

The City Record

Official Publication of the City of Cleveland

October the Thirtieth, Two Thousand and Two

Mayor	
Jane L. Campbell	
President of Council	
Frank G. Jackson	
Clerk of Council	
Valarie J. McCall	
Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

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

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	4326 Daisy Avenue	44109
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DEPT. OF CONSUMER AFFAIRS - Kenya Taylor, Director

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Record



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WEDNESDAY, OCTOBER 30, 2002

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CITY COUNCIL

MONDAY, OCTOBER 28, 2002

The City Record

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VALARIE J. McCALL

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL

2002-2005

MONDAY

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, October 28, 2002.

The meeting of the Council was called to order, The President, Frank G. Jackson, in the Chair.

Council Members present: Brady, Britt, Cimperman, Cintron, Coats, Conwell, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, O'Malley, Polensek, Reed, Rybka, Scott, Sweeney, Westbrook, White, Zone.

Also present were Mayor Campbell, Directors Chandra, Konicek, Mok, Ricchiuto, Hudecek, Romero, Sims, Fumich, Taylor, Ronaye and Wilson, Acting Director Carrol, Rodney Jenkins, Executive Assistant, David McGuirk, Executive Assistant, Craig Tame, Executive Assistant, Timothy Mueller, Executive Assistant, Erik Janas, Celeste Glasgow, Director of Communications and Margreat A. Jackson, Legislative Affairs Liaison, John Goersmeyer and Jeffrey D. Johnson, Special Assistant were also present.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Missionary Ruby Pratt of Greater Prayer Tower Church of God in Christ, located at 2606 Martin Luther King, Jr. Drive in Ward 6. Pledge of Allegiance

MOTION

On the Motion of Council Member Britt, the reading of the minutes of

the last meeting was dispensed with and the journal approved. Seconded by Council Member Zone.

COMMUNICATIONS

File No. 2090-02.

Copy of Case No. 02-2760-HT-AEC, Application for approval of Inter-ruptible Steam Service Agreement. Received.

File No. 2091-02.

Copy of Case No. 02-2758-HT-AEC, Application for approval of Standard Steam Service Agreement. Received.

File No. 2092-02.

Copy of Case No. 02-2759-HT-AEC, Application for approval of Steam Service Agreement for Boma Members. Received.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 2093-02.

Re: New Application — 9061785 — Myrna D. Troche, d.b.a. Troches Market, 3210 East 49th Street. (Ward 5). Received.

File No. 2094-02.

Re: Transfer of Ownership Application — 7480935 — Vonda L. Rogers & Linda V. Rogers, Lotus Mini Market, 17801 Euclid Avenue. (Ward 10). Received.

File No. 2095-02.

Re: Transfer of Ownership Application — 9116354 — 2173 East 9th LLC, 2173 East 9th Street and patio. (Ward 13). Received.

File No. 2096-02.

Re: Transfer of Ownership Application — 0121117 — Alimahal, Inc., d.b.a. Convenient Food Mart #3-053, 5741 Memphis Avenue. (Ward 16). Received.

File No. 2097-02.

Re: Transfer of Ownership Application — 8459405 — S & R Brown's Food Market, Inc., d.b.a. Brown's Food Market, 761 Starkweather Avenue, first floor & basement. (Ward 13). Received.

File No. 2098-02.

Re: Stock Transfer Application — 8356699 — Soli, Inc., d.b.a. New York Grocery, 4302 John Avenue, first floor and basement. (Ward 13). Received.

File No. 2099-02.

Re: Stock Transfer Application — 41568490005 — Isabella, Inc., d.b.a. That Place on Bellflower, 11401 Bellflower Road. (Ward 9). Received.

File No. 2100-02.

Re: Stock Transfer Application — 0079871 — Ahmin, Inc., d.b.a. Carnegie Shell, 3020 Carnegie Avenue. (Ward 5). Received.

File No. 2101-02.
Re: Stock Transfer Application — 2599989 — Fadis Market, Inc., 9901-03 Union Avenue, first floor and basement. (Ward 5). Received.

File No. 2102-02.
Re: Stock Transfer Application — 5326222 — Lu Lu II, Inc., d.b.a. Convenient Food Mart, 4709 Clark Avenue. (Ward 14). Received.

**STATEMENT OF WORK
ACCEPTED**

File No. 2103-02.
From the Department of Public Utilities re: Contract No. PI 58975 A, Eddy Road-Taft Avenue Sewer Replacement. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 2125-02—Alfred Lerner.
Res. No. 2126-02—Joseph Louis Cimperman.
Res. No. 2127-02 — William Leon Smiley.
Res. No. 2128-02 — Wayne Louis Clark, Sr.
Res. No. 2129-02 — Vincenzo Ruggiero.

CONGRATULATION RESOLUTIONS

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

Res. No. 2130-02 — Cleveland Federation of Musicians, Local 4.
Res. No. 2131-02 — Police Officer Daniel J. Kane.
Res. No. 2132-02 — Daniel J. Prusak.
Res. No. 2133-02—Jason Lin.
Res. No. 2134-02 — Dr. Richard Brown, Jr.

RECOGNITION RESOLUTIONS

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

Res. No. 2135-02—Richard Schanfarber.
Res. No. 2136-02 — Adam Fishman.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 2104-02.

By Council Member Jackson (by departmental request).

An emergency ordinance to make additional appropriations of Thirteen Million Three Hundred Eighty Thousand Nine Hundred Eighty Five Dollars (\$13,380,985) of the Enterprise Funds and Twenty Six Million Nine Hundred Forty Five Thousand Dollars (\$26,945,000) of the Debt Service Funds.

Whereas, there remains an unappropriated balance in the various funds, the sum of Forty Million Three Hundred Twenty Five Thousand Nine Hundred Eighty Five Dollars (\$40,325,985) which is available for additional appropriation; and

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

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

Section 1. That the unappropriated balances in the Enterprise Funds and the Debt Service Funds of the City are appropriated as follows, provided that the Director of Finance obtains an Amended Certificate of Estimated Resources that include the following amounts:

ENTERPRISE FUNDS	\$ 13,380,985
DEBT SERVICE FUNDS	<u>\$ 26,945,000</u>
TOTAL ALL FUNDS	\$ 40,325,985

ENTERPRISE FUNDS

DEPARTMENT OF PARKS, RECREATION AND PROPERTIES

Golf Courses Fund		\$ 550,000
I Personnel and Related Expenses	\$ 550,000	
II Other Expenses	\$ -	
Division of Parking Facilities-Off Street Parking		\$ 35,000
I Personnel and Related Expenses	\$ -	
II Other Expenses	\$ 35,000	
TOTAL PARKS, RECREATION AND PROPERTIES	\$ 585,000	\$ 585,000

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$ 81,000
I Personnel and Related Expenses	\$ -	
II Other Expenses	\$ 81,000	
Division of Water Pollution Control		\$ 2,379,188
I Personnel and Related Expenses	\$ -	
II Other Expenses	\$ 2,379,188	
Division of Cleveland Public Power		\$ 10,335,797
I Personnel and Related Expenses	\$ 300,000	
II Other Expenses	\$ 10,035,797	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$ 12,795,985	\$ 12,795,985
TOTAL ENTERPRISE FUNDS	\$ 13,380,985	\$ 13,380,985

DEBT SERVICE FUNDS

Sinking Fund Commission		\$ 26,945,000
I Personnel and Related Expenses	\$ -	
II Other Expenses	\$ -	
III Debt Service	\$ 26,945,000	
TOTAL DEBT SERVICE FUNDS	\$ 26,945,000	\$ 26,945,000
TOTAL ALL FUNDS	\$ 40,325,985	\$ 40,325,985

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

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

Ord. No. 2105-02.

By Council Member Jackson (by departmental request).

An emergency ordinance to make additional appropriations of Three Million Two Hundred Sixty Five Thousand Six Hundred Seventy One Dollars (\$3,265,671) of the General Fund, One Million Eight Hundred Forty Six Thousand One Hundred Fifty One Dollars (\$1,846,151) of the Internal Service Funds and Three Million Four Hundred Eighty Two Thousand Two Hundred Sixteen Dollars (\$3,482,216) of the Special Revenue Funds.

Whereas, there remains an unappropriated balance in the various funds, the sum of Eight Million Five Hundred Ninety Four Thousand Thirty Eight Dollars (\$8,594,038) which is available for additional appropriation; and

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

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

Section 1. That the unappropriated balances in the General Fund, the Internal Service Fund and the Special Revenue Funds are appropriated as follows, provided that the Director of Finance obtains an Amended Certificate of Estimated Resources that include the following amounts:

GENERAL FUND	\$ 3,265,671
INTERNAL SERVICE FUNDS	\$ 1,846,151
SPECIAL REVENUE FUNDS	\$ 3,482,216
TOTAL ALL FUNDS	\$ 8,594,038

GENERAL FUND

DEPARTMENT OF PUBLIC SAFETY

Division of Police		\$ 3,265,671
I Personnel and Related Expenses	\$ 3,265,671	
II Other Expenses	\$ -	
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$ 3,265,671	\$ 3,265,671
TOTAL GENERAL FUND	\$ 3,265,671	\$ 3,265,671

INTERNAL SERVICE FUNDS

Information Systems Services-Telephone Exchange		\$ 1,231,151
I Personnel and Related Expenses	\$ -	
II Other Expenses	\$ 1,231,151	
Division of Printing & Reproduction		\$ 615,000
I Personnel and Related Expenses	\$ -	
II Other Expenses	\$ 615,000	
TOTAL INTERNAL SERVICE FUNDS	\$ 1,846,151	\$ 1,846,151

SPECIAL REVENUE FUNDS

Cablevision Settlement Fund		\$ 506,609
I Personnel and Related Expenses	\$ -	
II Other Expenses	\$ 506,609	
JDA Chagrin Highland Fund		\$ 276,774
I Personnel and Related Expenses	\$ -	
II Other Expenses	\$ 276,774	
JDA CEP Highland Hills Shared Income Tax Fund		\$ 2,698,833
I Personnel and Related Expenses	\$ -	
II Other Expenses	\$ 2,698,833	
TOTAL SPECIAL REVENUE FUNDS	\$ 3,482,216	\$ 3,482,216
TOTAL ALL FUNDS	\$ 8,594,038	\$ 8,594,038

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

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

Ord. No. 2106-02.**By Council Member Jackson (by departmental request).**

An emergency ordinance to provide the transfer of the sum of Seven Million Six Hundred Thousand Nine Hundred Four Dollars (\$7,600,904) within various divisions of the General Fund; Forty Five Thousand Dollars (\$45,000) within the Special Revenue Fund, Thirty Five Thousand Dollars (\$35,000) within the Enterprise Fund; and Five Thousand Dollars (\$5,000) within the Debt Service Fund.

Whereas, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; and

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

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

Section 1. That the sum of Seven Million Six Hundred Eighty Five Thousand Nine Hundred Four Dollars (\$7,685,904) is transferred as follows:

	FROM	TO
GENERAL FUND		
JUDICIAL BRANCH		
Judicial Division		
I Personnel and Related Expenses	\$ -	\$ 50,000
II Other Expenses	\$ -	\$ 22,638
Housing Division		
I Personnel and Related Expenses	\$ 210,000	\$ -
II Other Expenses	\$ 50,292	\$ -
Clerks Division		
I Personnel and Related Expenses	\$ 290,000	\$ -
II Other Expenses	\$ -	\$ 109,561
TOTAL JUDICIAL BRANCH	\$ 550,292	\$ 182,199
Office of the Mayor		
I Personnel and Related Expenses	\$ 200,000	\$ -
DEPARTMENT OF PUBLIC SAFETY		
Public Safety Administration		
I Personnel and Related Expenses	\$ 75,000	\$ -
II Other Expenses	\$ -	\$ 68,383
Division of Police		
I Personnel and Related Expenses	\$ -	\$ 2,834,329
II Other Expenses	\$ 289,456	\$ -
Division of Fire		
I Personnel and Related Expenses	\$ -	\$ 1,600,000
II Other Expenses	\$ 170,193	\$ -
Emergency Medical Services		
I Personnel and Related Expenses	\$ -	\$ 1,760,000
II Other Expenses	\$ 230,164	\$ -
Division of Dog Pound		
I Personnel and Related Expenses	\$ 40,000	\$ -
II Other Expenses	\$ -	\$ 9,774
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$ 804,813	\$ 6,272,486
Community Relations Board		
II Other Expenses	\$ 24,178	\$ -
Department of Consumer Affairs		
I Personnel and Related Expenses	\$ 15,000	\$ -
II Other Expenses	\$ 22,000	\$ -
DEPARTMENT OF PUBLIC SERVICE		
Public Service Administration		
I Personnel and Related Expenses	\$ -	\$ 15,000
II Other Expenses	\$ 10,000	\$ -
Division of Architecture		
I Personnel and Related Expenses	\$ 45,000	\$ -
II Other Expenses	\$ 17,000	\$ -
Waste Collection and Disposal		
I Personnel and Related Expenses	\$ 60,000	\$ -
II Other Expenses	\$ -	\$ 161,443

Engineering and Construction			
I Personnel and Related Expenses	\$	25,000	\$ -
II Other Expenses	\$	60,000	\$ -
Division of Traffic Engineering			
I Personnel and Related Expenses	\$	-	\$ 11,000
II Other Expenses	\$	-	\$ 89,259
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$	217,000	\$ 276,702
DEPARTMENT OF PARKS, RECREATION & PROPERTIES			
Parks, Recreation and Properties Admin			
I Personnel and Related Expenses	\$	40,000	\$ -
II Other Expenses	\$	13,844	\$ -
Research, Planning and Development			
I Personnel and Related Expenses	\$	35,000	\$ -
II Other Expenses	\$	20,000	\$ -
Division of Recreation			
I Personnel and Related Expenses	\$	480,000	\$ -
II Other Expenses			\$ 98,641
Parking Facilities - On Street			
I Personnel and Related Expenses	\$	-	\$ 45,000
II Other Expenses	\$	3,227	\$ -
Division of Property Management			
I Personnel and Related Expenses	\$	10,000	\$ -
II Other Expenses	\$	39,000	\$ -
Park Maintenance and Properties			
I Personnel and Related Expenses	\$	-	\$ 300,000
II Other Expenses	\$	-	\$ 37,500
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$	641,071	\$ 481,141
DEPARTMENT OF COMMUNITY DEVELOPMENT			
Division of Building and Housing			
I Personnel and Related Expenses	\$	-	\$ 27,500
II Other Expenses	\$	108,855	\$ -
TOTAL COMMUNITY DEVELOPMENT	\$	108,855	\$ 27,500
Landmarks Commission			
II Other Expenses	\$	5,699	\$ -
Board of Building Standards & Appeals			
II Other Expenses	\$	-	\$ 2,257
Board of Zoning Appeals			
I Personnel and Related Expenses	\$	-	\$ 5,000
II Other Expenses	\$	-	\$ 3,619
Board of Examiners of Plumbers & Elect.			
I Personnel and Related Expenses	\$	17,000	\$ -
II Other Expenses	\$	1,243	\$ -
Economic Development			
I Personnel and Related Expenses	\$	250,000	\$ -
II Other Expenses	\$	30,840	\$ -
Office of Equal Opportunity			
I Personnel and Related Expenses	\$	15,000	\$ -
II Other Expenses	\$	10,000	\$ -
City Planning Commission			
II Other Expenses	\$	36,945	\$ -
DEPARTMENT OF PUBLIC HEALTH			
Health Administration			
I Personnel and Related Expenses	\$	130,000	\$ -
II Other Expenses	\$	28,865	\$ -
Division of Corrections			
I Personnel and Related Expenses	\$	-	\$ 265,000
II Other Expenses	\$	131,706	\$ -

Division of Health			
I Personnel and Related Expenses	\$	120,000	\$ -
II Other Expenses	\$	94,514	\$ -
Division of the Environment			
I Personnel and Related Expenses	\$	20,000	\$ -
II Other Expenses	\$	113,249	\$ -
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$	638,334	\$ 265,000
Department of Aging			
I Personnel and Related Expenses	\$	30,000	\$ -
II Other Expenses	\$	20,000	\$ -
DEPARTMENT OF FINANCE			
Finance Administration			
II Other Expenses	\$	4,406	\$ -
Division of Accounts			
I Personnel and Related Expenses	\$	50,000	\$ -
II Other Expenses	\$	50,000	\$ -
Division of Assessments & Licenses			
I Personnel and Related Expenses	\$	50,000	\$ -
II Other Expenses	\$	75,531	\$ -
Division of Treasury			
I Personnel and Related Expenses	\$	20,000	\$ -
II Other Expenses	\$	11,298	\$ -
Division of Purchases and Supplies			
I Personnel and Related Expenses	\$	50,000	\$ -
II Other Expenses	\$	19,433	\$ -
Bureau of Internal Audit			
I Personnel and Related Expenses	\$	70,000	\$ -
II Other Expenses	\$	50,000	\$ -
Financial Reporting & Control			
I Personnel and Related Expenses	\$	60,000	\$ -
II Other Expenses	\$	100,000	\$ -
TOTAL DEPARTMENT OF FINANCE	\$	610,668	\$ -
Office of Budget & Management			
I Personnel and Related Expenses	\$	120,000	\$ -
II Other Expenses	\$	15,000	\$ -
Law			
I Personnel and Related Expenses	\$	800,000	\$ -
II Other Expenses	\$	600,000	\$ -
Office of Personnel			
I Personnel and Related Expenses	\$	-	\$ 85,000
II Other Expenses	\$	30,000	\$ -
Civil Service Commission			
I Personnel and Related Expenses	\$	35,000	\$ -
II Other Expenses	\$	120,000	\$ -
Transfers to Other Funds			
II Other Expenses	\$	1,631,966	\$ -
TOTAL GENERAL FUND	\$	7,600,904	\$ 7,600,904
SPECIAL REVENUE FUND			
Street Construction, Maintenance & Repair			
I Personnel and Related Expenses	\$	45,000	\$ -
II Other Expenses	\$	-	\$ 45,000
TOTAL SPECIAL REVENUE FUNDS	\$	45,000	\$ 45,000

ENTERPRISE FUNDS

DEPARTMENT OF PARKS, RECREATION & PROPERTIES

Division of Cemeteries

I Personnel and Related Expenses	\$	35,000	\$	-
II Other Expenses	\$	-	\$	35,000
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$	35,000	\$	35,000
TOTAL ENTERPRISE FUNDS	\$	35,000	\$	35,000

DEBT SERVICE FUNDS

Sinking Fund Commission

I Personnel and Related Expenses			\$	5,000
II Other Expenses	\$	5,000		
TOTAL DEBT SERVICE FUNDS	\$	5,000	\$	5,000
TOTAL ALL FUNDS	\$	7,685,904	\$	7,685,904

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

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

Ord. No. 2107-02.
By Council Members Reed, White and Jackson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 397.01 to 397.06 thereof, relating to emergency rapid entry systems.

