

The City Record

Official Publication of the City of Cleveland

January the Sixteenth, Two Thousand and Two

Mayor	
Jane L. Campbell	
President of Council	
Frank G. Jackson	
Clerk of Council	
Ruby F. Moss	
Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	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	3232 East 119th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	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.	3004 Vega Avenue	44113
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	10513 Clifton Boulevard	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council – Ruby F. Moss, 216 City Hall, 664-2840.
First Assistant Clerk – Sandra Franklin.

MAYOR – Jane L. Campbell

Rosalind A. Brewster, Executive Assistant
Terrell Cole, Executive Assistant
Erik Janas, Executive Assistant
Rodney Jenkins, Executive Assistant
Henry Guzman, Director, Office of Equal Opportunity

DEPT. OF LAW – Richard F. Horvath, Acting Director, Galen L. Schuerlein, Acting Chief Counsel, Room 106

Lauren Moore, Chief City Prosecutor; Criminal Branch – Justice Center
8th Floor, Court Towers, 1200 Ontario Street
Karen E. Martinez, Law Librarian, Room 100

DEPT. OF FINANCE – Betsy Hruby, Acting Director, Room 104;

Frank Badalamenti, Manager, Internal Audit
DIVISIONS: Accounts – Marilyn Henderson, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – Algeron Walker, Treasurer, Room 115
Financial Reporting and Control – Robert Dolan, Controller, Room 18
Information Systems Services – Cleo Henderson, Commissioner,
1404 E. 9th St.
Purchases and Supplies – Myrna Branche, Commissioner, Room 128
Printing and Reproduction – Diante Fitzgerald, Acting Commissioner,
1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

DEPT. OF PUBLIC UTILITIES – Darnell Brown, Acting Director, 1201 Lakeside Avenue

DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – James F. Majer, Commissioner
Street Lighting Bureau – Frank Schilling, Acting Chief.
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – Julius Ciaccia, Jr., Commissioner
Water Pollution Control – Darnell Brown, Commissioner

DEPT. OF PORT CONTROL – Michael G. Konicek, Acting 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 & Parking – Robert Mavec, Commissioner,
4150 East 49th Street, Building #1
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie
Avenue.

DEPT. OF PUBLIC HEALTH – _____, Director, Mural Building 1925 St. Clair Avenue

DIVISIONS: Correction – Thomas Hardin, Commissioner, Cleveland
House of Corrections, 4041 Northfield Road
Environment – Michael Konicek, Commissioner, Mural Building,
1925 St. Clair Avenue
Health – Susan E. Axelrod, Commissioner, Mural Building,
1925 St. Clair Avenue

DEPT. OF PUBLIC SAFETY – David M. McGuirk, Acting 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 – Mary G. Bounds, 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 – Donald T. Moss, Commissioner.

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

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

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

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

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

SINKING FUND COMMISSION – Jane L. Campbell, President; Betsy Hruby, Asst.
Sec'y.; _____, Director; Council President Frank G. Jackson.

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

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Richard F. Horvath,
President; Finance Director Betsy Hruby, Secretary; Council President
Frank G. Jackson.

BOARD OF SIDEWALK APPEALS – Service Director Randall E. DeVaul; Law
Director Richard F. Horvath; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Richard F.
Horvath; Utilities Director Darnell Brown; Council President Frank G.
Jackson.

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

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

MORAL CLAIMS COMMISSION – Law Director, Richard F. Horvath; Chairman;
Finance Director Betsy Hruby; Council President Frank G. Jackson;
Councilman Michael D. Polensek; Councilman _____

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, Councilman _____,
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 Connolly	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



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 89

WEDNESDAY, JANUARY 16, 2002

No. 4597

CITY COUNCIL

MONDAY, JANUARY 14, 2002

The City Record

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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, Britt, Cimperman, Johnson, O'Malley, 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:** Polensek, Chairman; Jackson, Vice Chairman; Britt, Brady, Coats, Gordon, Reed, Scott, Sweeney, Westbrook, White.

TUESDAY

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

TUESDAY—Alternating

1:00 P.M. — **Public Health Committee:** Gordon, Chairman; Zone, Vice Chairman; Cintron, Conwell, Jackson, Polensek, Scott.

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 Committee is subject to the Call of the Chairman:
Mayor's Appointment Committee.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, January 14, 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, Johnson, Jones, Lewis, O'Malley, Polensek, Reed, Scott, Sweeney, Westbrook, White and Zone.

