintron.

**Tuesday, October 10, 2000**

**Public Health Committee: 1:00 p.m.—Present:** Gordon, Chairman; Brady, Cimperman, Jackson, Westbrook. **Excused:** Robinson, Vice Chairman; Willis.

**Wednesday, October 11, 2000**

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

**COUNCIL COMMITTEE MEETINGS**

**Thursday, October 5, 2000**

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

**Legislation Committee (Joint with Public Utilities Committee): 10:00**

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