Whereas, this Council has determined that the health, safety, and welfare of the citizens of the city of Cleveland are promoted by encouraging certain structures to have an emergency rapid entry system installed on the exterior of the structure to aid the Division of Fire in gaining access to the structure when responding to calls for emergency service; and

Whereas, the emergency rapid entry system will operate on a master key basis that will expedite entry into a structure during an emergency; and

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 397.01 to 397.06 to read, respectively, as follows:

CHAPTER 397
EMERGENCY RAPID ENTRY
SYSTEMS

Section 397.01 Scope

(a) The provisions of this chapter shall govern the installation and maintenance of emergency rapid entry systems for use by the Division of Fire.

(b) The emergency rapid entry system shall consist of an emergency rapid entry key box, rapid access security padlock, and/or a key access switch or another approved device from a manufacturer approved by the Fire Chief.

(c) All emergency rapid entry systems shall be UL listed and approved and of a type that enable the Division of Fire to gain access to any rapid access device with one (1) master key. All emergency rapid entry systems installed within the

City shall be approved by the Fire Chief.

(d) Installation of an emergency rapid entry system shall be on a voluntary basis.

Section 397.02 Owners Encouraged to Install Emergency Rapid Entry Systems

(a) Owners of multi-unit or commercial properties are encouraged to install an emergency rapid entry system. Any owner or operator who chooses to place an emergency rapid entry system at a structure shall adhere to the provisions of this Chapter and the Ohio Fire Code.

(b) Any costs associated with the purchase, construction, placement, maintenance or replacement of an emergency rapid entry key box shall be the responsibility of the owner or operator of the structure in which the key box is installed.

(c) Emergency rapid entry key boxes shall be located a minimum of six (6) feet above final grade, on the exterior of the structure at or near a main entrance to the property, or as designated by the Fire Chief.

(d) Facility gates that are designed to control vehicle ingress or egress shall be maintained and equipped with a back-up means of opening should a power failure occur.

(e) The owner or operator of the facility shall update all information and contents contained within the emergency rapid entry system on an annual basis, or more frequently as required by the Fire Chief.

Section 397.03 Contents of Emergency Rapid Entry System

An emergency rapid entry system shall contain one or more of the following items, as designated by the Fire Chief. In the event that the number of items makes storage in the emergency rapid entry system impracticable, written instructions as to the location how to readily access them shall be contained within the emergency rapid entry system.

(a) Keys or access devices, clearly labeled as to their use;

(b) Keys to all parts of the facility and site, including but not limited to: mechanical equipment rooms, electrical rooms, and elevator controls;

(c) A roster indicating the location of individuals with special needs in the event of an emergency;

(d) A roster of facility personnel knowledgeable about safety procedures for on-site materials, complete with telephone numbers for such personnel in the event of an incident after normal hours of operation;

(e) A diagram of the complete water system, fire protection system, fire hydrants and spill clean-up equipment relative to the facility; and

(f) Material Safety Data Sheets ("MSDS") or emergency/hazardous chemical inventory sheets if required to be kept under subtitle B, Section 311 and 312 of the Superfund Amendments and Reauthorization Act of 1986 (SARA III).

Section 397.04 Permit Required

No emergency rapid entry system shall be installed without a prior written permit first issued by the Fire Chief.

Section 397.05 Permit Application

Any owner or operator of a property shall make written application for a permit to install an emergency rapid entry system to the Fire Chief on a form provided by the Division of Fire.

Section 397.06 Fee

A permit fee of fifty dollars (\$50.00) shall be paid to cover the cost of plan reviews, site inspections and to oversee overall compliance with this Code. All fees generated under this section shall be placed in a separate account to be used for the implementation, training and ongoing maintenance and development of the emergency rapid access systems for the protection of the public.

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

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

Ord. No. 2108-02.**By Council Members Dolan, Coats and Jackson (by departmental request).****An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 58890 for rehabilitating the Melbourne Avenue Sewer with Fabrizi Trucking & Paving Co., for the Department of Public Utilities.**

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

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

Section 1. That the Director of Public Utilities is authorized to make the following alterations and modifications in Contract No. 58890 with Fabrizi Trucking & Paving Co., necessary for rehabilitating the Melbourne Avenue Sewer, for the Department of Public Utilities:

Melbourne Avenue Sewer Project
Subsidiary Agreement - Schedule of Items

Balance in Contract	\$ 8,581.04	
1. Asphalt Pavement Restoration		\$65,960.00
Total		\$65,960.00
Balance to be paid		\$ 65,960.00
Less Amount Remaining in Contract	<u>- 8,581.04</u>	
TOTAL SUBSIDIARY ADDITIONS	\$ 57,378.96	
Original Contract Amount	\$485,056.00	
Total Subsidiary Additions	<u>+ 57,378.96</u>	
REVISED CONTRACT AMOUNT	\$542,434.96	

which alteration has been recommended in writing by the Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Public Utilities and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$57,378.96, to be paid from Fund No. 54 SF 001.

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

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

Ord. No. 2109-02.**By Council Members Dolan, Coats and Jackson (by departmental request).****An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 58271 for rehabilitating the West Park/Lyidian Avenue Sewer with DiGioia-Suburban Excavating LLC., for the Department of Public Utilities.**

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

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

Section 1. That the Director of Public Utilities is authorized to make the following alterations and modifications in Contract No. 58271 with DiGioia-Suburban Excavating LLC., necessary for rehabilitating the West Park/Lyidian Avenue Sewer, for the Department of Public Utilities:

West Park/Lyidian Avenue Sewer Project

Balance in Contract	\$ 18,591.68	
1. 6" RCP Stand Pipe		\$ 1,492.00
2. 21" x 6" Saddle		2,057.00
3. Driveway Apron Removal		1,960.80
4. Guardrail Remove for Salvage		324.00
5. Curb Ramp Removal		364.80
6. 6" Concrete Drive Apron		5,228.80
7. Guardrail, Rebuild Type 4		774.00
8. Curb Ramp		1,565.60
9. Change Orders 8 - 11		67,357.80
10. Construction Staking		4,055.50
11. Mobilization of Equipment		1,665.00
12. Remove & Dispose of Existing Equipment		34,330.80
13. Proof Rolling Sub-grade		600.00
14. Fine Grade Sub-grade		3,473.95
15. 6" #304 Sub-base		20,435.00
16. 7" Non Reinforced Concrete Pavement		136,301.45
17. 6" Under-drain		20,856.95
18. Monument Boxes		1,675.00
19. Adjust Manhole / Catch Basin Casting to Grade		5,750.00
20. Adjust Water Valve Box to Grade		777.00
21. Additional Safety Barrels, Signs		2,000.00
22. Backfill New Curbs, Clean Up Tree Lawns		4,948.75
23. Tree Lawn Restoration		7,686.00
24. Maintenance Bond		1,225.00
25. Tree Removal		<u>50,625.00</u>
Total Subsidiary Additions		377,529.40

Total Subsidiary Additions	\$ 377,529.40
Less Amount Remaining in Contract	<u>18,591.68</u>
TOTAL SUBSIDIARY ADDITIONS	\$ 358,937.72
Original Contract Amount	\$ 956,590.09
Total Subsidiary Additions	<u>358,937.72</u>
REVISED CONTRACT AMOUNT	\$1,315,527.81

which alteration has been recommended in writing by the Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Public Utilities and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$358,937.72, to be paid from Fund Nos. 54 SF 001 and 10 SF 166.

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

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

Ord. No. 2110-02.
By Council Members Gordon and Jackson (by departmental request).
An emergency ordinance appropriating Community Development Block Grant funds for administrative expenses of the Department of Community Development.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 28 from the United States Government; and

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

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

Section 1. That Community Development Block Grant funds in the amount of \$2,868,000 from Fund Nos. 14 SF 024, 14 SF 025, 14 SF 026, 14 SF 027 and 14 SF 028 are appropriated for the administrative expenses of the Department of Community Development in conjunction with the Community Development Block Grant Program, Year 28 and under the following schedule:

Personnel.....	\$2,245,000
Other	623,000

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

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

Ord. No. 2111-02.
By Council Members O'Malley, Johnson, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire the former Memphis School property located at 4103 Memphis Avenue for the purpose of park and recreation purposes.

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire the former Memphis Avenue school property for the public purpose of park and recreation purposes, described as follows:

4103 Memphis Avenue
 Permanent Parcel No. 014-13-014

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublots Number. 203, 204, 205, 186, 187 and 188 in The Brooklyn Realty Company's Subdivision No. 2 of part of Original Brooklyn Township Lot No. 58 as shown by the recorded plat of said subdivision in Volume 40 of Maps, Page 11 of Cuyahoga County Records. Said Sublots Numbers 203, 204 and 205 together form a parcel of land having a frontage of 120 feet on the Southerly side of Memphis Avenue, S.W., and extending back 121 86/100 feet on the Easterly line, 121 92/100 feet on the Westerly line and having a rear line of 120 feet. Said Sublots Numbers 186, 187 and 188 together form a parcel of land having a frontage of 120 feet on the Northerly side of Henritze Avenue, S.W., and extending back between parallel lines 122 feet according to said plat, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublots 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201 and 202 in the Brooklyn Realty Company's Subdivision No. 2 of a part of Original Brooklyn Township Lot No. 58 as shown by the recorded plat of said Subdivision in Volume 40, Page 11 of Cuyahoga County Records. Said Sublots together forming a parcel of land having a frontage of 280.28 feet on the Southerly line of Memphis Avenue, S.W., 243.72 feet on the Westerly line of West 41st Street and 280.28 feet on the Northerly line of Henritze Avenue S.W., and measuring 243.86 feet on its Westerly line, be the same more or less, but subject to all legal highways.

The consideration to be paid for the property shall not exceed its appraised value.

Section 2. That the Director of Parks, Recreation and Properties is authorized to execute on behalf of the City all documents necessary to acquire the property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of the property.

Section 3. That the costs of the property acquisition shall be paid from Fund Nos. 20 SF 343, 20 SF 354 and 20 SF 370.

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

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

Ord. No. 2112-02.
By Council Members Sweeney and Jackson (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of diesel fuel, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years subject to the requirements of this ordinance for the necessary items of diesel fuel 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 Motor Vehicle Maintenance, Department of Public Service. 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 combina-

tion of the items as the Board of Control shall determine. The Director of Public Service shall have authority to enter into a contract or contracts with a term of two (2) years when there is a financial advantage to the City of entering into a contract or contracts with a term of two (2) years in lieu of entering into a contract or contracts with a term of one (1) year. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for a contract or contracts with a term of two (2) years and the bids received for a contract or contracts with a term of one (1) year. Alternate bids for a period less than a year 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 the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against the contract duly certified by the Director of Finance. (RL 127135)

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

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

Ord. No. 2113-02.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of gasoline, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is authorized to make one or more written requirement contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year or two years subject to the requirements of this ordinance for the necessary items of gasoline 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 Motor Vehicle Maintenance, Department of Public Service. 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 the items as the Board of Control shall determine. The Director of Public Service shall have

authority to enter into a contract or contracts with a term of two (2) years when there is a financial advantage to the City of entering into a contract or contracts with a term of two (2) years in lieu of entering into a contract or contracts with a term of one (1) year. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Service by comparing the bids received for a contract or contracts with a term of two (2) years and the bids received for a contract or contracts with a term of one (1) year. Alternate bids for a period less than a year 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 the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against the contract duly certified by the Director of Finance. (RL 127136)

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

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

Ord. No. 2114-02.

By Council Member Johnson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 92nd Street to Miceli-Lograsso Development Corporation.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-23-015 as more fully described below, to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-23-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 16 in A.L. McCurdy's Subdivision of part of Original One Hundred Acre Lot Nos. 424 and 425, as shown by the recorded plat in Volume 4 of Maps, Page 51 of Cuyahoga County Records, and bounded and described.

Beginning on the Northwesterly line of East 92nd Street (formerly Crowin Avenue), at the most Southerly corner of said Sublot No. 16; thence Northeasterly 26.5 feet along the said Northwesterly line of East 92nd Street to a point; thence Northwesterly 83 feet parallel with the Southwesterly line of said Sublot No. 16 to a point; thence Northeasterly 2.5 feet parallel with the said Northwesterly line of East 92nd Street to a point; thence 3 feet 6 inches parallel with the Southwesterly line of said Sublot No. 16 to a point in the Northwesterly line thereof; thence Southwesterly 29 feet along the Northwesterly line of said Sublot No. 16 to the Westerly line thereof; thence Southeasterly 86 feet 6 inches along the Southwesterly line of said Sublot No. 16 to the place of beginning.

Reserving therefrom an easement of 8 feet on the North side of said lot said easement to be used for the purpose of ingress and egress to the rear 79.83 feet of said lot.

It is intended herewith to convey the front 86.5 feet of the above premises; be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-23-017 as more fully described below to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-23-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 18 in A.L. McCurdy Allotment of part of Original One Hundred Acre Lot No. 424 as shown by the recorded plat in Volume 4 of Maps, Page 51 of Cuyahoga County Records and being 40 feet front on the Northwesterly line of East 92nd Street and extending back between parallel lines 166.33 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-23-044 as more fully described below, to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-23-044

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

Sublot Nos. 15 and 16 in A.L. McCurdy's Subdivision of part of Original One Hundred Acre Lot Nos. 424 and 425, as shown by the recorded plat in Volume 4 of Maps, Page 51 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northwesterly line of East 92nd Street (formerly Corwin Avenue), at the most Southerly corner of said Sublot No. 16; thence Northeasterly 26.5 feet along the said Northwesterly line of East 92nd Street to a point for the principal place of beginning; thence Northeasterly 25.5 feet along the said Northwesterly line of East 92nd Street to the most Southerly corner of a parcel of land conveyed to Samuel and Meri Stubnar dated August 19, 1920, and recorded in Volume 2433, Page 205, of Cuyahoga County Records; thence Northwesterly 106 feet parallel with the Northwesterly line of said Sublot No. 16 to a point; thence Northeasterly 2.5 feet parallel with the said Northwesterly line of East 92nd Street to a point; thence Northwesterly 60.33 feet parallel with the Northeasterly line of said Sublot No. 15 to a point in the Northwesterly line thereof; thence Southwesterly 25.5 feet along the Northwesterly line of said Sublot Nos. 15 and 16 to a point distant Northeasterly 29 feet from the most Westerly corner of said Sublot No. 16; thence Southeasterly 83.33 feet parallel with the Southwesterly line of said Sublot No. 16 to a point; thence Southwesterly, 2.5 feet parallel with the said Northwesterly line of East 92nd Street to a point; thence Southeasterly 83 feet parallel with the Southwesterly line of said Sublot No. 16 to the principal place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-24-046 as more fully described, to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-23-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 16 in the A.L. Curdy Subdivision of part of Original One Hundred Acre Lot Nos. 424 and 425, as shown by the recorded plat in Volume 4 of Maps, Page 51 of Cuyahoga County Records and bounded and described as follows:

Beginning at the most Westerly corner of said Sublot No. 16; thence Northeasterly along the Northwesterly line of Sublot No. 16, 29 feet; thence Southeasterly parallel with the Southwesterly line of said Sublot No. 16, 79.83 feet to a point; thence Southwesterly parallel with the Northwesterly line of Sublot No. 16, 29 feet to the Southwesterly line thereof; thence Northwesterly along said Southwesterly line, 79.83 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 9. That pursuant to Section 183.021 of the Codified Ordina-

nances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-24-002 as more fully described, to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-24-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 51 in A.L. McCurdy's Subdivision of part of Original One Hundred Acre Lots Nos. 424 and 425, as shown by the recorded plat in Volume 4 of Maps, Page 51 of Cuyahoga County Records and being 40 feet front on the Southerly side of Buckeye Road and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-24-009 as more fully described below, to Miceli-Lograsso Development Corporation.

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

P. P. No. 126-24-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Northerly 5 feet of Sublot No. 37, all of Sublot No. 38 and the Southerly 5 feet of Sublot No. 39 in Alexander A. McCurdy's Subdivision of part of Original One Hundred Acre Lot Nos. 424 and 425, as shown by the recorded plat in Volume 4 of Maps, Page 1 of Cuyahoga County Records, excepting from the above described premises that part thereof conveyed to the Cleveland and Youngstown Railroad Company by deed dated May 4, 1915 and recorded in Volume 1656, Page 520 of Cuyahoga County Records, and together forming a parcel of land 50 feet front on the Easterly side of East 92nd Street (formerly Corwin Street) about 97.45 feet deep on the Southerly line, about 116.21 feet deep on the Northerly line of 53.4 feet wide on the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Zoning Ordinances, if any.

Section 13. 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 14. 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 15. 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 16. 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. 2115-02.

By Council Member Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Linwood Avenue to Famicos Foundation.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-028 as more fully described below, to Famicos Foundation.

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. 104-18-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 25 in Medway N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width 155 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-030 as more fully described below to Famicos Foundation.

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

P. P. No. 104-18-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in M.N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Linwood Avenue, N.E., (55 feet wide) at the Northwest corner of said Sublot No. 21; thence Easterly along the Southerly line of said Linwood Avenue, N.E., a distance of 40.0 feet to the Northeast corner of Sublot No. 21; thence Southerly along the Easterly line of said Sublot No. 21, a distance of 155.0 feet to the Southeast thereof; thence Westerly along the Southerly line of Sublot No. 21, a distance of 40.0 feet to the Southwest corner thereof; thence Northerly along the Westerly line of said Sublot No. 21; a distance of 155.00 feet to the place of beginning.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-033 as more fully described below, to Famicos Foundation.