Also present were Mayor Campbell and Acting Director Horvath, Acting Director Hruby, Acting Director Brown, Acting Director Konicek, Director Ricchiuto, Acting Director McGuirk, Acting Director Glending, Director Romero, Director Fumich, Director Ronayne, Director Guzman, Director Taylor, Acting Director Dumans, and Acting Director Huth. Rodney Jenkins, Executive Assistant to the Mayor; Rosalind A. Brewster, Executive Assistant to the Mayor; and Lynnette Jackson, Executive Assistant to the Mayor were also present.

Absent: Directors Hudecek and Warren.

Pursuant to Ordinance No. 2926-76, the Council Meeting, was opened with a prayer offered by Rev. Timothy Eppinger, Pastor of Tabernacle of Faith Church. Pledge of Allegiance.

MOTION

On the motion of Council Member Cimperman, the reading of the minutes of the last meeting were dis-

pensated with and the journal approved. Seconded by Council Member Cintron.

CERTIFICATE OF ELECTION

File No. 7-02.

From the Cuyahoga County Board of Election — re: Issue 33 — November 6, 2001 General Election. Received.

COMMUNICATIONS

File No. 8-02.

From the Board of County Commissioners — Copy of Resolution No. 014502, adopted December 4, 2001. Received.

File No. 9-02.

From the Cleveland Clinic Foundation — Cleveland Clinic Vistas, Winter 2001 — Securing The 21st Century. Received.

File No. 10-02.

From the Manhattan Institute for Policy Research re: 2001 Year-End Update. Received.

File No. 11-02.

From Northeast Ohio Regional Sewer District re: Rate Study determines need for increased sewer charges. Received.

FROM DEPARTMENT OF LIQUOR CONTROL

File No. 12-02.

Re: New Application — 3052920 — Vadia J. Garrett, d.b.a. Blends & Trims Mini Mart, 3879 East 123rd Street. (Ward 2). Received.

File No. 13-02.

Re: Transfer of Ownership Application — 08984672987 — BP Products North America, Inc., d.b.a. BP Site 2987, 1616 Brookpark Road. (Ward 16). Received.

File No. 14-02.

Re: Transfer of Ownership Application — 08984674062 — BP Products North America, Inc., d.b.a. BP Food Mart 4062, 3735 Fulton Road. (Ward 15). Received.

File No. 15-02.

Re: Transfer of Ownership Application — 08984674137 — BP Products North America, Inc., d.b.a. BP Food Mart 54137, 4901 Fleet Avenue. (Ward 12). Received.

File No. 16-02.

Re: New Application — 1914747 — Daleen Corp., d.b.a. Union Market, 10420 Union Avenue. (Ward 3). Received.

File No. 17-02.

Re: New Application — 6133032 — Kendall Moore, Inc., Broadway Snack Shack Grocery & Deli, 12312 Rexford Avenue. (Ward 1). Received.

File No. 18-02.

Re: Transfer of Ownership Application — 9700692 — Winston House, Inc. d.b.a. Winston's Place, first floor, basement and patio, 4209 East 131st Street. (Ward 1). Received.

File No. 19-02.

Re: Transfer of Ownership Application — 5169748 — Levy Premium Foodservice LP, 2nd level club lounge & dining room, bars one and two and ground level suites, 2401 Ontario Street. (Ward 13). Received.

File No. 20-02.

Re: Transfer of Ownership Application — 7558923 — Roy & Jay, Inc., 123 Quick Stop, 4257 East 71st Street. (Ward 12). Received.

File No. 21-02.

Re: Transfer of Ownership Application — 0127313 — Belinda Allen d.b.a. Shaw Beverage & Deli, 12702 Shaw Avenue. (Ward 10). Received.

File No. 22-02.

Re: Transfer of Ownership Application — 08984674157 — BP Products North America, Inc., d.b.a. Site 54157, 10812 Cedar Avenue. (Ward 6). Received.

File No. 23-02.

Re: Transfer of Ownership Application — 08984674358 — BP Products North America, Inc., d.b.a. Site #04358, 552 East 152nd Street. (Ward 10). Received.

File No. 24-02.

Re: Transfer of Ownership Application — 0018933 — Attala Abboushi, d.b.a. Corlett Deli, 3790 Martin Luther King Jr. Drive, first floor. (Ward 2). Received.

File No. 25-02.

Re: Transfer of Ownership Application — 95549670005 — West 14th and Clark Corporation, 1303 Clark Avenue. (Ward 13). Received.

File No. 26-02.

Re: Transfer of Ownership Application — 08984674483 — BP Products North America, Inc., d.b.a. BP Food Mart 4483, 4161 West 150th Street. (Ward 20). Received.

File No. 27-02.

Re: Transfer of Ownership Application — 08984674370 — BP Products North America, Inc., 2701 Chester Avenue. (Ward 13). Received.

File No. 28-02.

Re: Transfer of Ownership Application — 08984674385 — BP Products North America, Inc., d.b.a. BP Food Mart 4385, 900 Carnegie Avenue. (Ward 13). Received.

File No. 29-02.

Re: Transfer of Ownership Application — 08984674327 — BP Products North America, Inc., 1035 East 185th Street. (Ward 11). Received.

File No. 30-02.

Re: Transfer of Ownership Application — 08984675001 — BP Products North America, Inc., d.b.a. BP Food

Mart 5001, 3065 West 117th Street. (Ward 9). Received.

File No. 31-02.

Re: Transfer of Ownership Application — 1827948 — Cross Entertainment, Inc., d.b.a. Great Lakes Tavern, 6301 Denison Avenue, first floor and basement. (Ward 17). Received.

File No. 32-02.

Re: Stock Transfer Application — 7987615 — Serhan, Inc. d.b.a. Buckeye Sunoco, 8805 Buckeye Road. (Ward 4). Received.

File No. 33-02.

Re: Stock Transfer Application — 4418200 — K. K. M. T. Beverage & Deli, Inc. d.b.a. Uncle Sam's Beverage & Deli, 11022 Bellaire Road, first floor. (Ward 19). Received.

File No. 34-02.

Re: Transfer of Ownership Application — 4290989 — J. Krepich Enterprises LTD, d.b.a. Doc & Lovies Downtown, 2030 East 9th Street, first floor, mezzanine & basement. (Ward 13). Received.

File No. 35-02.

Re: Transfer of Ownership Application — 3245558 — Gold Restaurant, Inc., 1438 St. Clair Avenue. (Ward 13). Received.

STATEMENT OF WORK ACCEPTED

File No. 36-02.

From the Department of Parks, Recreation and Properties re: Contract PI #56988A, Central Recreation Center Park Site Improvements. Received.

File No. 37-02.

From the Department of Parks, Recreation and Properties re: Contract PI #56988C, Forest Hills Park Site Improvements. Received.

File No. 38-02.

From the Department of Parks, Recreation and Properties re: Contract PI #56988D, Orr Park Site Improvements. Received.

File No. 39-02.

From the Department of Parks, Recreation and Properties re: Contract PI #56988E, Port Playground Site Improvements. Received.

OATHS OF OFFICE

File No. 40-02.

Rodney Jenkins — Executive Assistant to the Mayor — Oath of Office. Received.

File No. 41-02.

Jonalyn M. Krupka — Member of the Civil Service Commission — Oath of Office. Received.

File No. 42-02.

Christopher P. Warren — Director of Economic Development Department — Oath of Office. Received.

File No. 43-02.

David M. McGuirk — Acting Director of Public Safety Department — Oath of Office. Received.

File No. 44-02.

Kenya Taylor — Director of the Consumer Affairs Department — Oath of Office. Received.

File No. 45-02.

Natalie Saikaly — Secretary to the Director of Parks, Recreation and Properties Department — Oath of Office. Received.

File No. 46-02.

Christopher S. Ronayne — Planning Director — Oath of Office. Received.

File No. 47-02.

Eduardo A. Romero — Director of Personnel and Human Resources Department — Oath of Office. Received.

File No. 48-02.

Mark W. Ricchiuto — Director of Public Service Department — Oath of Office. Received.

File No. 49-02.

Betsy Hruby — Acting Director of Finance Department — Oath of Office. Received.

File No. 50-02.

Henry Guzman — Director of Office of Equal Opportunity — Oath of Office. Received.

File No. 51-02.

Linda Hudecek — Director of Community Development Department — Oath of Office. Received.

File No. 52-02.

Michael G. Konicek — Acting Director of Port Control Department — Oath of Office. Received.

File No. 53-02.

Terrell Cole — Executive Assistant to the Mayor — Oath of Office. Received.

File No. 54-02.

Richard F. Horvath — Acting Director of Law Department — Oath of Office. Received.

File No. 55-02.

Erik Janas — Executive Assistant to the Mayor — Oath of Office. Received.

File No. 56-02.

James Glending — Acting Director of Parks, Recreation and Properties Department — Oath of Office. Received.

File No. 57-02.

Darnell Brown — Acting Director of Public Utilities Department — Oath of Office. Received.

File No. 58-02.

Rosalind A. Brewster — Executive Assistant to the Mayor — Oath of Office. Received.

File No. 59-02.

Galen Leigh Schuerlein — Acting Chief Counsel — Oath of Office. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 60-02—Vincent C. Viancourt.

Res. No. 61-02—Elijah A. Wheeler, Sr.

Res. No. 62-02—Bertram E. Gardner.

Res. No. 63-02—Edward Monroe Middlebrooks.

Res. No. 64-02—Margaret Eleanor Miller.