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

P. P. No. 104-18-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in the Midway N.C. Waters Plat and survey of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Linwood Avenue, N.E., (formerly Lena Avenue) and extending back between parallel lines 155 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-034 as more fully described, to Famicos Foundation.

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

P. P. No. 104-18-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in Medway N.C. Water's Guardian of Frank E. and Cora E. Waters, Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of said Subdivision, in Volume 7 of Maps, Page

13 of the Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width 155 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-035 as more fully described below, to Famicos Foundation.

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

P. P. No. 104-18-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in M.N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Southerly line of Linwood Avenue, N.E., (55 feet wide) at the Northwest corner of said Sublot No. 11; thence Easterly along the Southerly line of said Linwood Avenue, N.E., a distance of 40.00 feet to the Northeast corner of Sublot No. 11; thence Southerly along the Easterly line of said Sublot No. 11, a distance of 155.00 feet to the Southeast corner thereof; thence Westerly along the Southerly line of Sublot No. 11, a distance of 40.00 feet to the Southwest corner thereof; thence Northerly along the Westerly line of said Sublot No. 11, a distance of 155.00 feet to the place of beginning.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-037 as more fully described below, to Famicos Foundation.

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

P. P. No. 104-18-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 5 and 7 in M.N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Linwood Avenue, N.E., (55 feet wide) at a point distant Westerly 31.0 feet from the Northeast corner of said Sublot No. 5; thence Easterly along the Southerly line of said Linwood Avenue, N.E., a distance of 55.5 feet to a point; thence Southerly parallel with the Easterly line of said Sublot No. 5, a distance of 155.0 feet to a point to the Southerly line of said Sublot No. 7; thence Westerly along the Southerly line of Sublot Nos. 7 and 5, a distance of 55.5 feet to a point; thence Northerly parallel with the Easterly line of said Sublot No. 5, a distance of 155.0 feet to the place of beginning.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-047 as more fully described below, to Famicos Foundation.

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

P. P. No. 104-18-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 9 in Sweesy, et al., Re-Allotment of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 12 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Northerly side of Linwood Avenue, N.E., extending back of equal width about 142.73 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 15. 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. 104-18-049 as more fully described below, to Famicos Foundation.

Section 16. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 104-18-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in L.B. Sweesy Re-Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat of Re-Subdivision in Volume 12 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Northerly side of Linwood Avenue, N.E., (formerly Lena Avenue) and extending back of equal width 142.72 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 17. 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. 104-19-049 as more fully described below, to Famicos Foundation.

Section 18. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 104-19-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in Medweay N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and being 40 feet front on the Southerly side of Linwood Avenue, N.E., and extending back of equal width 155 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Section 19. 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. 104-19-051 as more fully described below, to Famicos Foundation.

Section 20. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 104-19-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in M.N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Linwood Avenue, N.E., (55 feet wide) at the Northwest corner of said Sublot No. 31; thence Easterly along the Southerly line of said Linwood Avenue, N.E., a distance of 40.00 feet to the Northeast corner of Sublot No. 31; thence Southerly along the Easterly line of said Sublot No. 31, a distance of 155.00 feet to the Southeast corner thereof; thence Westerly along the Southerly line of Sublot No. 31, a distance of 40.00 feet to the Southwest corner thereof; thence Northerly along the Westerly line of said Sublot No. 31, a distance of 155.00 feet to the place of beginning.

Section 21. 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. 104-19-054 as more fully described below, to Famicos Foundation.

Section 22. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 104-19-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 37 in Medway N.C. Waters (Guardian of Frank E. and Cora E. Waters) Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Linwood Avenue, N.E., (formerly Lena Avenue), and extending back of equal width 155 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 23. 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. 104-19-058 as more fully described below, to Famicos Foundation.

Section 24. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 104-19-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 45 in M.N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and being 40 feet front on the Southerly

side of Linwood Avenue, N.E., and extending back of equal width, 155 feet deep be the same more or less, but subject to all legal highways.

(a) Subject Easement

Subject Easement for Common driveway from Louis Gorsetman Bella to Sarah Smith aka Sarah Smith Butler, dated September 21, 1950, filed for record November 17, 1950 at 2:56 p.m., and recorded in Volume 7095, Page 458 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

Section 25. 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.

104-19-059 as more fully described below, to Famicos Foundation.

Section 26. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 104-19-059

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 47 in M.N.C. Waters Sublot No. of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Linwood Avenue, N.E., (55 feet wide) at the Northwest corner of said Sublot No. 47; thence Easterly, along the Southerly line of said Linwood Avenue, N.E., a distance of 40.00 feet to the Northeast corner of Sublot No. 47; thence Southerly, along the Easterly line of said Sublot No. 47, a distance of 155.00 feet to the Southeast corner thereof; thence Westerly, along the Southerly line of said Sublot No. 47, a distance of 40.00 feet to the Southwest corner thereof; thence Northerly, along the Westerly line of Sublot No. 47, a distance of 155.00 feet to the be the same more or less, but subject to all legal highways.

Section 27. 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. 104-19-060 as more fully described below, to Famicos Foundation.

Section 28. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 104-19-060

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 49 in M.N.C. Waters Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Linwood Avenue, N.E., (55 feet wide) Northwest corner of said Sublot No. 49; thence Easterly, along the Southerly line of said Linwood Avenue, N.E., a distance of 40.00 feet to the Northeast corner of Sublot No. 49; thence Southerly, along the Easterly line of said Sublot No. 49; a distance of 155.00 feet to the Southeast

corner thereof; thence Westerly, along the Southerly line of said Sublot No. 49, a distance of 40.00 feet to the Southwest corner thereof; thence Northerly, along the Westerly line of said Sublot No. 49, a distance of 155.00 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 29. 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. 104-19-65 as more fully described below, to Famicos Foundation.

Section 30. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 104-19-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 63 in Medway N.C. Waters Allotment of part of Original One Hundred Acre Lot No. 340., as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Linwood Avenue, N.E., (formerly Lena Avenue) and extending back between parallel lines 155 feet, as appears by said plat, be the same more or less, but subject to all legal highways. Subject to zoning ordinances, if any.

Section 31. 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 32. 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 33. 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 34. 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. 2118-02.
By Council Members Zone and
Westbrook.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3134 West 73rd Street; 7402 and 7708 Halle Avenue and Jasper Avenue to Cudell Improvement, Inc.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 006-27-055, 006-27-140, 006-27-152 and 017-17-024, as more fully described below, to Cudell Improvement, Inc.

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

P. P. No. 006-27-055

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being and 28 And 29 in Halle and Davis Allotment of part of Original Brooklyn Township Lot No. 27 as shown by the recorded plat in Volume 5 of Maps, Page 42 of Cuyahoga County Records, and together forming a parcel of land 73 feet 5-1/2 inches front on the Westerly side of West 73rd Street (formerly Shunpike Road) and extending back 127 feet 2-1/5 inches on the Northerly line, 112 feet on the Southerly line, which is also the Northerly line of Halle Avenue, S.W. (formerly Trumbull Avenue), and having a rear line of 68 feet 3-1/5 inches, 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. 006-27-140

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 33 in Halle and Davis' Subdivision of a part of Original Brooklyn Township Lot No. 27, now in said City. Said Sublot No. 33 has a frontage of 42 feet 5-7/10 inches on Halle Avenue, S.W. and extends back 176 feet 1-1/2 inches deep on the Easterly line, 174 feet 10-7/10 inches deep on the Westerly line and is 42 feet 5-4/5 inches wide in the rear, as per plat of Subdivision recorded in Volume 5 of Maps, Page 42 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

P. P. No. 006-27-152

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 45 in Halle and Davis Allotment of part of Original Brooklyn Township Lot No. 27 as shown by the recorded plat in Volume 5 of Maps, Page 42 of Cuyahoga County Records and being 40 feet front on the Northerly side of Halle Avenue, S.W., (formerly Trumbull Avenue) and extending back 161 feet 10 1/2 inches deep on the Easterly line, 160 feet 8 3/10 inches deep on the Westerly line and having a rear line of 40 feet 1/8 inch, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 017-17-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 250 in the E.R. Cowin Land Company's Boulevard Hill Allotment of part of Original Brooklyn Township Lot No. 5, as shown by the recorded plat in Volume 54 of Maps, Page 38 of Cuyahoga County Records, and being 19.96 feet front, plus arc, on the Northerly side of Jasper Avenue, S.W., and extending back 120 feet deep on the Easterly line, 104.96 feet deep on the Westerly line, (which is also the Easterly line of West 102nd Street) and being 35 feet wide in the rear, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

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

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

**FIRST READING
ORDINANCE REFERRED**

Ord. No. 2119-02.

By Council Member Zone.

An ordinance to change the zoning of a property at 8205 Franklin Avenue to a Multi-Family Residential District, an "F" Area District, and a "2" Height District. (Map Change No. 2061, Sheet No. 1)

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 in the centerline of Franklin Boulevard (formerly Franklin Avenue) (66 feet wide) at its intersection with the centerline of West 81st Street (40 feet wide); thence Southwesterly along the centerline of Franklin Boulevard, 22.87 feet to a 1" iron pin monument found at an angle point therein; thence South 75° 39' 50" West along the centerline of Franklin Boulevard, 60.97 feet to its intersection with the northerly prolongation of the westerly line of land conveyed to Ernest B. Fisco by deed recorded in Volume 96-12445, Page 27 of Cuyahoga County Records and the principal point of beginning of the parcel herein described; thence South 00° 01' 10" East along said prolongation and the westerly line of land so conveyed, 171.39 feet to a point in the northerly line of land conveyed to the Norfolk and Western Railroad Co.; thence North 89° 43' 00" West along a northerly line of land so conveyed, 62.68 feet to a 5/8" iron pin; thence South 00° 00' 55" East along a westerly line of land so conveyed, 1.74 feet to a 5/8" iron pin; thence North 89° 19' 20" West along a northerly line of land so conveyed, 46.18 feet to a 5/8" iron pin; thence South 00° 04' 40" West along a westerly line of land so conveyed, 2.93 feet to a 5/8" iron pin; thence North 89° 43' 00" West along a northerly line of land so conveyed, 124.26 feet to a 5/8" iron pin at the southeast corner of land conveyed to Cleveland RTA by deed recorded in Volume 13869, Page 562 of Cuyahoga County Records; thence North 00° 00' 55" West along the easterly line of land so conveyed, 115.02 feet to a point in the centerline of Franklin Boulevard; thence North 75° 39' 50" East along the centerline of Franklin Boulevard, 240.58 feet to the principal point of beginning; and as outlined in red on the attached map is changed to a Multi-Family Residential District, an "F" Area District, and a "2" Height District.

Section 2. That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2061, Sheet No. 1, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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

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

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

Ord. No. 2116-02.

By Council Member Reed.

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

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 130-04-028, 130-04-030 and 130-04-031, as more fully described below, to Mt. Pleasant Now Development Corporation.

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

P. P. No. 130-04-028

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

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

Subject to zoning ordinances, if any.

P. P. No. 130-04-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublot Nos. 81 and 82 in Crawford-

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

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

Also subject to all zoning ordinances, if any.

P. P. No. 130-04-031

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

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

Also subject to all zoning ordinances, if any.

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

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

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

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 2117-02.

By Council Member Reed.

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

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

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

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

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

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

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

P. P. No. 127-27-068

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

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

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 127-27-069 as more fully described below to Mt. Pleasant Now Development Corporation.

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

P. P. No. 127-27-069

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

Also subject to all zoning ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 130-04-070 as more fully described below, to Mt. Pleasant Now Development Corporation.

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

P. P. No. 130-04-070

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

Also subject to all zoning ordinances, if any.

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

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

P.P. No. 130-07-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 126 in Walton Brother's Mt. Pleasant Allotment of part of Original One Hundred Acre Lot No. 445, as shown by the recorded plat in Volume 14 of Maps, Page 6 of Cuyahoga Coun-

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

Also subject to all zoning ordinances, if any.

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

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

P. P. No. 130-10-022

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

Also subject to all zoning ordinances, if any.

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

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

P. P. No. 139-02-063

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

Also subject to all zoning ordinances, if any.

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

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

P. P. No. 139-11-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 198 in Jankovsky-Bubna Subdivision

of part of Original Warrensville Township Lot Nos. 51 and 61 as shown by the recorded plat in Volume 51 of Maps, Page 17 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 149th Street, S.E., and extending back between parallel lines 240.06 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 15. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 16. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 17. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 2120-02.

By Council Member White.

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

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with the Community Assess-

ment Foundation for the Community Assessment Renovation Project in order to carry out the public purpose of creating jobs for Cleveland residents through the use of Ward 2 Neighborhood Equity Funds.

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

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 2121-02.

By Council Member Cimperman (by departmental request).

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

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

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

Section 1. That it is with deepest sympathy that the Citizens of the City of Cleveland send their thoughts and prayers to mourn the passing of Alfred ("Al") Lerner. And that we extend our condolences to his family, friends and his "extended family". Thousands of persons will remember Mr. Lerner for bringing our beloved Cleveland Browns Football home again. Many others will remember him for his humanitarian gifts and kindness to local hospitals and charities. The Cleveland Browns Football Fans and Players will remember him as a "Fan" and one of their own. We, the Citizens of Cleveland, have truly lost one of our best and dearest friends; therefore, as a memorial and tribute to Mr. Lerner we propose:

Section 2. That the name of all that portion of the Cleveland Browns Football Stadium Roadway (width varies) directly bordering the Cleveland Browns Football Stadium on its Southerly perimeter, and running between Relocated Erieside Avenue (70.00 feet wide) and West 3rd Street (99.00 feet wide) be and the same is now named "Alfred Lerner Way".

Section 3. That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two thirds of all the members elected to Council, it shall take effect and be in force

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 2122-02.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 2123-02.

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

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

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the stock transfer of ownership of a C2 and

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

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 2124-02.

By Council Member Zone.

An emergency resolution objecting to a New C1 Liquor Permit to 7120 Denison Avenue.

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

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit

must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

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

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1083-02.

By Councilmen Coats and Jackson (by departmental request).

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1263-02.

By Council Members Zone, Britt, Brady, Jones, O'Malley, Cintron, Polensek and Coats.

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

Approved by Directors of Public Safety, Law; Passage recommended by Committees on Public Safety, Legislation, Finance; when amended as follows:

1. In Section 1, at Section 411.04(c), line 1, strike "section 403.99 of this chapter" and insert "**Section 403.99**".

2. In Section 1, at Section 411.04(c), lines 3 and 4, strike "is used in the commission of a violation of division (b) of this section, shall, upon a second or subsequent offense, be declared to be contraband and" and insert in lieu thereof "**has been used on two (2) occa-**

sions in the commission of a violation of division (b) of this section for which convictions have been entered in the court's journal, without regard to the ownership of the property and without regard to whether the same person(s) were convicted of both offenses, is hereby declared to be contraband, and".

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. 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.

Ord. No. 1533-02.

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

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

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Public Safety, Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1849-02.

By Council Member Jackson.

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

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1885-02.

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1886-02.

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

An emergency ordinance to amend Section 523.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 910-98, passed February 14, 2000; and to amend Sections 4 and 6 of Ordinance No. 910-98, relating to the Cleveland Public Power energy adjustment charge.

Approved by Directors of Public Utilities, Finance, Law; Relieved of Committee on Legislation; Passage recommended by Committees on Public Utilities, Finance; when amended as follows:

1. In the title, strike lines 2 through 9 and insert: **"To amend Sections 4 and 6 of Ordinance No. 910-98, relating to the use of revenue from an incremental charge and tax remittances by Cleveland Public Power."**

2. Strike Sections 1, 2, 3 in their entirety; and renumber existing Sections 4, 5, 6 to new **"Section 1"**, **"Section 2"**, and **"Section 3"**.

3. In existing Section 4, at amended Section 4, delete lines 5, 6, and 7, and insert: **"Public Power; or 2) to the cost in calendar year 2003 of replacing utility poles treated with copper naphthenate in the Cleveland Public Power distribution system, up to a maximum of \$1,000,000."**

4. In existing Section 4, at amended Section 6, delete lines 4 through 12, and insert: **"Section 5727.81 of the Ohio Revised Code. That by the end of each calendar year except 2003, Cleveland Public Power shall receive from the general fund an amount equal to eighty-five percent (85%) of the tax remittances described in the preceding sentence to be applied exclusively to the repayment of any bonded indebtedness of Cleveland Public Power. The general fund shall retain 100% of the tax remittances collected during calendar year 2003. Notwithstanding anything in this ordinance to the contrary, Cleveland Public Power may expend up to \$1,000,000 of tax remittances received from the general fund prior to January 1, 2003 on the cost in calendar year 2003 of replacing utility poles treated with copper naphthenate in the Cleveland Public Power distribution system. If the Director of Finance certifies that money has become available to Cleveland Public Power for this purpose from any source not identified above up to a maximum of \$6,000,000.00, that money shall be appropriated for the purposes of and be applied as partial or full repayment of bonded indebtedness."**

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. 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.

Ord. No. 1891-02.

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

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

Approved by Directors of Personnel and Human Resources, Finance, Law; Relieved of Committee on Employment, Affirmative Action and Training; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1924-02.

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1926-02.

By Council Members Sweeney, Gordon and Jackson (by departmental request).

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

Approved by Directors of Economic Development, Finance, Law; Relieved of Committee on Community and Economic Development; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1974-02.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Systems & Computer Technology Corporation for technical support for the banner system for the Division of Cleveland Public Power, Department of Public Utilities.

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

SECOND READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 1935-02.

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 1944-02.

By Council Member Coats.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

LAID ON THE TABLE

Ord. No. 163-2000.

By Mayor White.

An emergency ordinance authorizing the Director of Community Development to enter into contract with The Salvation Army, or its designee, to provide financial assistance in the form of a grant to partially finance the redevelopment of the building located at 2100 Lakeside Avenue for a homeless shelter and homeless programs.

Ord. No. 897-01.

(Duplicate, Original Lost)

By Council Members Gordon and O'Malley.

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Lutheran Housing Corporation for a tutoring program and a crime watch program to further the public purpose of providing educational and safety programs for residents of Wards 15 and 16 in the City of Cleveland through the use of Ward 15 & 16 Neighborhood Equity Funds.

Without objection, all committees were relieved for further consideration of Ordinance Nos. 163-2000 and 897-01 were laid on the table pursuant to the Rules of Council. Legislation Tabled. Yeas 21. Nays 0.

The Council Meeting adjourned at 7:50 p.m. to meet on Monday, November 11, 2002, 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:

NONE

REPRINT**File No. 2038-02.**

By Council Member Gordon that pursuant to the Rules of Council, Rule 12-1 be invoked and the following employees of Cleveland City Council be officially voted upon as official employees of Cleveland City Council: Eileen Flynn, Maureen Harper, Debbie Ivy, Robert Ma, Peter Pudner, Carrie Rentz, Rebecca Schaltenbrand, Dwayne Simpson, Teresa Stevenson, and Joseph Titran. Seconded by Council Member Sweeney.

Council President Jackson instructed the members of Council to state the name of the employee when responding to the roll call. A roll call ensued for each employee and the aforementioned employees received unanimous approval by all 21 members of Council.

Those who voted in the affirmative were Council Members Jackson, Brady, Britt, Cimperman, Cintron, Coats, Conwell, Dolan, Gordon, Johnson, Jones, Lewis, O'Malley, Polensek, Reed, Rybka, Scott, Sweeney, Westbrook, White and Zone.

BOARD OF CONTROL

October 23, 2002

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 23, 2002, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler
Absent: Director Taylor.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Carol Whitaker, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 680-02.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Jeter Systems Corp. for an estimated quantity of: Criminal and Civil File System (All Items) for the Department of Finance, on behalf of the Cleveland Municipal Court, for the period of one (1) year beginning with the date of execution of a contract, received on September 27, 2002, pursuant to the authority of Ordinances Nos. 677-02, passed on June 10, 2002, which on the basis of the estimated quantity would amount to One Hundred Six Thousand, Three Hundred Thirty Six Dollars and Five Cents (\$106,336.05) (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. 107712 which shall be certified against such contract in the sum of One

Hundred Six Thousand, Three Hundred Thirty Six Dollars and Five Cents (\$106,336.05).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.

Absent: Director Taylor.

Resolution No. 681-02.

By Director Baker.

Be it resolved, by the Board of Control of the City of Cleveland, that Resolution No. 608-02, adopted by the Board of Control of the City of Cleveland on September 10, 2002, approving the bid of Smart Solutions, Inc. as lowest and best for certain items of computer hardware and equipment is hereby rescinded.

Be it further resolved, that all bids received on August 16, 2002, for the City's requirements for an estimated quantity of computer hardware equipment, items 1, 2, 3, 5, for various divisions of City government, pursuant to the authority of Ordinance No. 862-2000, passed April 17, 2000, are hereby rejected.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.

Absent: Director Taylor.

Resolution No. 682-02.

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that all bids received on September 12, 2002 for an estimated quantity of Security Systems for the Department of Finance, on behalf of the Clerk of the Cleveland Municipal Court, pursuant to the authority of Ordinance No. 2142-01, passed on April 1, 2002, be and the same are hereby rejected.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.

Absent: Director Taylor.

Resolution No. 683-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Inland Waters of Ohio, Inc. for an estimated quantity of labor and material necessary for emergency oil spill clean-up, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 18th day of September 2002, pursuant to the authority of Ordinance No. 1052-01, passed July 18, 2001, which on the basis of the estimated quantity would amount to Fifty Thousand and no/100 Dollars

((\$50,000.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 122441

which shall be certified against such contract in the sum of Twenty Thousand and no/100 Dollars (\$20,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.

Absent: Director Taylor.

Resolution No. 684-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of AdvizeX Technologies, LLC for the following: storage area network, all items, except for such terms and conditions as are unacceptable to the Director of Law, for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the later of the date of execution of a contract or receipt of a notice to proceed, received on the 4th day of September, 2002, pursuant to the authority of Ordinance No. 2365-01, passed on March 4, 2002 and Ordinance No. 1068-98, passed on August 19, 1998, amended by Ordinance No. 1565-02, passed on August 14, 2002, which on the basis of the order quantity would amount to Two Million Forty Three Thousand Five Hundred Forty Seven Dollars (\$2,043,547.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 123096

which shall be certified against such contract in the sum of Two Million Forty Three Thousand Five Hundred Forty Seven Dollars (\$2,043,547.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by AdvizeX Technologies, LLC, for the contract authorized herein hereby is approved:

NAME	WORK
EMC Corporation	\$260,000.00
Computer Network Technology Corporation	\$312,000.00

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.
Absent: Director Taylor.

Resolution No. 685-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that that the bid of XiTech of Ohio LTD for the following: local area network electronics (all items) for the Division of Water, Department of Public Utilities, received on July 12, 2002, pursuant to the authority of Ordinance No. 1957-01, passed on March 11, 2002, and pursuant to the authority of Ordinance No. 1950-01, passed on February 11, 2002, which on the basis of the order quantities would amount to Five Hundred Forty One Thousand Nine Hundred Forty Seven Dollars and 66/100 Cents (\$541,947.66), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by XiTech of Ohio LTD, for the contract authorized herein hereby is approved:

NAME — MBE/FBE

New Concepts Consulting, Inc.
MBE — \$102,256.25 (18.87%)

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.
Absent: Director Taylor.

Resolution No. 686-02.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Calgon Carbon Corporation for an estimated quantity of Powdered Activated Carbon (all items) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 12th day of September, 2002, pursuant to the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Two Hundred Five Thousand Two Hundred Twenty Dollars (\$205,220.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 131536 which shall be certified against such contract in the sum of Thirty Thousand Dollars (\$30,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.
Absent: Director Taylor.

Resolution No. 687-02.

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authority of Ordinance No. 1008-01 passed by the Council of the City of Cleveland June 19, 2001, the firm of Dingus & Daga is hereby selected upon the nomination of the Director of Port Control, as determined after a full and complete canvass by the Director of Port Control, as one of three firms to be employed for the purpose of providing auditing services to determine whether financial operations of the concessionaires and vendors are being recorded properly; internal procedures are adequate to meet the objectives of the lease; financial reports to the Department of Port Control are reliable and accurate and are in compliance with the lease agreement; and whether subleases, if any, are in compliance with the primary lease agreement as it relates to the financial interests of the city.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a contract with Dingus & Daga based upon its proposal dated July 24, 2002, which contract authorized shall provide that the compensation to be paid shall not exceed \$31,900.00. This contract shall be prepared by the Director of Law and shall contain such other provisions, as said Director deems necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.
Absent: Director Taylor.

Resolution No. 688-02.

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1008-01 passed by the Council of the City of Cleveland June 19, 2001, the firm of Ciuni & Panichi is hereby selected upon the nomination of the Director of Port Control, as determined after a full and complete canvass by the Director of Port Control, as one of three firms to be employed for the purpose of providing auditing services to determine whether financial operations of the concessionaires and vendors are being recorded properly; internal procedures are adequate to meet the objectives of the lease; financial reports to the Department of Port Control are reliable and accurate and are in compliance with the lease agreement; and whether subleases, if any, are in compliance with the primary lease agreement

as it relates to the financial interests of the city.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a contract with Ciuni & Panichi based upon its proposal dated July 25, 2002, which contract authorized shall provide that the compensation to be paid shall not exceed \$6,750.00. This contract shall be prepared by the Director of Law and shall contain such other provisions, as said Director deems necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.
Absent: Director Taylor.

Resolution No. 689-02.

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authority of Ordinance No. 1008-01 passed by the Council of the City of Cleveland June 19, 2001, the firm of Kevin L. Penn is hereby selected upon the nomination of the Director of Port Control, as determined after a full and complete canvass by the Director of Port Control, as one of three firms to be employed for the purpose of providing auditing services to determine whether financial operations of the concessionaires and vendors are being recorded properly; internal procedures are adequate to meet the objectives of the lease; financial reports to the Department of Port Control are reliable and accurate and are in compliance with the lease agreement; and whether subleases, if any, are in compliance with the primary lease agreement as it relates to the financial interests of the city.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a contract with Kevin L. Penn based upon its proposal dated July 26, 2002, which contract authorized shall provide that the compensation to be paid shall not exceed \$5,100.00. This contract shall be prepared by the Director of Law and shall contain such other provisions, as said Director deems necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.
Absent: Director Taylor.

Resolution No. 690-02.

By Director Mok.

Whereas, pursuant to the authority of Ordinance No. 258-2000, passed by Cleveland City Council on May 1, 2000, the City of Cleveland entered into a Lease By Way of Concession ("Lease") with U. S. Airways, Inc. ("U.S. Air"), City Contract No. 57235, for U.S. Air's use of Bay 3 of the Primary Hangar and the land immediately adjacent to thereto ("Ramp Area") at Cleveland Hopkins International Airport; and

Whereas, pursuant to Article XV of said Lease U.S. Air desires to sublease part of its leased premises at Cleveland Hopkins International Airport to Inland Waters of Ohio, Inc. ("Inland"); and

Whereas, subleasing of said premises to Inland shall not constitute a release or waiver of any of U. S. Air's obligations under City Contract No. 57235; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the terms of the Lease, this Board does hereby approve the request of U.S. Air to enter into a sublease with Inland Waters of Ohio, Inc. for Inland's exclusive use of 15,938 square feet of Bay 3 of the Primary Hangar and 21,840 square feet of adjacent Ramp Area at Cleveland Hopkins International Airport, for a term of nine and one half months commencing October 1, 2002 and ending on July 11, 2003, and month-to-month thereafter, provided that the terms of such sublease shall not be in conflict with the terms of City Contract No. 57235.

Be it further resolved that the Director of Port Control is authorized to complete and execute any documents necessary and appropriate to effect the consent to the sublease hereby granted, which documents shall contain such additional terms and conditions as the Director shall deem necessary to protect and benefit the City's interests.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.

Absent: Director Taylor.

Resolution No. 691-02.

By Acting Director Glending.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor to General Tree Service under City Contract No. 60224 for tree planting services city wide, entered into under Ordinance No. 1115-02, June 17, 2002 and Board of Control Resolution #0594-02, adopted on September 9, 2002, is hereby approved:

**SUBCONTRACTOR
MBE/FBE — WORK**

Wake Forest Contractors Inc.
MBE — \$9,650.00 (11.66%)

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.

Absent: Director Taylor.

Resolution No. 692-02.

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 110-14-159 located at 12711 Woodside Avenue in Ward 9; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of

Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Abdul Hameed, abutting/adjacent landowner, has proposed to, the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Abdul Hameed for the sale and development of Permanent Parcel No. 110-14-159 located at 12711 Woodside Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.

Absent: Director Taylor.

Resolution No. 693-02.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 118-22-078, 118-22-079, 118-22-109, 118-22-110, 118-22-111, 118-22-113, 118-22-114, 118-22-115, 118-22-116, 118-22-117, 118-22-118, 118-22-119, 118-22-124, 118-22-125, 118-22-126, 118-22-128, 118-22-131, 118-22-132, 118-22-133, 118-22-134, 118-22-135, 118-22-141, 118-23-018, 118-23-020, under said Land Reutilization Program; and

Whereas, Ordinance No. 1544-02 passed September 30, 2002, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Burten, Bell, Carr Development, Inc. 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. 1544-02 passed September 30, 2002, by the Cleveland City Council, the Mayor is hereby authorized to execute an official

deed for and on behalf of the City of Cleveland with Burten, Bell, Carr Development, Inc. for the sale and development of Permanent Parcel Nos. 118-22-078, 118-22-079, 118-22-109, 118-22-110, 118-22-111, 118-22-113, 118-22-114, 118-22-115, 118-22-116, 118-22-117, 118-22-118, 118-22-119, 118-22-124, 118-22-125, 118-22-126, 118-22-128, 118-22-131, 118-22-132, 118-22-133, 118-22-134, 118-22-135, 118-22-141, 118-23-018, 118-23-020, 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 \$100.00 each, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.

Absent: Director Taylor.

Resolution No. 694-02.

By Director Mok.

Whereas, Board of Control Resolution No. 638-02, adopted September 25, 2002 approving the bid of Mid American Security Services, Inc., for unarmed security guard services for the various divisions of the Department of Port Control incorrectly stated the initial requisition amount; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 638-02, adopted September 25, 2002, approving the bid of Mid American Security Services, Inc., is hereby amended by deleting the requisition amount of One Hundred Thousand Five Hundred and 00/100 Dollars (\$100,500.00) and substituting therefor the amount of One Hundred Thousand and 00/100 Dollars (\$100,000.00).

Be it further resolved that all other provisions of said Resolution No. 638-02 not expressly amended hereby shall remain unchanged and in full force and effect.

Be it further resolved that the employment of the following subcontractor by Mid American Security Services, Inc. for the above-mentioned bid is hereby approved:

**Subconsultant
MBE/FBE% — Amount**

Rayner's, Inc., d.b.a. The Repair Co.
4.23% — FBE — \$20,000.00

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.

Absent: Director Taylor.

Resolution No. 695-02.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel No. 128-05-003 under said Land Reutilization Program; and

Whereas, Ordinance No. 2070-02 passed October 21, 2002, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Buckeye Area Development Corporation has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2070-02 passed October 21, 2002, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Buckeye Area Development Corporation for the sale and development of Permanent Parcel No. 128-05-003, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Acting Directors Horvath, Janik, Directors Konicek, Mok, Acting Directors Wasik, Carroll, Smith, Glending, Directors Hudecek, Romero, Acting Directors Schumotzer and Fowler.

Nays: None.

Absent: Director Taylor.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 11, 2002

9:30 A.M.

Calendar No. 02-271: 17600 Lakeshore Boulevard (Ward 11)

Ante Susnjara, owner, and Sarah Kennedy, prospective purchaser, with a Motion for Reconsideration being granted on October 21, 2002, appeal to establish the use of an existing 38' x 44' one-story masonry service station building as an auto repair garage all situated on an irregular shaped acreage parcel located in a Multi-Family District; said use as an auto repair garage being first permitted in a Semi-Industry District if located 100' from a Residence District and contrary to the Board of Zoning Appeals Jurisdictions and Powers of Section 329.03(e), where the Board of Zoning Appeals may not allow uses other than those listed in the zoning code as permitted in the use district next lower in order of the district restrictions in which such lot is located and contrary to the Landscaping and Screening Requirements where a 6' wide landscaped strip is required where the parking lot abuts the street as stated in Sections 352.08-352.11 of the Codified Ordinances.

Calendar No. 02-301: 11307 Orville Avenue (Ward 9)

Eloise Miller, owner, appeals to alter and enclose two existing 8' x 12' porches and add a second story enclosed porch to each on the east and south elevations all situated on an approximate 64' x 64' irregular shaped corner parcel located in a Two-Family District on the northwest corner of East 114th Street and Orville Avenue at 11307 Orville Avenue; said alteration and construction being contrary to the Yards and Courts Requirements of Section 357.05(b)(2), where no building shall be erected nearer to the side street at the rear line of corner lot than setback building line on East 114th Street and 30' is required and the proposed porches project 8' and extend within 2' of the street line setback area and enclosed porches shall not project more than 4' and shall not extend within 10' of street line as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 02-303: 2059 West 65th Street (Ward 17)

St. Colman Church and Diocese of Cleveland, owners c/o Maryellen Staab, appeal to construct a parking lot for 20 accessory parking spaces all on an approximate 33' x 160' parcel located in a General Retail Business District on the east side of West 65th Street at 2059 West 65th Street; said construction being contrary to the Off-Street Parking and Loading Requirements of Section 349.08, where a 3'-0" to a 6'-0" high solid fence or wall is required to screen the parking spaces from the abutting residential uses on the adjoining lots and contrary to the Landscaping and Screening Requirements, where a 6' wide landscape strip is required where the parking lot use adjoins the street as stated

in Sections 352.08 - 352.11 of the Codified Ordinances.

Calendar No. 02-304: 6311 Lawn Avenue (Ward 17)

St. Colman Church and Diocese of Cleveland, owners c/o Maryellen Staab, appeal to construct a parking lot for 23 accessory parking spaces all on an approximate 48' x 125' parcel located in a Multi-Family District on the east side of Lawn Avenue at 6311 Lawn Avenue; said construction being contrary to the Off-Street Parking and Loading Requirements of Section 349.08, where a 3'-0" to a 6'-0" high solid fence or wall is required to screen the parking spaces from the abutting residential uses on the adjoining lots and Section 349.13, where parking lots in a residential district require the Board of Zoning Appeals approval and contrary to the Landscaping and Screening Requirements, where a 6' wide landscape strip is required where the parking lot use adjoins the street as stated in Sections 352.08 - 352.11 and contrary to the Yards and Courts Requirements, where parking within the 5' setback area on Lawn Avenue is prohibited as stated in Section 357.14 of the Codified Ordinances.

Calendar No. 02-306: 3715 Highland Road (Ward 19)

David Hinz, owner, appeals to construct a 22' wide x 40' long x 22' high accessory garage with a 2nd floor storage area to the rear of an approximate 43' x 444' parcel located in an A-1 One-Family District on the east side of Highland Road at 3715 Highland Road; said construction being contrary to the Residential District Requirements of Section 337.23, where storage is not allowed in an accessory use in a residential district and the proposed height is 22' and the maximum height allowed is 15' as stated in Section 353.05 of the Codified Ordinances.