Res. No. 65-02—Robert F. Dunn.

Res. No. 66-02—William T. Woford.

Res. No. 67-02—Gloria Jeanette Prowell.

Res. No. 68-02—Annie Ophelia Gay Hines.

Res. No. 69-02—John R. Wilkins.

Res. No. 70-02—Christalean N. Belle.

Res. No. 71-02—Leola Cobbs Glass.

Res. No. 72-02—Little Vernon Promise.

CONGRATULATION RESOLUTIONS

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

Res. No. 73-02—Reggie Clark.

Res. No. 74-02—Ronnie Clark.

Res. No. 75-02—Mayor Michael R. White.

Res. No. 76-02—Capt. Joseph T. Sadie.

Res. No. 77-02—Cops & Kids Program.

Res. No. 78-02—Ray Miklethron.

Res. No. 79-02—Bishop Prince J. Moultry.

RECOGNITION RESOLUTION

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

Res. No. 80-02—Patrol Officer Keny Zalar.

APPRECIATION RESOLUTION

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

Res. No. 81-02—Cleveland Teachers.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 82-02.

By Councilman 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.

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

Ord. No. 83-02.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Brookline Avenue to Clayton R. Holland, III.

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). 119-03-056, 119-03-057, 119-03-058, as more fully described below, to Clayton R. Holland, III.

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

P. P. No. 119-03-056

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 10 in Oliver Hough Heir's Subdivision of part of Original One Hundred Acre Lots Nos. 391 and 392 as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northerly line of Crawford Place (nka Brookline Avenue, N.E.) which is a new street 30 feet wide, said Northerly line of which is parallel to and 90 feet Northerly (measured at right angles) from the Southerly line of said Sublot No. 10 at a point 286-66/100 feet Westerly, measured along the Northerly line of Brookline Avenue, N.E., from the point of intersection with the Westerly line of Crawford Street (nka Crawford Road, N.E.) thence Westerly along said Northerly line of Brookline Avenue, N.E., 35 feet; thence Northerly on a line at right angles with said Northerly line of Brookline Avenue, N.E., 66-28/100 feet to the Northerly line of said Sublot No. 10; thence Easterly along the Northerly line of said Sublot No. 10, 35 feet, thence Southerly 66-32/100 feet to the place of beginning, and being further known as Sublot No. 15 in F.B. Fox's proposed Re-Subdivision of part of Sublot Nos. 10 and 11 in said Oliver Hough Heir's Subdivision, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P. P. No. 119-03-057

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 10 and 11 in the Oliver Hough Heir's Subdivision of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northerly line of Crawford Place, (now known as Brookline Avenue, N.E.) which is a new street 30 feet wide, the Northerly line of which is parallel with the 90 feet Northerly from the Southerly line of said Sublot Nos. 10 and 11 in the Oliver Hough Heirs' Subdivision, at a point in the Northerly line of said Crawford Place 236-66/100 feet Westerly from its intersection with the Westerly line of Crawford Street (now known as Crawford Road, N.E.); thence Easterly along the Northerly line of said Crawford Place, 35 feet; thence Northerly at right angles to said Northerly line of Crawford Place, 66-46/100 feet to the Northerly line of said Sublot No. 10 in said Hough Heirs' Subdivision; thence Westerly along the Northerly line of said Sublot No. 10, 35 feet; thence Southerly 66-42/100 feet to the place of beginning, and being further known as Sublot No. 16 in F.D. Fox's proposed Re-Subdivision of parts of Sublot Nos. 10 and 11 in the Oliver Hough Heirs' Subdivision, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any

P. P. No. 119-03-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot Nos. 10 and 11 in the Oliver Hough Heir's Subdivision of a part of Original One Hundred Acre Lots Nos. 391 and 392 as shown by the

recorded plat of said Subdivision in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Northerly line of Brookline Avenue, N.E., (formerly Crawford Place) at a point distant Westerly measured along said Northerly line 251.66 feet from its intersection with the Northerly line of Crawford Road, N.E., thence Easterly along said Northerly line of Brookline Avenue, N.E., 35 feet to a point, thence Northerly at the right angles to said Northerly line of Brookline Avenue, N.E. 66.50 feet to the Northerly line of said Sublot No. 10, thence Westerly along the Northerly line of said Sublot No. 10, 35 feet to a point, thence Southerly 66.46 feet in a direct line to the place of beginning, and further known as Sublot No. 17 in F.B. Fox's proposed Re-Subdivision of Sublot Nos. 10 and 11, in the Oliver Hough Heir's Subdivision of a part of Original One Hundred Acre Lots Nos. 391 and 392, according to a survey dated March 18, 1893 by John L. Culley, Civil Engineer, 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 Develop-

ment, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

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

Ord. No. 84-02.