Calendar No. 02-307: 3559 West 100th Street (Ward 18)

Linda Moore, owner, appeals to alter and partially enclose an existing approximate 7' x 24' front porch all situated on an approximate 38' x 117' parcel located in a Two-Family District on the east side of West 100th Street at 3559 West 100th Street; said alteration and construction being contrary to the Yards and Courts Requirements, where a 7' projection is proposed and enclosed porches shall not project more than 4' and not aggregate a vertical area in any story more than 20% of the area of the facade in that story as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 02-308: 11010-12 Superior Avenue (Ward 9)

Louis Lee, owner, appeals to change the use of an existing 40' x 86' two-story masonry building from 2 dwelling units and 2 stores to 2 dwelling units and a day care facility all situated on a 40' x 125' parcel located in a General Retail Business District on the south side of Superior Avenue at 11010-11012 Superior Avenue; said change of use being contrary to the Business District Requirements, where by reference as regulated from a Multi-Family District, 337.08(e)(3), a day care

is required to be 15' from any adjoining premises in a residence district not used for similar purposes and is subject to the review of the Board of Zoning Appeals as stated in Section 343.11 of the Codified Ordinances.

Calendar No. 02-309: 397 East 160th Street (Ward 11)

Northeast Shores Development Corporation, owners c/o Kurt Weaver, agent, appeal to construct an 80' x 110' parking lot for 20 accessory parking spaces all on an 80' x 110' parcel located in as Local Retail Business District on the east side of East 160th Street at 397 East 160th Street; said construction being contrary to the Business District Requirements of Section 343.01, where a parking lot is not permitted in a Local Retail Business District but first permitted in a General Retail Business District and contrary to the Yards and Courts Requirements, where parking of motor vehicles in the setback area is prohibited as stated in Section 357.14(a)(1) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 28, 2002

At the meeting of the Board of Zoning Appeals on Monday, October 28, 2002, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 02-279: 750 Huron Road SBC/Ameritech appealed to construct a 42' x 60' loading dock area addition to the rear of a seven-story building situated on a parcel in a General Retail Business District; subject to conditions.

Calendar No. 02-280: 13513 Rugby Road Popie and Lizzie Howard appealed to enclose a 7' x 18' masonry porch on a 34' x 120' parcel in a B-1 Two Family District.

Calendar No. 02-281: 7820 Beman Avenue Valerie Tomlinson appealed to enclose a 5' x 20' masonry porch on a 35' x 140' parcel in a B-1 Two-Family District.

Calendar No. 02-283: 14602 Milverton Road Blanche Foster appealed to construct a 10' x 10' deck with a disability ramp to the rear of a house on a 50' x 122' corner parcel in a One-Family District.

The following appeal was **Denied:**

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

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

The following appeals were **Postponed:**

Calendar No. 02-273: 10931 Detroit Avenue postponed to November 18, 2002.

Calendar No. 02-282: 3307 Scranton Road postponed to November 25, 2002.

Calendar No. 02-285: 3111 East 93rd Street postponed to November 18, 2002.

Calendar No. 02-199: 15125 Sunview Avenue postponed to November 25, 2002.

The following appeals were **Withdrawn:**

Calendar No. 02-284: 3648 East 116th Street

Henry Person appealed to install 90 linear feet of 4' high chain link fencing to the front perimeter of a 40' x 133' parcel in a Local Retail Business District.

The following appeals were **Dismissed:**

Calendar No. 02-197: 1173 East 61st Street

Wanda Boswell-Bey appealed to change the use of a 1 1/2-story frame dwelling house into a day care facility on a 40' x 140' parcel in a Two-Family District.

On Monday, October 28, 2002, in Executive Session:

The following appeals were heard by the Board on Monday, October 21, 2002, and said decisions were adopted and approved in Executive Session on October 28, 2002:

The following appeals were **Approved:**

Calendar No. 02-275: 6825 Colfax Road

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

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

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

Calendar No. 02-278: 5317 Magnet Avenue

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

The following appeal was **Denied:**

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

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

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
October 23, 2002

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

* * *

Docket A-117-02.

RE: Appeal of Adolph & Betty Karafiat, Owners of the Two Dwelling Units/Repair Garage Two & One-half Story Frame & One Story Property located on the premises known as 3852 Ridge Road from a NOTICE OF VIOLATION — NO PERMIT of the Commissioner of the Division of Building and Housing, dated June 20, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-117-02 has been POSTPONED; to be rescheduled for November 6, 2002.

* * *

Docket A-123-02.

RE: Appeal of Charles Minadeo, Owner of the Jay Hotel located on the premises known as 2515 Jay Avenue from a CERTIFICATE OF OCCUPANCY NO. 14464 of the Commissioner of the Division of Building and Housing, dated July 31, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

There will no action on Docket A-123-02 at this time, the docket will be rescheduled for November 6, 2002.

* * *

Docket A-127-02.

RE: Appeal of S.R. Products, Owner of the Property located on the premises known as 13309-11 Union Avenue from a DENIAL OF PERMIT APPLICATIONS — FIRE CODE of the Chief of the Division of Fire, dated July 9, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-127-02 has been POSTPONED; to be rescheduled for December 4, 2002.

* * *

Docket A-131-02.

RE: Appeal of S. Christine Baumgartner, et al, Owner of the Two Story Frame One Dwelling Unit/One Family Residential Property located on the premises known as 4460 Douse Avenue from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing, dated August 14, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that the application of 5/8" fire code drywall on the interior of the entire garage and the fact that the door is 1-3/8" thick solid corridor will satisfy the requirements for R-209.1 and R-209.2; and to require adequate separation safeguards for the property three (3) feet from the property line, noting that all zoning code compliance must be met for this structure to be deemed acceptable. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-134-02.

RE: Appeal of Mario Marra, Owner of the Property located on the premises known as 1898 West 25th Street from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire, dated July 19, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to submit plans for the limited areas sprinkler system for the basement area, sixty (60) days in which to submit a usage plan for the building and six (6) months in which to complete installation of the sprinkler system in the basement. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-138-02.

RE: Appeal of GRA Properties & Investment Inc., Owner of the Two & One-half Story Frame/Two Family Residential Property located on the premises known as 5717 Huss Avenue (a.k.a. 5717-21 Huss Avenue from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing, dated July 22, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 5717 Huss Avenue (a.k.a. 5717-21 Huss Avenue) to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-141-02.

RE: Appeal of 2044 Euclid Partners, Owners of the Five Story Masonry Business/Office Property located on the premises known as 2044 Euclid Avenue from a NOTICE OF VIOLATION — ILLEGAL USE of the Commissioner of the Division of Building and Housing, dated July 26, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date, but to require that the Fire Prevention Bureau re-inspect the property and to reschedule the docket for November 6, 2002.

* * *

Docket A-154-02.

RE: Appeal of Fleck & Associates, Inc., Owner of the Property located on the premises known as 1293 West 9th Street from an ORDER TO CEASE OPERATIONS — FIRE CODE of the Chief of the Division of Fire, dated October 7, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-154-02 has been POSTPONED; to be rescheduled for November 20, 2002.

* * *

Docket A-156-02.

RE: Appeal of City Life Development, Inc., Owners of the Eight Townhouse Condominium Dwelling Units located on the premises known as 5303-15 Herman Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing, dated October 3, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the requested variances and permit the sheds to be constructed in the manner depicted on the drawings with the double doors on the electrical side and the single door for the gas side and to grant the variances to the height restrictions and allow the height to be approximately forty (40) feet. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-157-02.

RE: Appeal of City Life Development, Inc., Owners of the Eight Townhouse Condominium Dwelling Units located on the premises known as 1335-41 West 54th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing, dated October 3, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the requested variances and permit the sheds to be constructed in the manner depicted on the drawings with the double doors on the electrical side and the single door for the gas side and to grant the variances to the height restrictions and allow the height to be approximately forty (40) feet. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-159-02.

RE: Appeal of University Hospitals Health System, Owner of the Research Institute Building located

on the premises known as 2033 Cornell Road from a PARTIAL ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing, dated October 4, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date, the docket will be rescheduled for November 6, 2002.

* * *

OTHER BOARD BUSINESS:

Docket A-160-00.

RE: Appeal of The Salvation Army Owner of the Homeless Shelter located on the premises known as 2100 Lakeside Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing, dated October 10, 2002, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the 2100 Lakeside Avenue facility and permit temporary occupancy until May 31st, 2003 for four-hundred (400) clients, with the provision that a fire watch be maintained, including and during shift changes, that a procedure be instituted and upheld to unlock the gate in case of an emergency, and to grant the waiver on the Ohio Building Code requirements for sanitary facilities, noting that the occupants will be staggered in the use of the facilities. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

APPROVAL OF RESOLUTIONS:

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

- A-145-02—John A. Marinucci.
- A-148-02—1476 Davenport L.P.
- A-150-02—Famicos Bebe, Inc.

Yeas: Messrs. Denk, Saunders, Saab, Bradley. Nays: None. Not Voting: Mr. Gallagher.

* * *

APPROVAL OF MINUTES:

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

October 9, 2002

Yeas: Messrs. Denk, Saunders, Saab, Bradley. Nays: None. Not Voting: Mr. Gallagher.

* * *

EUGENE CRANFORD, JR.,
Secretary

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, NOVEMBER 6, 2002

Mall B — Hanna Pavilion Electrical & Misc. Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 79-01, as amended by Ordinance No. 1077-01, as amended by Ordinance No. 1822-01, as amended by Ordinance No. 1397-01, passed by the Council of the City of Cleveland, May 21, 2001, June 19, 2001, September 24, 2001 and July 17, 2002, respectively.

THERE WILL BE A PRE-BID MEETING ON WEDNESDAY, OCTOBER 30, 2002 AT 10:00 A.M., LOCATED AT MALL B — HANNA PAVILION, CLEVELAND, OHIO 44114.

THERE WILL BE A REFUNDABLE FEE OF TWENTY-FIVE DOLLARS (\$25.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

1481 Addison Road Asbestos Abatement, for the Division of Building

and Housing, Department of Community Development, as authorized by Ordinance No. 130-02, passed by the Council of the City of Cleveland, April 1, 2002.

October 23, 2002 and October 30, 2002

WEDNESDAY, NOVEMBER 13, 2002

Automated Fuel Dispensing System, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1424-02, passed by the Council of the City of Cleveland, July 17, 2002.

HVAC/R Materials and Equipment, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1116-02, passed by the Council of the City of Cleveland, June 17, 2002.

One (1) Cab/Chassis with 5th Wheel, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1262-02, passed by the Council of the City of Cleveland, July 17, 2002.

October 23, 2002 and October 30, 2002

THURSDAY, NOVEMBER 14, 2002

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

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

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

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

October 30, 2002 and November 6, 2002

MBEs/FBEs DELETED FROM OEO'S DATABASE Third Quarter, 2002

The attached firms that were previously certified as a MBE and/or FBE have been dropped from the MBE/FBE database. The firms listed were sent at least two (2) letters and elected not to re-certify for various reasons, including going out of business and changes in geographic location.

MBE/FBE	Company
FBE	Demps dba Quality Carriers
FBE	Markie Construction Co., Inc.
FBE	McDevitt Mechanical Contractors, Inc.
FBE	Merleno Trucking, Inc.

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1554-02.

By Council Member White (by request).

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

Whereas, this Council is satisfied that there is good cause to vacate a portion of Gates Avenue as hereinafter described; and

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

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

Section 1. That it hereby declares its intention to vacate a portion of the following described real property:

Situated in the City of Cleveland, Cuyahoga of County, State of Ohio, and known as being a portion of GATES AVENUE (90.00 feet wide) as shown on the Subdivision Plat for Mill Creek Subdivision as recorded in Volume 279, Page 84, of Cuyahoga County Map Records and is further described as follows:

Beginning at a point in the southeasterly right-of-way of said Gates Avenue (90.00 feet wide) at the most westerly corner of Sublot 71 in said Mill Creek Subdivision.

Course I Thence South 47°-00' -17" West along said southeasterly right-of-way line, 58.36 feet to a point of curvature;

Course II Thence along said southeasterly right-of-way line and along an arc of a curve, deflecting to the left an arc distance of 12.45 feet to a point of reverse curvature, having a radius of 20.00 feet and a chord which bears South 29°-10' -31" West, 12.25 feet;

Course III Thence along said southeasterly right-of-way line, and along an arc of a curve deflecting to the right an arc distance of 37.34 feet to a point of tangency, said curve having a radius of 60.00 feet and a chord which bears South 29°-10' -31" West, 36.74 feet;

Course IV Thence South 47°-00' -17" West, continuing along said southeasterly right-of-way line, 70.00 feet to a point of curvature;

Course V Thence along said right-of-way line, and along an arc of a curve deflecting to the right an arc distance of 188.50 feet to a point of tangency, said curve having a radius of 60.00 feet and a chord which bears North 42°-59' -43" West, 120.00 feet;

Course VI Thence North 46°-00' -17" East, along the northwesterly right-of-way line of said Gates Avenue, 70.00 feet to a point of curvature;

Course VII Thence along said northwesterly right line, and along arc of a curve deflecting to the right an arc distance of 37.34 feet to a point of reverse curvature, said curve having a radius of 60.00 feet and a chord which bears North 64°-50' -03" East, 36.74 feet;

Course VIII Thence along said northwesterly right-of-way line, and along an arc curve deflecting to the left an arc distance of 12.45 feet to a point of tangency, said curve having a radius of 20.00 feet and a chord which bears North 64°-50' -03" East, 12.25 feet;

Course IX Thence North 47°-00' -17" East, along said northwesterly

right-of-way line, 168.36 feet to a point of curvature;

Course X Thence along said northwesterly right-of-way line, and along an arc of a curve deflecting to the left an arc distance of 15.71 feet to a point of tangency on the southwesterly right-of-way of Brooks Road (50.00 feet wide), said curve having a radius of 10.00 feet and a chord which bears North 02°-00'-17" East, 14.14 feet;

Course XI Thence South 42°-59'-43" East, along said southwesterly right-of-way line of Brooks Road, 40.00 feet to a point of curvature;

Course XII Thence along an arc of a curve deflecting to the right an arc distance of 15.71 feet to a point of tangency, said curve having a radius of 10.00 feet and a chord which bears South 02°-00'-17" West, 14.14 feet;

Course XIII Thence South 47°-00'-17" West, 110.00 feet to a point;

Course XIV Thence South 42°-59'-43" East, 50.00 feet to a point at the Place of Beginning and containing 0.6687 Acres of land as calculated and described in October, 2001, by Joseph Gutoskey, P.S. 7567, be the same more or less, but subject to all legal highways.

Bearings are based on the Subdivision Plat.

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 21, 2002.

Effective October 28, 2002.

Res. No. 1734-02.

By Council Member Cimperman (by request).

An emergency resolution declaring the intention to vacate portions of West 27th Place and Oriole Court.

Whereas, this Council; is satisfied that there is good cause to vacate portions of West 27th Place and Oriole Court as hereinafter described; and

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

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

Section 1. That it hereby declares its intention to vacate a portion of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and being all those portions of:

West 27th Place (16.00 feet wide), extending Northerly from the Southerly line of Oriole Court (12.00 feet wide) to the Southerly line of Aust Avenue (24.00 feet wide), AND

Oriole Court (12.00 feet wide) extending Easterly from the Easterly line of West 28th Street (66.00 feet wide) to the Westerly line of West 27th Place (16.00 feet wide).

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 21, 2002.

Effective October 30, 2002.

Res. No. 1851-02.

By Council Member Cimperman. An emergency resolution authorizing the Mayor to sign a dedication plat for Erieside Drive and Old Erieside Avenue Widening.

Whereas, the City of Cleveland owns the land for the Erieside Drive and Old Erieside Avenue Widening, and;

Whereas, it is required that a plat be signed by the Mayor on behalf of the City of Cleveland dedicating to public use the land for the Erieside Drive and Old Erieside Avenue Widening.

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

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

Section 1. That the Mayor be and he is hereby authorized and directed on behalf of the City of Cleveland, to sign and execute a plat dedicating to public use Erieside Drive and Old Erieside Avenue Widening as shown on said plat as prepared by the Division of Engineering and Construction of the City of Cleveland.

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 passage 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 21, 2002.

Effective October 28, 2002.

Res. No. 2074-02.

By Council Members Brady, Britt, Gordon, Reed, Pierce-Scott, Conwell, Cimperman, Zone and Jones.

An emergency resolution supporting the passage of H.R. 4066, the Mental Health Equitable Treatment Act of 2002, requiring equal mental health benefits in health insurance coverage.

Whereas, H.R. 4066, the Mental Health Equitable Treatment Act of 2002 ("Mental Health Equitable Treatment Act"), was introduced in the U.S. House of Representatives in March of 2002; and

Whereas, the Mental Health Equitable Treatment Act requires equal mental health benefits in health insurance coverage; and

Whereas, the Mental Health Equitable Treatment Act prohibits certain employee group health plans or related insurance plans providing both medical surgical and mental health benefits from imposing mental health treatment limitations or financial requirements unless comparable limitations and requirements are imposed upon medical surgical benefits; and

Whereas, H.R. 4066 is cosponsored by over 240 members of the House of Representatives and is supported by over 230 national organizations; and

Whereas, the Cuyahoga County Community Mental Health Board

supports the passage of H.R. 4066; and

Whereas, each year, mental illness affects the lives of one out of every five Americans and mental illness frequently disrupts families; and

Whereas, health insurance practices do not, in many instances, offer Americans living with mental illness the treatment needed to lead productive lives; and

Whereas, as a result of such health insurance practices, local governments are forced to address actions and circumstances that arise from Americans not receiving necessary mental health treatment; and

Whereas, such actions and circumstances include issues relating to suicide, homelessness, loss of productivity, and the inappropriate "criminalization" of mental illness; and

Whereas, passage of H.R. 4066 will increase access to treatment for millions of Americans suffering from mental illness and, thereby, offering millions of Americans the opportunity to live full and productive lives; 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 supports the passage of H.R. 4066, the Mental Health Equitable Treatment Act of 2002, requiring equal health benefits in health insurance coverage.

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

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

Adopted October 21, 2002.

Effective October 28, 2002.

Res. No. 2075-02.

By Council Member Cimperman. An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 4323 Payne Avenue and repealing Resolution No. 945-01, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 4323 Payne Avenue, 1st Floor by Resolution No. 945-01 adopted by the Council on May 21, 2001; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer based upon and pursuant to a cooperation agreement by and through City Council Representative, Joseph Cimperman and Melissa England, DBA Jack Spratt Pizza, 4323 Payne Avenue, 1st Floor, Cleveland, Ohio 44103, Permanent Number 2521639, a copy of which is in

the file for this address with the City Law Department; and

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4323 Payne Avenue, be and the same is hereby withdrawn and Resolution No. 945-01, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted October 21, 2002.

Effective October 28, 2002.

Res. No. 2076-02.

By Council Member Conwell.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit located at 10509 Ashbury Avenue and repealing Resolution No. 1640-02, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 10509 Ashbury Avenue by Resolution No. 1640-02 adopted by Council on August 14, 2002; and

Whereas, this Council wishes to withdraw its objection to the above renewal and hereby 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 C1 and C2 Liquor Permit to 10509 Ashbury Avenue be and the same is hereby withdrawn and Resolution No. 1640-02, 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 21, 2002.

Effective October 28, 2002.

Res. No. 2077-02.

By Council Member Polensek.

An emergency resolution objecting to a New C2 Liquor Permit to 18501 Nottingham Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at Speedway Superamerica, LLC, DBA Speedway #3320, 18501 Nottingham Road, Cleveland, Ohio 44119, Permanent Number 84189840330; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at Speedway Superamerica, LLC, DBA Speedway #3320, 18501 Nottingham Road, Cleveland, Ohio 44119, Permanent Number 84189840330; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 21, 2002.

Effective October 28, 2002.

Res. No. 2078-02.

By Council Member Scott.

An emergency resolution objecting to a New C1 Liquor Permit to 11108 Primrose Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Angelle Unlimited Corp., DBA Neighborhood Market, 11108 Primrose Avenue, Cleveland, Ohio 44108, Permanent Number 0215328; and

Whereas, the granting of this application for a liquor permit to

this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Angelle Unlimited Corp., DBA Neighborhood Market, 11108 Primrose Avenue, Cleveland, Ohio 44108, Permanent Number 0215328; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 21, 2002.

Effective October 28, 2002.

Ord. No. 82-02.

By Council Member Dolan.

An emergency ordinance to amend Section 1 of Ordinance No. 1004-91, passed July 24, 1991, as amended by Ordinance No. 324-97, passed June 2, 1997 and Ordinance No. 2018-2000, passed December 18, 2000, and to amend Section 4 of Ordinance No. 1004-91, passed July 24, 1991, as amended by Ordinance No. 2018-2000, passed December 18, 2000, relating to the consent of the City of Cleveland for participation in the repair and resurfacing of Rocky River Drive, thereto, to cause payment of Cleveland's share.

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

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

Section 1. That Section 1 of Ordinance No. 1004-91, passed July 24, 1991, as amended by Ordinance No. 324-97, passed June 2, 1997 and Ordinance No. 2018-2000, passed December 18, 2000, is hereby amended to read as follows:

Section 1. That it is declared to be in the public interest that the consent of the City be and such consent is hereby given to the Director of Transportation of the State of Ohio to participate in the design and construction of the following improvement in accordance with plans, specifications and estimates approved by said Director: the design, repair and resurfacing of Rocky River Drive from Brookpark Road to the northern corporation line at Hogs Back Lane, including, but not limited to, replacing the sidewalk and decorative retaining wall at the westerly boundary of Rocky River Drive from Edgecliffe Road north to McKinley Avenue (the "Improvement").

Section 2. That Section 1 of Ordinance No. 1004-91, passed July 24, 1991, as amended by Ordinance No. 324-97, passed June 2, 1997 and Ordinance No. 2018-2000, passed December 18, 2000, is hereby repealed.

Section 3. That Section 4 of Ordinance No. 1004-91, passed July 24, 1991, as amended by Ordinance No. 2018-2000, passed December 18, 2000, is hereby amended to read as follows:

Section 4. That, provided the City of Cleveland sells the general obligation bonds authorized by Ordinance No. 885-91, passed April 22, 1991, the Director of Public Service is hereby authorized to cause payment to the State of Ohio of the City's share of the cost of the Improvement from Fund Nos. 20 SF 146, 20 SF 353, 20 SF 883, and also Fund No. 20 SF 190, which is the fund to which will be credited the proceeds of the sale of general obligation bonds of the City of Cleveland authorized by Ordinance No. 885-91, passed April 22, 1991, and from Fund No. 10 SF 166, in an amount not to exceed \$35,000.00, Request No. 14281 and 22509.

Section 4. That Section 4 of Ordinance No. 1004-91, passed July 24, 1991, as amended by Ordinance No. 2018-2000, passed December 18, 2000, is hereby repealed.

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

Passed October 21, 2002.

Effective October 28, 2002.

Ord. No. 1261-02.
By Council Members Sweeney, Cimperman and Jackson (by department request).

An emergency ordinance giving consent to the City of Cleveland to replace the surface on the Broadway Avenue Bridge over the Norfolk & Southern Railroad tracks.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio (the "Director of Transportation") to make the following improvements in accordance with the plans, specifications and estimates approved by the Director of Transportation: The replacement of the surface on the Broadway Avenue Bridge over the Norfolk & Southern Railroad tracks (the "Improvement").

Section 2. That the City does hereby give its consent to the Improvement and its administration by the Director of Transportation, provided that this ordinance shall not be construed to impose any financial obligation on the City for such Improvement. However, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract, at the request of the City, which are determined by the Director of Transportation not to be eligible or made necessary by the Improvement.

Section 3. That the Director of Public Service is authorized to enter into such agreements with the Director of Transportation as are necessary to complete the planning and construction of the Improvement.

Section 4. That upon completion of the Improvement, the City thereafter will:

(a) Keep the affected highway open to traffic at all times;

(b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

(c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the Director of Transportation and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

(d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

(e) Regulate parking by maintaining existing parking restrictions within the limits of the Improvement.

Section 5. a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That the City agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs.

c) That arrangements be made or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the State of Ohio.

d) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 38-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the State.

e) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor or contractors constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the State.

f) That the City hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to in this section.

g) That stop signs affecting the movement of traffic on any street within the limits of the Improvement shall be removed and no stop signs will be erected on same except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-Way Stop" as provided in the aforesaid Manual are met.

h) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is hereby rescinded.

i) That the installation of all utility facilities on the right-of-way shall conform with the requirements of Title 23 CFR 645 and the ODOT Utilities Manual.

Section 6. That the Council of the City hereby requests the State to proceed with the Improvement.

Section 7. That the Clerk of Council is hereby authorized to transmit to the Director of Transportation three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

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

Passed October 21, 2002.

Effective October 28, 2002.

Ord. No. 1387-02.
By Council Member Cimperman.
An emergency ordinance designating Kirtland Park as a Cleveland landmark.

Whereas, the Cleveland Landmarks Commission (the "Commis-

sion") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of Kirtland Park as a landmark; and

Whereas, the owner of Kirtland Park has been properly notified of the proposed designation and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of Kirtland Park as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That the property to be designated as the Cleveland landmark known as Kirtland Park comprises the following area:

Beginning at the intersection of the centerline of South Marginal Road, N.E., and the centerline of East 49th Street, N.E. (formerly known as Kirtland Street); thence southeasterly along the centerline of East 49th Street, N.E., to its intersection with the prolongation of the northerly right of way line of the New York Central Railroad; thence southwesterly along the northerly right of way line of the New York Central Railroad, also being the rear property line of the property known as permanent parcel number 104-01-002A, to the southeasterly corner of the property known as permanent parcel number 104-01-001; thence northwesterly along the easterly line of said permanent parcel number 104-01-001 to the northeasterly corner thereof; thence continuing northwesterly along the prolongation of the easterly line of permanent parcel number 104-01-001 to its intersection with the centerline of South Marginal Road, N.E.; thence northeasterly along the centerline of South Marginal Road, N.E., to its intersection with the centerline of East 49th Street, N.E. (formerly known as Kirtland Street), the place of beginning.

Section 2. That Kirtland Park, comprising that portion of Cuyahoga County Auditor's Permanent Parcel Number 104-01-002A as described above, and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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 21, 2002.
Effective October 28, 2002.

Ord. No. 1388-02.

By Council Member Gordon.

An emergency ordinance establishing an expanded Brooklyn Centre Historic District (Map Change No. 2051) and repealing Ordinance No. 770-84 passed May 7, 1984.

Whereas, the Cleveland City Council adopted Ordinance 770-84 on May 7, 1984, establishing the Brooklyn Centre Historic District; and

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of the Brooklyn Centre Historic District as a landmark; and

Whereas, the Commission has proposed the expansion of the boundaries of the Brooklyn Centre Historic District; and

Whereas, the Commission has determined that the character, interest, and value of the proposed Brooklyn Centre Historic District is part of the development, heritage, and cultural characteristics of the city of Cleveland; and

Whereas, the proposed Brooklyn Centre Historic District is identified with persons who significantly contributed to the culture and development of the city of Cleveland; and

Whereas, the proposed Brooklyn Centre Historic District exemplifies the cultural, economic, social, and historic heritage of the city of Cleveland; and

Whereas, the Brooklyn Centre Historic District is identified with the work of architects and master builders whose individual work has influenced the development of the city of Cleveland; and

Whereas, the Commission has proposed the designation of certain improvement parcels on Archwood Avenue and Pearl Road and certain improvement parcels contiguous thereto as the Brooklyn Centre Historic District; and

Whereas, the owners of the properties within the boundaries of the proposed Brooklyn Centre Historic District have been properly notified in accordance with Section 161.04 of the Codified Ordinances of Cleveland, Ohio, 1976; and

Whereas, public hearings pursuant to Chapter 161.04 (b) subsections (2) and (3) were held on February 2, 1984 and April 10, 2002 to discuss the proposed designation of the Brooklyn Centre Historic District as a landmark; and

Whereas, the Commission has recommended designation of the Brooklyn Centre Historic District as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That the following area, outlined in red on the map attached hereto be and the same is hereby designated the Brooklyn Centre Historic District:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of the Original Brooklyn Township and Lot Nos. 56, 65, 66, and 73 described as follows:

Beginning at the southeast corner of the intersection of Pearl Road and Interstate 71, northeasterly along the northerly border of Riverside Cemetery, to include the property with the permanent parcel number 008-23-001 and 008-23-002, to the easterly boundary of Riverside Cemetery; thence southeasterly along the eastern boundary of Riverside Cemetery, to the centerline of Willowdale Avenue, to the northeastern corner of the property with permanent parcel number 008-24-101; thence southerly along the eastern boundary of the property with permanent parcel number 008-24-101, to the southeast corner of the property; thence westerly along the southern property line of the property with the permanent parcel number 008-24-101, to the intersection of the easterly property line of the property with the permanent parcel number 008-24-117; thence southerly along the rear (eastern) property lines of all property abutting the east side of Pearl Road, to the centerline of Denison Avenue; thence easterly along the centerline of Denison Avenue to the northeast corner of the property known as permanent parcel number 009-01-033; thence southerly along said permanent parcel number 009-01-033, to the northerly line of a property known as permanent parcel number 009-01-034; thence easterly along the northerly line and southerly along the easterly line of said permanent parcel number 009-01-034 to the centerline of Selzer Avenue; thence easterly along the centerline of Selzer Avenue to the northeast corner of permanent parcel number 009-01-052; thence southerly along the easterly line of said permanent parcel number 009-01-052 and along the easterly line of permanent parcel number 009-01-007 to the southeasterly corner thereof; thence westerly along the southerly line of said permanent parcel number 009-01-007 to the centerline of Pearl Road (formerly West 25th Street); thence southerly along the centerline of Pearl Road to the southeast corner of a property known as permanent parcel number 014-05-060; thence westerly along the southerly line of said permanent parcel number 014-05-060 to the southwest corner thereof; thence northerly along the westerly line of said permanent parcel number 014-05-060, to the centerline of Louisiana Avenue; thence easterly along the centerline of Louisiana Avenue to the centerline of West 30th Street; thence northerly along the centerline of West 30th Street to the centerline of Bradwell Avenue; thence easterly along the centerline of Bradwell Avenue to the southwest corner of a property known as permanent parcel number 014-04-014; thence northerly along the westerly line of said permanent parcel number 014-04-014 and along the westerly line of permanent parcel number 014-04-013, 012, and 011 (said line being the rear lines of property fronting on Pearl Road) to the southeast corner of a property known as permanent parcel number 014-04-009, said corner being the rear corner of a property fronting on Denison Avenue; thence westerly along the rear property lines of all property abutting the south side of Denison Avenue, and including the properties with the permanent parcel numbers 014-04-004 and 014-04-006, to the centerline of West 33rd Street; thence southerly along the center line of West 33rd Street, to the

southeast corner of the property with the permanent parcel number 014-03-013; thence westerly along the southern property line of the property with permanent parcel number 014-03-013 and 014-03-012, to the southwest corner of the property; thence northerly along the western property line of the property with the permanent parcel number 014-03-012, to the centerline of Denison Avenue; thence easterly along the centerline of Denison Avenue to the southwest corner of permanent parcel number 015-24-026; thence northerly along the western property line of the property with the permanent parcel number 015-24-026, to the northwest corner of the property with permanent parcel number 015-24-026; thence westerly along the southern property line of the property with the permanent parcel number 015-24-053, to the southwest corner of the property with the permanent parcel number 015-24-053; thence northerly along the rear (western) property lines of the property that abuts West 33rd Street, to the southeastern corner of the property with the permanent parcel number 015-24-078; thence westerly along the rear (southern) property lines of all property abutting the south side of Archwood Avenue, and including the properties with the permanent parcel numbers 015-22-130, 015-22-132, and 015-22-133 that abut West 39th Street, continuing along the rear property line of property abutting the south side of Archwood Avenue to the center line of Fulton Road; thence northerly along the centerline of Fulton Road, to the northwest corner of the property with the permanent parcel number 013-27-064; thence easterly along the rear (northern) property lines of property abutting the north side of Archwood Avenue, to the southwest corner of a property known as permanent parcel number 015-25-015; thence northerly along the westerly line of said permanent parcel number 015-25-015 to the southerly line of Delmar Avenue; thence northerly in a direct line across Delmar Avenue to the southwest corner of a property known as permanent parcel number 015-20-132; thence northerly along the westerly line of said permanent parcel number 015-20-132 to the southerly line of a property known as permanent parcel number 015-20-114; thence westerly along the southerly line of said permanent parcel number 015-20-114, to the southwest corner thereof; thence northerly along said permanent parcel number 015-20-114 and along permanent parcel number 015-20-113 to the northwesterly corner thereof (said westerly line being also the easterly line of West 31st Street); thence easterly along the northerly line of said permanent parcel number 015-20-113 to the northeasterly corner thereof; thence southerly along the easterly line of said permanent parcel number 015-20-113 to the southeasterly corner thereof, said corner being also the northwesterly corner of a property known as permanent parcel number 015-20-135; thence easterly along the northerly line of said permanent parcel number 015-20-135 to the westerly line of a property known as permanent parcel number 015-20-137; thence northerly along the rear (western) property lines of property that abut Pearl Road, to the center line of Riverside Avenue; thence easterly along the centerline of Riverside Avenue, to the centerline

of Pearl Road; thence northerly along the centerline of Pearl Road, to the southeast corner of the intersection of Pearl Road and Interstate 71, the point of beginning.

Section 2. That the Brooklyn Centre Historic District, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

Section 3. That the designation of the area set forth in Section 1 hereof as the Brooklyn Centre Historic Landmark District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission. Further, a copy of the map attached hereto shall be available for public inspection in the office of the Cleveland Landmarks Commission. Ordinance No. 770-84 passed May 7, 1984 is hereby repealed.

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 21, 2002.
Effective October 28, 2002.

Ord. No. 1519-02.
By Council Members Coats, Cimperman and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of repairing flooring and floor tile cracks in the Water Service and Maintenance Building, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of repairing flooring and floor tile cracks in the Water Service and Maintenance Building, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement authorized shall be

paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, 52 SF 227, and from the fund and subfunds to which are credited the proceeds of the sale of future waterworks revenue bonds which are authorized for this purpose, Request No. 122946.

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

Passed October 21, 2002.
Effective October 28, 2002.

Ord. No. 1520-02.
By Council Members Coats, Cimperman and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing chlorine monitors in secondary pump stations and storage facilities; and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of installing chlorine monitors in secondary pump stations and storage facilities, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

Section 3. That the cost of said improvement authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, 52 SF 227, and from the fund and subfunds to which are credited the proceeds of the sale of future waterworks revenue bonds which are authorized for this purpose, Request No. 122945.

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

Passed October 21, 2002.
Effective October 28, 2002.

Ord. No. 1522-02.
By Council Members Coats, Cimperman and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of demolishing the abandoned Dorchester stormwater outlet, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of demolishing the abandoned Dorchester stormwater outlet, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

Section 3. That the cost of said improvement authorized shall be paid from Fund No. 54 SF 001, Request No. 109197.

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

Passed October 21, 2002.

Effective October 28, 2002.

Ord. No. 1524-02.
By Council Members Coats, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to grant certain permanent and temporary easement rights in property located in the City of Twinsburg at the intersection of Darrow Road and Post Road to the City of Twinsburg and declaring said easement rights no longer needed for public use.

Whereas, the City of Twinsburg has requested the Director of Public Utilities to convey certain easement rights in property located in the City of Twinsburg at the intersection of Darrow Road and Post Road; and

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

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

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

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

Legal Description of a Parcel of Land Containing 568 Square Feet at the Northeasterly Corner of Darrow Road at Post Road to be Conveyed to City of Twinsburg as a Permanent Easement for

Roadway Widening and Utilities Situated in the City of Twinsburg, County of Summit and State of Ohio and known as being part of Original Twinsburg Township Lot No. 10, Tract 2 and bounded and described as follows:

Beginning at an iron pin at the intersection of the centerlines of Darrow Road, 60 feet wide, and Post Road, 60 feet wide;

Thence South 84° 00' East, along the aforesaid centerline of Post Road, 30.53 feet to a point therein;

Thence North 16° 45' East, parallel with the aforesaid centerline of Darrow Road, 30.53 feet to a point in the Northerly line of Post Road and also being in the Easterly line of Darrow Road and known as the principal place of beginning of land herein intended to be conveyed;

Thence North 16° 45' East, along the Easterly line of Darrow Road, 35.00 feet to a point therein;

Thence South 31° 46' 41" East, 43.55 feet to the aforesaid Northerly line of Post Road;

Thence North 84° 00' West, 33.00 feet to the principal place of beginning and containing about 568 square feet, as calculate by Daniel T. Moczadlo, Registered Surveyor No. 6693, be the same more or less, but subject to all legal highways and easements.