By Councilman Polensek (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.

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

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

Section 1. That the Director of Finance is hereby authorized to pay as Moral Claims the sums set forth opposite the names of the following claimants and charged against the fund numbers opposite the names of the claimants:

<u>Claimant</u>	<u>Claim No.</u>	<u>Amount</u>	<u>Division</u>	<u>Fund</u>
John Dunn	11142	\$ 730.13	Water Pollution Control	54 SF 001
Frank Westley & Renita Holder	11147	\$ 176.95	Water Pollution Control	54 SF 001
Kayline Co.	11171	\$1,500.00	Water Pollution Control	54 SF 001
Johnnie Boggan	11193	\$1,500.00	Water Pollution Control	54 SF 001
Dennis & Linda Tome	11205	\$ 502.42	Water Pollution Control	54 SF 001
Herbert Massey	11212	\$ 194.95	Water Pollution Control	54 SF 001
David Bentley	11220	\$ 480.00	Water Pollution Control	54 SF 001
Jose Santana	11221	\$ 385.90	Water Pollution Control	54 SF 001
The Smith Revocable Living Trust	11149	\$ 349.25	Water	52 SF 001
Justine R. Charvat	11154	\$ 113.00	Police	01-600202-672000
Jeffrey Sawyer	11156	\$2,074.02	Police	01-600202-672000
Lewis Fant	11160	\$1,000.00	Police	01-600202-672000
Patricia Moss	11178	\$ 185.00	Police	01-600202-672000
Dialog Transportation	11183	\$1,540.99	Police	01-600202-672000
Katherine Davila	11200	\$1,950.00	Police	01-600202-672000
Ron Ferrari Auto Sales	11209	\$ 759.99	Police	01-600202-672000
Donna & Ray Yost	11226	\$ 200.00	Police	01-600202-672000

Ulysses Roberson	11249	\$ 10.23	Police	01-600202-672000
Kenneth Jelinek	11250	\$3,323.42	Police	01-600202-672000
Sandra Sweetland	11261	\$2,500.00	Police	01-600202-672000
Brian Fisher	11269	\$ 185.00	Police	01-600202-672000
Lovina Delmert	11184	\$ 500.00	Fire	01-600302-672000
Regional Transit System	11217	\$1,200.37	Fire	01-600302-672000
Danny E. Algee, Sr.	11218	\$ 500.00	Fire	01-600302-672000
Sandra S. Fletcher	11222	\$ 544.30	Fire	01-600302-672000
Ralph Majors	10993	\$1,631.96	EMS	01-600402-672000
Eusebio Fernandez	11136	\$ 250.00	Park Maintenance	01-701205-672000
Thomas Smith	11161	\$ 383.27	Park Maintenance	01-701205-672000
DesseLonger Jackson	11167	\$ 125.00	Park Maintenance	01-701205-672000
Tiffany Barney	11170	\$ 160.33	Park Maintenance	01-701205-672000
Tonya Bouye	11192	\$ 211.70	Park Maintenance	01-701205-672000
Evelyn Robinson	11213	\$ 310.00	Park Maintenance	01-701205-672000
Rochelle Sanders	11234	\$ 32.00	Park Maintenance	01-701205-672000
Terri Barthany	11121	\$3,300.00	Park Maintenance (Urban Forestry)	01-701204-672000
Lillian K. Harrison	11254	\$ 94.16	Park Maintenance (Urban Forestry)	01-701204-672000
Harold Hankins & Karen Walker	11256	\$1,051.00	Park Maintenance (Urban Forestry)	01-701204-672000
Dominion East Ohio Gas	11263	\$ 122.84	Park Maintenance (Urban Forestry)	01-701204-672000
Ethel Price	11103	\$1,177.00	Park Maintenance (Cemeteries)	62 SF 001
Bertha Cole	11137	\$1,087.50	Park Maintenance (Cemeteries)	62 SF 001
Elisabeth Beck	11181	\$1,353.75	Park Maintenance (Cemeteries)	62 SF 001
Marie Salarno	11185	\$ 400.00	Park Maintenance (Cemeteries)	62 SF 001
Phyllis Petruska	11196	\$ 428.00	Park Maintenance (Cemeteries)	62 SF 001
Jane E. Parks	11197	\$ 668.75	Park Maintenance (Cemeteries)	62 SF 001
Beverly J. Suber	11201	\$ 337.50	Park Maintenance (Cemeteries)	62 SF 001
Susan Friend	11208	\$ 615.25	Park Maintenance (Cemeteries)	62 SF 001
Debra Himes	11225	\$ 42.80	Park Maintenance (Cemeteries)	62 SF 001
Duane Todd	11229	\$ 58.85	Park Maintenance (Cemeteries)	62 SF 001
Warren Bell	11242	\$ 954.98	Park Maintenance (Cemeteries)	62 SF 001
Diane M. Dever	11257	\$ 250.00	West Side Market	67 SF 500
Laurie L. MacDonald	11245	\$ 100.00	Property Management	01-701101-672000
L.A. Katusha	11207	\$ 500.00	Streets	11 SF 401
Wendi Tovanche	11182	\$ 10.00	Waste Collection	01-400303-672000
Angelia Summers	11187	\$ 500.00	Waste Collection	01-400303-672000
Helen Harris	11224	\$ 20.00	Waste Collection	01-400303-672000
Michael B. Hrynczuk	11241	\$ 373.38	Waste Collection	01-400303-672000
Sandra S. Fletcher	11222	\$4,898.69	Waste Collection	01-400303-672000
Conola Rice	11175	\$ 181.24	Aging	01-020100-627000
Douglas A. Zalud	11264	\$ 50.00	CHIA	60 SF 001

Section 2. That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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

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

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

Ord. No. 2409-A-01. (As a substitute for Ordinance No. 2409-01).

By Councilman Cimperman.

An emergency ordinance to amend the title, the third whereas clause and Section 1 of Ordinance No. 27-01, passed May 14, 2001, relating to the Director of Community Development entering into an agreement with MRN Limited Partnership, an Ohio limited partnership, for the acquisition, clearance and redevelopment of certain lands in the Euclid/Prospect II Community Development Plan 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 title, the third whereas clause and Section 1 of Ordinance No. 27-01, passed May 14, 2001 are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Community Development to enter into a project agreement with **MRN Limited Partnership**, an Ohio limited partnership for the acquisition, clearance and redevelopment of certain lands in the Euclid/Prospect II Community Development Plan Area.

Whereas, **MRN Limited Partnership**, an Ohio limited partnership, have submitted a proposal which the Director of Community Development has determined to be a satisfactory means of achieving some of the purposes for the Treatment Area as described in the Plan; and

Section 1. That notwithstanding and as an exception to any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to enter into and execute a project agreement for and on behalf of the City of Cleveland with **MRN Limited Partnership**, an Ohio limited partnership (the "Redeveloper") for the acquisition, disposition and private redevelopment for the Treatment Area in accordance with the provisions of the Plan. The Plan Area is described as follows:

**EUCLID — PROSPECT
C.D. PLAN BOUNDARY**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and beginning at the intersection of the centerline of Ontario Street (99.00 feet wide) with the centerline of West Prospect Avenue (100.00 feet wide);

Thence Westerly, along the centerline of said West Prospect to its intersection with the Southerly prolongation of the Westerly line of property owned by DeBartolo Public Square Inc. and known as P.P.N. 101-23-001 and 101-23-003 A & B;

Thence Northerly, along the Southerly prolongation and the Westerly line of said DeBartolo Public Square Inc. property and its Northerly prolongation to its intersection with the centerline of the South Roadway of Public Square;

Thence Easterly, along the centerline of the said South Roadway to its intersection with the centerline of the East Roadway of Public Square;

Thence Northerly, along said East Roadway to its intersection the centerline of with Superior Avenue (132.00 feet wide);

Thence Easterly, along said Superior Avenue to its intersection with the Northerly prolongation of the Westerly line of land owned by Leader-Cleveland Realty Associates (P.P.N. 101-26-010);

Thence Southerly, along said Northerly prolongation and Westerly line to the Southwest corner thereof;

Thence Easterly, along the Southerly line of said Leader-Cleveland Realty Associates and its Easterly prolongation to its intersection with the centerline of East 6th Street (50.00 feet wide);

Thence Southerly, along said East 6th Street to its intersection with the centerline of Euclid Avenue (99.00 feet wide);

Thence Easterly, along said Euclid Avenue to its intersection with the centerline of East 8th Street (16.00 feet wide);

Thence Southerly, along said East 8th Street to its intersection with the centerline of Prospect Avenue (82.50 feet wide);

Thence Westerly, along said Prospect Avenue to its intersection with the centerline of Ontario Street;

Thence Southerly, along the said centerline of Ontario Street to its intersection with the centerline of West Prospect Avenue and the place of beginning.

Section 2. That the existing title, the third whereas clause and Section 1 of Ordinance No. 27-01, passed May 14, 2001 are hereby repealed.

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

Without objection, substitute ordinance agreed to. Ordinance No. 2409-01 Laid on the Table.

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

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

Ord. No. 85-02.

By Councilmen Jackson, Sweeney, Reed, Cimperman, Westbrook, Coats, Polensek and Gordon.