Section 2. That the easement shall be non-exclusive and the purpose of the easement shall be to widen the intersection at Darrow and Post Roads in the City of Twinsburg (the "Improvement").

Section 3. That the duration of the easement authorized in Section 1 shall be perpetual; that the easement shall include reasonable right of entry rights to the City; that the easement shall not be assignable; 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 4. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described property is no longer needed for public use:

Legal Description of a Parcel of Land Containing 1,231 Square Feet at the Northeasterly Corner of Darrow Road at Post Road to be Used as a Temporary Easement for Grading Purposes by City of Twinsburg

Situated in the City of Twinsburg, County of Summit and State of Ohio and known as being part of Original Twinsburg Township Lot No. 10, Tract 2 and bounded and described as follows:

Beginning at an iron pin at the intersection of the centerlines of

Darrow Road, 60 feet wide, and Post Road, 60 feet wide;

Thence South 84° 00' East, along the aforesaid centerline of Post Road, 30.53 feet to a point therein;

Thence North 16° 45' East, parallel with the aforesaid centerline of Darrow Road, 30.53 feet to a point in the Northerly line of Post Road and also being in the Easterly line of Darrow Road;

Thence North 16° 45' East, along the Easterly line of Darrow Road, 35.00 feet to a point therein and known as the principal place of beginning of land herein intended to be conveyed;

Thence North 16° 45' East, along the Easterly line of Darrow Road, 13.35 feet to a point therein

Thence South 31° 46' 41" East, 47.49 feet;

Thence South 84° 00' East, 75.10 feet;

Thence South 6° 00' West, 10.00 feet to a point in the Northerly line of said Post Road;

Thence North 84° 00' West, along the aforesaid Northerly line of Post Road, 80.00 feet;

Thence North 31° 46' 41" West, 43.55 feet to the principal place of beginning and containing about 1,231 square feet, as calculate by Daniel T. Moczadlo, Registered Surveyor No. 6693, be the same more or less, but subject to all legal highways and easements.

Section 5. That the easement authorized in Section 4 shall be non-exclusive and the purpose of the easement shall be to perform work necessary to complete the Improvement identified in Section 2.

Section 6. That the duration of the easement authorized in Section 4 shall be temporary; that the easement shall include reasonable right of entry rights to the City; that the easement shall not be assignable; 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 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 interests to the City of Twinsburg at a price not less than fair market value as determined by the Board of Control.

Section 8. That the conveyances referred to above shall be made by official Deeds of Easement prepared by the Director of Law and executed by the Director of Public Utilities on behalf of the City of Cleveland. The Deeds of Easement shall contain such additional terms and conditions as are required to protect the interests of the City. The Directors of Public Utilities 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 9. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 21, 2002.

Effective October 28, 2002.

Ord. No. 1527-02.

By Councilman Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Tremont West Dev. Corp as a co-sponsor with Tremont Resident Service Corp. to encroach into the public right-of-way of West 14th Street by hanging 71-American Flags on CPP utility poles (by separate permission) between Fairfield & Holmden Avenues to uplift patriotism in the Tremont Area.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Tremont West Development Corporation as a co-sponsor with Tremont Resident Service Corporation, 2190 Professor Avenue Suite #2, Cleveland, Ohio 44113, to hang seventy-one (71) American Flags on Cleveland Public Power Utility Poles (by separate permission) which will encroach into the public right-of-way of West 14th Street between Fairfield Avenue and (just past) Holmden Avenue at the locations described as follows:

<u>LOCATION:</u>	<u>POLE #:</u>	<u>POLE OWNER/USE:</u>
<u>WEST 14TH ST.(EAST SIDE):</u>		
NE Cor. Kenilworth/W.14th	HOM-1-14	CPP/American Flag
Opp. 2420 W.14th	HOM-1-13	CPP/American Flag
Opp. 2432 W.14th	No Tag	CPP/American Flag
Opp. St. Augustine Church	HOM-1-11	CPP/American Flag
Opp. 2510 W.14th	HOM-1-9	CPP/American Flag
Opp. Calvario Church	No Tag	CPP/American Flag
SE Cor. Starkweather/W.14th	HOM-1-7	CPP/American Flag
2611 W.14th	HOM-1-6	CPP/American Flag
Opp. 2632 W.14th	HOM-1-5	CPP/American Flag
SE Cor. Auburn & W.14th	44536	CPP/American Flag
2685 W.14th	HOM-1-3	CPP/American Flag
2701 W.14th	HOM-1-2	CPP/American Flag
W.14th Bridge over I-490	HOM-1-55	CPP/American Flag
W.14th Bridge over I-490	HOM-1-56	CPP/American Flag
W.14th Bridge over I-490	HOM-1-57	CPP/American Flag
2873 W.14th	AOM-58-66	CPP/American Flag
2915 W.14th	AOM-58-67	CPP/American Flag
2937 W.14th	AOM-58-69	CPP/American Flag
2957 W.14th	AOM-58-71	CPP/American Flag
SE Cor. Castle & W.14th	AOM-58-72	CPP/American Flag
3019 W.14th	AOM-58-73	CPP/American Flag
3035 W.14th	AOM-58-75	CPP/American Flag
3063 W.14th	AOM-58-77	CPP/American Flag
NE Cor. Clark & W.14th	AOM-58-79	CPP/American Flag
SE Cor. Clark & W.14th	44645	CPP/American Flag
3117 W.14th	AOM-58-82	CPP/American Flag
3125 W.14th	AOM-58-83	CPP/American Flag
NE Cor. Rowley & W.14th	AOM-58-85	CPP/American Flag
3149 W.14th	AOM-58-87	CPP/American Flag
NE Cor. Buhner & W.14th	No Tag	CPP/American Flag
3187 W.14th	AOM-58-91	CPP/American Flag
3217 W.14th	AOM-58-93	CPP/American Flag
3239 W.14th	AOM-58-2	CPP/American Flag
3239 W.14th	No Tag	CPP/American Flag
2215 W.14th	HOM-1-20	CPP/American Flag
2255 W.14th	46067	CPP/American Flag
2255 W.14th	HOM-1-19	CPP/American Flag
2307 W.14th	HOM-1-18	CPP/American Flag
2307 W.14th	HOM-1-17	CPP/American Flag
2307 W.14th	HOM-1-16	CPP/American Flag
2363 W.14th	No Tag	CPP/American Flag
<u>LOCATION:</u>		
<u>WEST 14TH ST. (WEST SIDE):</u>		
Opp. 2307 W.14th	HOM-1-22	CPP/American Flag
2310 W.14th	HOM-1-23	CPP/American Flag
2330 W.14th	HOM-1-24	CPP/American Flag
2346 W.14th	HOM-1-25	CPP/American Flag
NW Cor. Kenilworth & W.14th	HOM-1-26	CPP/American Flag
2420 W.14th	HOM-1-29	CPP/American Flag
@St. Augustine Church	HOM-1-30	CPP/American Flag
2510 W.14th	HOM-1-32	CPP/American Flag
@ElCalvario Church	HOM-1-33	CPP/American Flag
2592 W.14th	HOM-1-34	CPP/American Flag
2630 W.14th	HOM-1-35	CPP/American Flag
2662 W.14th	HOM-1-36	CPP/American Flag
@Zion Church	No Tag	CPP/American Flag
W.14th Bridge over I-490	HOM-1-51	CPP/American Flag
W.14th Bridge over I-490	HOM-1-52	CPP/American Flag
W.14th Bridge over I-490	HOM-1-53	CPP/American Flag
Opp. 2843 W. 14th	HOM-1-54	CPP/American Flag
Opp. Mentor & W.14th	No Tag	CPP/American Flag

2914 W.14th	AOM-58-68	CPP/American Flag
2950 W.14th	AOM-58-70	CPP/American Flag
3022 W.14th	AOM-58-74	CPP/American Flag
3050 W.14th	44675	CPP/American Flag
3100 W.14th	AOM-58-81	CPP/American Flag
3126 W.14th	AOM-58-84	CPP/American Flag
3160 W.14th	44782	CPP/American Flag
3182 W.14th	44707	CPP/American Flag
3206 W.14th	No Tag	CPP/American Flag
Opp. 3225 W.14th	No Tag	CPP/American Flag
Opp. 3239 W.14th	No Tag	CPP/American Flag

Section 2. That said American Flags will be placed within the public right-of-way as aforesaid Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including but limited to a Building Permit, shall be obtained before said American Flags are installed.

Section 3. That nothing in this Ordinance grants or shall be considered to grant to Permittee any right, privilege or permission to use or attach or affix any object to poles described in Section 1 of this Ordinance.

Section 4. That the Permit herein authorized shall reserve right of ingress and egress to the City of Cleveland, and that said Permit shall require the Permittee to provide Commercial General Liability Insurance, including Completed Operations Coverage, and that the Permittee shall maintain the permitted encroachment area, and that the Permittee shall pay any applicable taxes and assessments due an/or owing on the permitted encroachment area.

Section 5. That this Permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

Section 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 21, 2002.

Effective October 28, 2002.

Ord. No. 1528-02.

By Council Member Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Grace Hospital (a Cleveland Clinic Health System Affiliate) to hang nine (9) location/identification banners, using Cleveland Public Power utility poles (by separate permission), which will encroach into the public right-of-way of West 14th Street

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Grace Hospital (a Cleveland Clinic Health System Affiliate) to hang nine 9 (9) location/identification banners using Cleveland Public Power utility poles (by separate permission) which will encroach into the public right-of-way of West 14th Street at the locations described as follows:

<u>LOCATION:</u>	<u>POLE #:</u>	<u>POLE OWNER/USE:</u>
<u>WEST 14TH ST.:</u>		
Opp. 2307 W.14th (W)	HOM-1-22	CPP/Banner
2310 W.14th (W)	HOM-1-23	CPP/Banner
2330 W.14th	HOM-1-24	CPP/Banner
2255 W.14th (E)	HOM-1-21 46067	CPP/Banner
2255 W.14th (E)	HOM-1-19	CPP/Banner
2307 W.14th	HOM-1-18	CPP/Banner
2307 W.14th (E)	HOM-1-17	CPP/Banner
2307 W.14th (E)	HOM-1-16	CPP/Banner
NE Cor.Kenilworth & W.14th	HOM-1-14	CPP/Banner

Section 2. That said banners will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other permits, including a Building Permit, shall be obtained before said banners are constructed.

Section 3. That nothing in this ordinance grants or shall be considered to grant to Permittee any right, privilege or permission to use or to attach or affix any object to poles described in Section 1 of this Ordinance.

Section 4. That the Permit herein authorized shall reserve right of ingress and egress to the City of Cleveland, and that said Permit shall require the Permittee to provide Commercial General Liability Insurance, including Completed Operations Coverage, and that the Permittee shall maintain the permitted encroachment area, and that the Permittee shall pay any applicable taxes and assessments due and/or owing on the permitted encroachment area.

Section 5. That the Permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said Permit.

Section 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 21, 2002.

Effective October 28, 2002.

Ord. No. 1551-02.
By Council Members Scott, Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract amendment with Glenville Plaza Co. to accept a discount prepayment of the UDAG loan regarding the construction of Glenville Plaza.

Whereas, the current owners of Glenville Plaza, Glenville Plaza Co., has requested the opportunity to prepay the \$850,000, zero percent (0%) interest loan at its net present value determined by discounting by a rate of nine percent (9%) the principal payment due September 1, 2006; and

Whereas, this ordinance allows the Department of Economic Development to use the lump sum repayment for other City programs or neighborhood housing projects in need of financial assistance; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, safety, property and welfare, in that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland; now, therefore,

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

Section 1. That the Director of Economic Development is authorized to enter into a contract amendment with Glenville Plaza Co. to accept a discount prepayment of the UDAG loan regarding the construction of Glenville Plaza.

Section 2. That the Director of Economic Development is authorized to accept on behalf of the City, a discounted prepayment from Glenville Plaza Co. to be paid to the City, in an amount equal to the net present value of the loan using a discount rate equal to nine percent (9%) in full satisfaction of its loan of \$850,000 due September 1, 2006, which loan was made to partially finance the construction of Glenville Plaza. That the Director of Economic Development is authorized to file all papers and execute all documents necessary to receive the funds under said prepayment.

Section 3. That the UDAG loan contract amendment authorized herein shall be prepared by the Director of Law and shall contain such terms and conditions as shall be deemed necessary or appropriate to protect the interests of the City, particularly a clause which states that if Glenville Plaza Co. sells or discontinues management of the Glenville Plaza prior to September 1, 2006, an additional payment shall be made by the Glenville Plaza Co. to the City of Cleveland.

Section 4. That the Director of Economic Development is authorized to release any and all collateral taken to secure repayment of said loan and to execute all documents necessary to release said collateral. Any release of security instruments shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is autho-

riized to deposit the prepayment into Fund No. 17 SF 006.

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

Passed October 21, 2002.

Effective October 28, 2002.

Ord. No. 1553-02.
By Council Members Scott and Conwell.

An ordinance to expand the Glenville Business Revitalization District. (Map Change No. 2055, Sheet Nos. 4, 8)

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

Section 1. That the Glenville Business Revitalization District, as established by Ordinance No. 1621-96, is hereby expanded to include the areas shown on the map in File No. 1553-02-A.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2055, Sheet Nos. 4, 8, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed October 21, 2002.

Effective November 30, 2002.

Ord. No. 1719-02.
By Council Member Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to 10th and St. Clair, LLC to encroach into the right-of-way of West St. Clair Ave. N.W. Easterly of West 10th Street to install sheet piling for construction of their building.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to 10th and St. Clair, LLC, 12107 Mayfield Road, Suite 201, Cleveland, Ohio 44106, its successors and assigns, for the construction, use and maintenance of sheet piling for the construction of their building on an adjacent parcel, which will encroach into the public right-of-way of West St. Clair Avenue N.W. Easterly of West 10th Street at the location described as follows:

ENCROACHMENT AREA/959 WEST ST. CLAIR AVE. N.W. AND WEST 10TH ST.

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio at the location described as follows:

Being the Southerly 3.00 feet of West St. Clair Avenue N.W. (49.50 feet wide), extending Easterly from the Easterly line of West 10th Street (50.00 feet wide), a distance of about 100.00 feet.

Section 2. That said sheet piling and associated equipment will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before said sheet piling is constructed.

Section 3. That the Permit herein authorized shall reserve right of ingress and egress to the City of Cleveland, and that said Permit shall require the Permittee to provide Commercial General Liability Insurance, including Completed Operations Coverage, and that the Permittee shall maintain the permitted encroachment area, and that the Permittee shall pay any applicable taxes and assessments due and/or owing on the permitted encroachment area.

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

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

Passed October 21, 2002.

Effective October 28, 2002.

Ord. No. 1930-02.
By Council Members Sweeney, Gordon, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4751 Grayton Road to SYSCO Food Services of Cleveland, Inc.

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

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

Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 029-08-002, as more fully described below, to SYSCO Food Services of Cleveland, Inc.

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

P. P. No. 029-08-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Rockport Township Section No. 4, bounded and described as follows:

Beginning on the Westerly line of a parcel of land conveyed to Roy C. Blackman and Norma M. Blackman by deed dated December 9, 1943, and recorded in Volume 5652, Page 360 of Cuyahoga County Records, at an iron pin distant South 1°-17'-31" West measured along said Westerly line 23.25 feet from an iron pipe at its intersection with the center line Grayton Road, S.W. (60 feet wide), said iron pipe being the Northwest corner of said parcel so conveyed to Roy C. Blackman and Norma M. Blackman as aforesaid; thence South 0°-21'-15" West along the Westerly line of said parcel so conveyed, 115.86 feet to a point in the Northwesterly corner of the C. and D. Southwest Subdivision II of a part of Original Rockport Township Section No. 4 as shown by the recorded plat in Volume 184, Page 72 of Cuyahoga County Records, said point being also the Northwesterly corner of Sublot No. 17 in said Subdivision; thence South 29°-49'-15" East along the Northeasterly line of said Sublot No. 17, 136.05 feet to a point therein, said point being at the Southeasterly corner of Sublot No. 16 in said Subdivision; thence North 46°-08'-29" East along the Northwesterly line of said Sublot No. 16, 214.04 feet to a point in the Southerly line of said parcel of land so conveyed to Roy C. and Norma M. Blackman; thence North 87°-07'-51" West, along said land so conveyed to Blackman 135.11 feet to a stone found; thence North 65°-38'-25" West 53.97 feet to an iron pin; thence North 33°-18'-30" West 67.68 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

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

Passed October 21, 2002.
Effective October 23, 2002.

Ord. No. 1931-02.
By Council Members Sweeney, Gordon, Westbrook, Cimperman and Jackson (by departmental request).
An emergency ordinance authorizing the Director of Economic Development to enter into a development agreement or agreements with SYSCO Food Services of Cleveland, Inc.; to amend a Development Agreement with Cleveland Business Park, Ltd.; and authorizing the Commissioner of Purchases and Supplies to convey real property to SYSCO Food Services of Cleveland, Inc.

Whereas, SYSCO Food Services of Cleveland, Inc. proposes to develop a 330,000 square foot food distribution and warehousing facility in, and relocate 600 jobs to, land owned by the City of Cleveland in Cleveland Business Park, north of Cleveland Hopkins International Airport, a portion of which land is subject to the Development Agreement described below; and

Whereas, pursuant to the authority of Ord. No. 1242-95, passed March 4, 1996, the City of Cleveland, entered into a Development Agreement with Cleveland Business Park, Ltd., City Contract No. 56093, for the development of a business park located north of Cleveland Hopkins Airport; and

Whereas, pursuant to the Development Agreement, Cleveland Business Park, Ltd. acquired development rights in portions of the land proposed for development by SYSCO; and

Whereas, the City of Cleveland will now sell a portion of the land subject to the Development Agreement with Cleveland Business Park, Ltd. to SYSCO Food Services of Cleveland, Inc. in order to relocate 600 jobs to Cleveland and improve the City's tax base; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a development agreement or agreements with SYSCO Food Services of Cleveland, Inc. (SYSCO); and to amend the development agreement with Cleveland Business Park, Ltd., City Contract No. 56093, authorized by Ord. No. 1242-95 passed March 4, 1996, and/or their designees, relating to real property owned or hereafter acquired by the City of Cleveland and located north of Cleveland Hopkins Airport, which property is more fully described in File No. 1931-02-A.