An emergency ordinance to amend Section 173.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 3028-84, passed December 20, 1984 relating to Members of Council.

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 173.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 3028-84, passed December 20, 1984, is hereby amended to read as follows:

Section 173.07 Members of Council

(a) On and after January 2, 1982, and thereafter on January 2nd of each of the years 1983 and 1984, the salary of each member of Council as heretofore fixed by Ordinance No. 2927-76, passed December 20, 1976, shall be increased by the amount of 10% over the previous year's salary and on January 2nd of the year 1985 said salary shall be increased by the amount of 5% over the previous year's salary, except that of Council President, as member of Council shall receive twenty-five thousand dollars (\$25,000.00) per annum.

(b) The annual salary of members of Council for the year 1986 shall be twenty-six thousand six hundred sixty-four dollars (\$26,664.00). The annual salary of members of Council for the years 1987 through 2005 shall be twenty-six thousand six hundred sixty-four dollars (\$26,664.00) adjusted upward by an amount equal to six percent (6%) of the immediate preceding year's salary, provided, however, that such upward adjustment shall not be made in any year in which a majority of the collective bargaining agreements between the City and the various unions recognized by the City do not provide for salary or wage increases.

(c) **Commencing January 1, 2006, the annual salary of members of Council shall be increased each year by an amount which shall be computed by applying that percentage of the immediately preceding year's salary that is equal to the percentage for increases in salaries and wages established for that year in a majority of the collective bargaining agreements between the City and the various unions recognized by the City. Such increase shall be effective on January 1st of each year.**

(d) The salaries of members of Council shall be paid in equal semi-monthly installments, as provided by Charter Section 27.

Section 2. That existing Section 173.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 3028-84, passed December 20, is hereby repealed.

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

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

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

Ord. No. 86-02.**By Councilman Cintron.**

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Spanish American Committee for the sponsoring Three Kings Day in order to serve the public purpose of providing food to needy families and toys to underprivileged children through the use of Ward 14 Neighborhood Equity Funds.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with Spanish American Committee for the sponsoring Three Kings Day in order to serve the public purpose of providing food to needy families and toys to underprivileged children through the use of Ward 14 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$10,000 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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 87-02.**By Councilman Polensek.**

An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with Northeast Shores Development Corporation for purchasing two buildings in order to carry out the public purpose of creating and retaining jobs through the use of Ward 11 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 an agreement with Northeast Shores Development Corporation for purchasing two buildings in order to carry out the public purpose of creating and retaining jobs through the use of Ward 11 Neighborhood Equity Funds.

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

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

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

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

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

Ord. No. 101-02.**By Councilman Cimperman.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Spanish American Committee Day Care to stretch a banner on Professor Avenue between Kenilworth and Literary, for the period from January 15, 2002 to February 15, 2002, inclusive, publicizing the Day Care Center's Open Enrollment.

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 Spanish American Committee Day Care to install, maintain and remove a banner on Professor Avenue between Kenilworth and Literary (pole #332678 to Pole #536762 across Professor Ave.), for the period from January 15, 2002 to February 15, 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.

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED**Res. No. 88-02.****By Councilman Cimperman.**

An emergency resolution withdrawing objection to the renewal of a D1, D2 and D3 Liquor Permit to 1299 W. 9th St., 1st Fl. & Bsmt., and repealing Res. No. 1419-01 objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2 and D3 Liquor Permit to 1299 W. 9th St., 1st Fl. & Bsmt. by Res. No. 1419-01 adopted by Council on July 18, 2001; and

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

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

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

Section 1. That objection to the renewal of a D1, D2 and D3 Liquor Permit to 1299 W. 9th St., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1419-01, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 89-02.**By Councilman Cintron.**

An emergency resolution objecting to the transfer of ownership of a D1, D2 and D3 Liquor Permit to 3366 W. 25th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2 and D3 Liquor Permit from Permit No. 5361946, Mary Luzar Est. and Ronald Coyne Extr., DBA Rendezvous, 3366 W. 25th St., 1st Fl. & Bsmt., Cleveland, Ohio 44109 to Permit No. 1790604, Lawrence J. Coyne Jr., DBA Rendezvous, 3366 W. 25th St., Cleveland, Ohio 44109; 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 D1, D2 and D3 Liquor Permit from Permit No. 5361946, Mary Luzar Est. and Ronald Coyne Extr., DBA Rendezvous, 3366 W. 25th St., 1st Fl. & Bsmt., Cleveland, Ohio 44109 to Permit No. 1790604, Lawrence J. Coyne Jr., DBA Rendezvous, 3366 W. 25th St., Cleveland, Ohio 44109 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 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 90-02.

By Councilman Johnson.