Section 2. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, subject to any needed approval of the conveyance by the Federal Aviation Administration (FAA) and subject to any needed approval of the release of the real property to be conveyed by the Trustee for the Airport Revenue Bonds, the Commissioner of Purchases and Supplies is authorized to convey the real property now owned or hereafter acquired by the City, to SYSCO Food Services of Cleveland, Inc., or its designee, which is determined to be no longer needed for public use, at a price not less than fair market value as determined by the Board of Control, as is more fully described in the above referenced file.

Section 3. That the conveyance 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 necessary provisions which shall protect the parties as their respective interest shall require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the development agreement with SYSCO and the amendment to City Contract No. 56093 authorized herein shall include escrow instructions, which may include consideration from sale proceeds to Cleveland Business Park, Ltd., or its designee, for its development rights in the property conveyed herein.

Section 5. That the development agreement authorized herein shall include provisions requiring SYSCO to construct a 330,000 sq. ft. food distribution facility within 24 months of taking title to the property conveyed herein, and to bear the cost of removing all improvements and infrastructure on said property; and may include provisions concerning the relocation and reconstruction of Maplewood Park.

Section 6. That the development agreement shall include the following requirements: SYSCO Food Services of Cleveland, Inc. shall, after internal posting for five (5) business days as required by Company policy and collective bargaining agreements between SYSCO Food Services of Cleveland, Inc. and its employees, employ residents of the

City of Cleveland, at the time of hire, for a minimum of forty percent (40%) of all facility-based new permanent job opportunities and take affirmative action and employ best efforts to hire residents of the City of Cleveland for all new job opportunities created at the proposed distribution facility. In complying with this mandate, SYSCO Food Services of Cleveland, Inc. shall post all job opportunities with a specified agency of the City of Cleveland for a minimum of five (5) business days and shall provide a human resources liaison to coordinate the process. Such posting shall occur prior to advertising in the classified section of a newspaper of general circulation. SYSCO Food Services of Cleveland, Inc. agrees to adhere to this mandate during the life of the tax abatement approved by Ordinance No. 1932-02. Nothing in this provision, shall require SYSCO Food Services of Cleveland, Inc. to employ individuals that do not meet the qualifications for a job position.

SYSCO Food Services of Cleveland, Inc. shall take affirmative action and employ best efforts to meet the following minimum employment goals in the performance of construction work necessary for proposed food distribution facility:

Fifteen percent (15%) Minority-Owned Businesses;

Five percent (5%) Female-Owned Businesses;

Twenty two percent (22%) Minority Individuals;

Six percent (6%) Female Individuals; and

Thirty five percent (35%) Cleveland Residents.

In complying with these construction requirements, SYSCO Food Services of Cleveland, Inc. shall work with the City of Cleveland's Department of Personnel and Human Resources and Mayor's Office of Equal Opportunity ("OEO") to identify City residents eligible for employment and minority-owned and female-owned businesses eligible for participation in the construction project. The Office of Equal Opportunity shall provide the Clerk of Council with copies of all reports submitted regarding this project.

Six (6) months after construction of the proposed food distribution facility, SYSCO Food Services of Cleveland, Inc. shall provide the Clerk of Council with the required OEO report summarizing its compliance with the construction requirements. SYSCO Food Services of Cleveland, Inc. shall also provide to the Clerk of Council a detailed report by November 1st of each year, commencing after the new facility has been operating for one (1) year, detailing its employment of City of Cleveland residents for facility-based new permanent job opportunities.

Section 7. That the development agreement with SYSCO and the amendment to City Contract No. 56093 authorized herein shall contain such other terms and conditions as the Director of Law, Director of Port Control, and Director of Economic Development deem necessary and appropriate to protect the interests of the City of Cleveland.

Section 8. That the City acknowledges, states and affirms, pursuant to Article IX of the Trust Indenture from the City of Cleveland to the Cleveland Trust Company, as trustee, dated November 1, 1976, as amended, that the City desires and requests that the land described in the above referenced file heretofore subject to the Trust Indenture be released and removed from all obligations under the Trust Indenture.

Section 9. That the Director of Port Control is authorized to apply to the Trustee for release of land described in the above referenced file that is subject to the Trust Indenture and necessary for the development described herein.

Section 10. That this Council understands that, as a condition of approving this ordinance, four baseball diamonds will be relocated from Maplewood Park and two baseball diamonds will be created, for a total of six new baseball diamonds at Cleveland Business Park in Ward 20 as described in the letter contained in the above-mentioned file. The cost of the improvement and professional design services for the improvement, authorized by separate ordinance, shall be paid from Fund Nos. 20 SF 261, 20 SF 323, 20 SF 330, 20 SF 343, 20 SF 354, 20 SF 370, 20 SF 377, and 20 SF 382. Upon completion of the design, the plans for the new baseball diamonds shall be submitted to the Councilman from Ward 20 for review and comment prior to soliciting bids for the improvement.

Section 11. That the Mayor, the Director of Law, the Director of Finance, the Director of Port Control, the Director of Economic Development, the Director of Public Service and the Director of Parks, Recreation and Properties are authorized to take such other actions and to execute and deliver such other agreements, instruments and certificates related to the agreements and documents described in this ordinance.

Section 12. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 21, 2002.

Effective October 23, 2002.

Ord. No. 1932-02.

By Council Members Sweeney, Gordon and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with SYSCO Food Services of Cleveland, Inc. to provide for a ten year seventy-five percent abatement for certain real property improvements and tangible personal property as an incentive to develop a food service warehousing and distribution facility in the Cleveland Business Park.

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

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

Whereas, SYSCO Food Services of Cleveland, Inc. (the "Enterprise") has proposed to construct a food service warehousing and distribution facility in the Cleveland Business Park; and

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

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

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

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

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten year seventy-five percent (75%) abatement for certain real property improvements and tangible personal property as an incentive to assist with the construction of a food service warehousing and distribution facility in the Cleveland Business Park; the abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the enterprise zone agreement shall include the following requirements: SYSCO Food Services of Cleveland, Inc. shall, after internal posting for five (5) business days as required by Company policy and collective bargaining agreements between SYSCO Food Services of Cleveland, Inc. and its employees, employ residents of the City of Cleveland, at the time of hire, for a minimum of forty percent (40%) of all facility-based new permanent job opportunities and take

affirmative action and employ best efforts to hire residents of the City of Cleveland for all new job opportunities created at the proposed distribution facility. In complying with this mandate, SYSCO Food Services of Cleveland, Inc. shall post all job opportunities with a specified agency of the City of Cleveland for a minimum of five (5) business days and shall provide a human resources liaison to coordinate the process. Such posting shall occur prior to advertising in the classified section of a newspaper of general circulation. SYSCO Food Services of Cleveland, Inc. agrees to adhere to this mandate during the life of the tax abatement approved by Ordinance No. 1932-02. Nothing in this provision, shall require SYSCO Food Services of Cleveland, Inc. to employ individuals that do not meet the qualifications for a job position.

SYSCO Food Services of Cleveland, Inc. shall take affirmative action and employ best efforts to meet the following minimum employment goals in the performance of construction work necessary for proposed food distribution facility:

Fifteen percent (15%) Minority-Owned Businesses;

Five percent (5%) Female-Owned Businesses;

Twenty two percent (22%) Minority Individuals;

Six percent (6%) Female Individuals; and

Thirty five percent (35%) Cleveland Residents.

In complying with these construction requirements, SYSCO Food Services of Cleveland, Inc. shall work with the City of Cleveland's Department of Personnel and Human Resources and Mayor's Office of Equal Opportunity ("OEO") to identify City residents eligible for employment and minority-owned and female-owned businesses eligible for participation in the construction project. The Office of Equal Opportunity shall provide the Clerk of Council with copies of all reports submitted regarding this project.

Six (6) months after construction of the proposed food distribution facility, SYSCO Food Services of Cleveland, Inc. shall provide the Clerk of Council with the required OEO report summarizing its compliance with the construction requirements. SYSCO Food Services of Cleveland, Inc. shall also provide to the Clerk of Council a detailed report by November 1st of each year, commencing after the new facility has been operating for one (1) year, detailing its employment of City of Cleveland residents for facility-based new permanent job opportunities.

Section 4. That the terms of the tax abatement shall be in accordance with the terms set forth in the Summary contained in File No. 1932-02-B. The terms of the file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 5. That the Director of Economic Development is autho-

rized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and the funds are appropriated for the purposes set forth in Chapter 5709 of the Revised Code. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 6. That the Director of Law shall prepare and approve the agreement and that the agreement shall contain the terms and provisions as the director deems necessary to protect the City's interest.

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

Passed October 21, 2002.

Effective October 23, 2002.

Ord. No. 1933-02.

By Council Member Sweeney.

An ordinance to change the zoning of properties bounded by Maplewood Avenue, West 192nd Street, Forestwood Avenue, and West 198th Street to a Semi-Industry District, a "C" area district, and a "2" height district. (Map Change No. 2059, Sheet No. 13)

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 on the centerline of Maplewood Avenue S.W. at its intersection with the centerline of West 192nd Street; thence northerly along the centerline of West 192nd Street to its intersection with the centerline of Forestwood Avenue S.W.; thence westerly and southwesterly along the centerline of Forestwood Avenue S.W. to its intersection with the centerline of West 198th Street; thence southerly along the centerline of West 198th Street to its intersection with the centerline of Maplewood Avenue S.W.; thence easterly along the centerline of Maplewood Avenue S.W. to the place of the beginning;

and as outlined in red on the map hereto attached, be and the same is hereby changed to a Semi-Industry use district, a "C" area district, and a "2" height district.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 2059, Sheet No. 13, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed October 21, 2002.

Effective November 30, 2002.

Ord. No. 1980-02.

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

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding of various infrastructure capital improvement projects and state funding to obtain credit enhancements and loan assistance in support of the City's 2003 general obligation bonds issued for road and bridge improvements; and authorizing the Mayor to accept grants from the Ohio Public Works Commission for improvements to Grayton Road, Stokes Boulevard, West 105th Street and Euclid Avenue.

Whereas, pursuant to Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, pursuant to Section 164.03 of the Revised Code, the District One Public Works Integrating Committee has been created to evaluate applications for state financing of capital improvement projects of local subdivisions in Cuyahoga County; and

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

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

Section 1. That the Mayor is hereby authorized to apply to the District One Public Works Integrating Committee for state funding of the following infrastructure capital improvement projects:

1. Grayton Road (from Puritas Avenue to I-480);

2. Stokes Boulevard (from Chester Avenue to MLK, Jr. Drive);

3. West 105th Street (from Lorain Avenue to Bellaire Road); and

4. Euclid Avenue (from the East Cleveland corporation line to the Euclid corporation line).

Section 2. That the Mayor is hereby authorized to apply to the District One Public Works Integrating Committee for state funding to obtain credit enhancements and loan assistance in support of the City's 2003 general obligation bonds issued for bridge and road improvements.

Section 3. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$2,008,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Grayton Road (from Puritas Avenue to I-480); that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes of the grant including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$502,000, to be paid from the fund or funds to which are credited revenues of the Department of Public

Utilities and the proceeds of the sale of general obligation bonds issued for this purpose.

Section 4. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$3,760,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Stokes Boulevard (from Chester Avenue to MLK, Jr. Drive); that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes of the grant including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$940,000, to be paid from the fund or funds to which are credited revenues of the Department of Public Utilities and the proceeds of the sale of general obligation bonds issued for this purpose.

Section 5. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$3,600,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating West 105th Street (from Lorain Avenue to Bellaire Road); that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes of the grant including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of

\$900,000, to be paid from the fund or funds to which are credited revenues of the Department of Public Utilities and the proceeds of the sale of general obligation bonds issued for this purpose.

Section 6. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$3,368,000, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Euclid Avenue (from the East Cleveland corporation line to the Euclid corporation line); that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes of the grant including the obligation of the City of Cleveland to provide cash matching funds in the approximate amount of \$482,000, to be paid from the fund or funds to which are credited revenues of the Department of Public Utilities and the proceeds of the sale of general obligation bonds issued for this purpose.

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

Passed October 21, 2002.
Effective October 28, 2002.

Ord. No. 1981-02.
By Council Members Johnson and Jackson (by departmental request).
An emergency ordinance authorizing the purchase by contract or contracts of labor and materials necessary to remove and replace not to exceed five pumps, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is authorized to make one or more written contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to remove and replace not to exceed five pumps, 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 2. That the cost of the contract or contracts authorized shall be paid from Fund Nos. 11 SF 006, 20 SF 184, 20 SF 332 and 20 SF 355, Request No. 120111.

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

Passed October 21, 2002.
Effective October 28, 2002.

Ord. No. 2024-02.

By Council Member Jackson (by departmental request).

An emergency ordinance to make additional appropriations of Seven Hundred Thousand Dollars (\$700,000) of the Enterprise Funds.

Whereas, there is an unappropriated balance in the Enterprise Funds of Seven Hundred Thousand Dollars (\$700,000); and

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

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

Section 1. That the unappropriated balance in the Enterprise Funds of the City is appropriated as follows, provided that the Director of Finance obtains an Amended Certificate of Estimated Resources that includes \$700,000 in the Enterprise Funds.

ENTERPRISE FUNDS
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES

Division of Convention Center & Stadium-Convention Center	\$ 700,000	\$ 700,000
I Personnel and Related Expenses	\$ 700,000	
II Other Expenses	\$ —	
TOTAL PARKS, RECREATION, & PROPERTIES	\$ 700,000	\$ 700,000
TOTAL ENTERPRISE FUNDS	\$ 700,000	\$ 700,000

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

Passed October 21, 2002.
Effective October 23, 2002.

Ord. No. 2070-02.**By Council Member Britt.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Woodhill Road to Buckeye Area Development Corporation.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 128-05-003, as more fully described below, to Buckeye Area Development Corporation.

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

P. P. No. 128-05-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 154 in the Van Sweringen Company's Re-Subdivision of the Weybridge land Company's Subdivision No. 1 of part of Original One Hundred Acre Lots Nos. 425 and 426, as shown by the recorded plat in Volume 49 of Maps, Page 16 of Cuyahoga County Records, and 42.41 feet front on the Southeasterly side of Woodhill Road, S.E., 23.56 feet on the curved turnout between the Southeasterly line of Woodhill Road, S.E., and the Southwesterly line of Rosehill Avenue, S.E., and extending back 125 feet on the Southwesterly line, 110 feet on the Northeasterly line which is also the Southwesterly line of Rosehill Avenue, S.E., and having a rear line of 57.14 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 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 estab-

lished 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 21, 2002.

Effective October 23, 2002.

Ord. No. 2071-02.**By Council Member Cintron.**

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2141 West 28th Street to Barry Smith.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 007-10-133, as more fully described below, to Barry Smith.

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

P. P. No. 007-10-133

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly one-half of Sublot No. 112 in Barber and Lords Subdivision of a part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70 in said City, and recorded in Volume 11

of Maps, Page 26 of Cuyahoga County Records, and being 32 feet front oil West 28th Street (formerly York Street) and extends back of equal width 119 1/2 feet, as appears by said plat, 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.

Passed October 21, 2002.

Effective October 28, 2002.

Ord. No. 2072-02.**By Council Member Conwell.**

An emergency ordinance repealing Ordinance No. 1854-02, passed September 16, 2002, and authorizing Sharlene Miller to engage in peddling in front of 11905 Superior Avenue.

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddling upon 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 9; 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 Ordinance No. 1854-02, passed September 16, 2002, authorizing Sharlene Miller to engage in mobile peddling in Ward 9 is hereby repealed.

Section 2. That this Council consents, as required by, Section 675.07 of the Codified Ordinances to allow each persons named below to engage in peddling in the public rights of way of Ward 9: Sharlene Miller in front of 11905 Superior Avenue.

Section 3. 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 4. That the privilege granted may be revoked at any time by this Council.

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

Passed October 21, 2002.
Effective October 28, 2002.

Ord. No. 2073-02.
By Council Member Lewis.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Department of Public Health to stretch a banner at 6600 Lexington Avenue, for the period from October 22, 2002 to October 25, 2002, inclusive, publicizing Lead Poisoning Prevention Campaign.

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 Department of Public Health to install, maintain and remove a banner at 6600 Lexington Avenue, for the period from October 22, 2002 to October 25, 2002, 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.

Passed October 21, 2002.
Effective October 28, 2002.

COUNCIL COMMITTEE MEETINGS

Friday, October 25, 2002
9:00 A.M.

Public Utilities Committee: Present: Coats, Chair; O'Malley, Vice Chair; Zone, Westbrook, Polensek, Sweeney. Excused: Brady, Cintron, Jones.

Monday, October 28, 2002
11:00 A.M.

Employment, Affirmative Action and Training Committee: Present: Lewis, Chair; Reed, Cintron, Johnson, Polensek, Coats. Excused: Conwell, Vice Chair.

2:00 P.M.

Finance Committee: Present: Jackson, Chair; Sweeney, Vice Chair; Westbrook, Gordon, Reed, White, O'Malley, Coats, Britt, Brady, Scott.

Tuesday, October 29, 2002
9:30 A.M.

Community and Economic Development Committee: Present: Gordon, Chair; Cimperman, Vice Chair; Reed, Scott, Cintron, Zone, Lewis, Jones, Coats.

Wednesday, October 30, 2002
10:00 A.M.

Public Safety Committee: Present: Reed, Chair; Britt, Vice Chair; Coats, Brady, Zone, White, Cimperman, Conwell. Absent: Jones.

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O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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