An emergency resolution objecting to the stock application of a C1 and C2 Liquor Permit to 8805 Buckeye Rd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock application of a C1 and C2 Liquor Permit to Permit No. 7987615, Serhan, Inc., DBA Buckeye Sunoco, 8805 Buckeye Rd., Cleveland, Ohio 44104; 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 application of a C1 and C2 Liquor Permit to Permit No. 7987615, Serhan, Inc., DBA Buckeye Sunoco, 8805 Buckeye Rd., Cleveland, Ohio 44104 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 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 91-02.

By Councilmen Lewis, Coats, Jones, Reed, Scott, White and Zone.

An emergency resolution opposing House Bill 386 which provides that the state shall be the sole regulator of loans and other forms of credit and preempt any regulation by a municipality that directly or indirectly regulates the granting, collection or servicing of loans or other forms of credit.

Whereas, pending House Bill 386 provides that the state shall be the sole regulator of loans and other forms of credit; and

Whereas, pending House Bill 386 further provides that any ordinance, resolution, regulation or other action by a municipal corporation to regulate the origination, granting, servicing or collection of loans or other forms of credit is in conflict with the Revised Code and with the uniform operation throughout the state of lending and other credit provisions and is preempted; and

Whereas, said House Bill 386 would effectively take away a municipality's right to Home Rule governance; and

Whereas, said House Bill 386 would preempt the City of Cleveland's pending anti predatory lending ordinance; and

Whereas, pending House Bill 386 would limit a municipality's ability to protect its citizens from predatory lenders and diminishes local authority over unscrupulous business practices; 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 vehemently opposes House Bill 386 which provides that the state shall be the sole regulator of loans and other forms of credit and which preempts any regulation by a municipality that directly or indirectly regulates the granting, collection or servicing of loans or other forms of credit.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the leaders of the General Assembly of the State of Ohio.

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

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

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

Res. No. 92-02.

By Councilman Polensek.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 15929 Saranac Road, and repealing Res. No. 1541-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 15929 Saranac Road by Res. No. 1541-2000 adopted by Council on August 28, 2000; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal pursuant to a cooperation agreement signed between the permit

holder and the City of Cleveland a copy of which can be found in the City of Cleveland's Law Department; and

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

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

Section 1. That objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 15929 Saranac Road, be and the same is hereby withdrawn and Res. No. 1541-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 93-02.

By Councilman Reed.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 14510 Kinsman Avenue, and repealing Res. No. 1645-01 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 14510 Kinsman Avenue by Res. No. 1645-01 adopted by Council on August 15, 2001; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; 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 Liquor Permit to 14510 Kinsman Avenue, be and the same is hereby withdrawn and Res. No. 1645-01, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 94-02.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3071 East 65th Street, 1st Fl. & Bsmt., and repealing Res. No. 1361-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3071 East 65th Street, 1st Fl. & Bsmt. by Res. No. 1361-2000 adopted by Council on July 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3071 East 65th Street, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1361-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 95-02.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3071 East 65th Street, 1st Fl., and repealing Res. No. 1647-01 objecting to said renewal.

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3071 East 65th Street, 1st Fl. by Res. No. 1647-01 adopted by Council on August 15, 2001; and

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

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

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

Section 1. That objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 3071 East 65th Street, 1st Fl., be and the same is hereby withdrawn and Res. No. 1647-01, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives

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

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

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

Res. No. 96-02.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 5222 Fleet Avenue, and repealing Res. No. 1363-2000 objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 5222 Fleet Avenue by Res. No. 1363-2000 adopted by Council on July 28, 2000; and

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

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

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

Section 1. That objection to the renewal of a C1 and C2 Liquor Permit to 5222 Fleet Avenue, be and the same is hereby withdrawn and Res. No. 1363-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 97-02.

By Councilman Sweeney.

An emergency resolution objecting to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 4161 W. 150th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1, C2 and D6 Liquor Permit from Permit No. 08983564483, BP Exploration & Oil Inc., DBA BP Food Mart 4483, 4161 W. 150th St., Cleveland, Ohio 44135 to Permit No. 08984674483, BP Products North America Inc., DBA BP Food Mart 4483, 4161 W. 150th St., Cleveland, Ohio 44135; 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, C2 and D6 Liquor Permit from Permit No. 08983564483, BP Exploration & Oil Inc., DBA BP Food Mart 4483, 4161 W. 150th St., Cleveland, Ohio 44135 to Permit No. 08984674483, BP Products North America Inc., DBA BP Food Mart 4483, 4161 W. 150th St., Cleveland, Ohio 44135 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 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 98-02.
By Councilman Sweeney.
An emergency resolution withdrawing objection to the renewal of a C1, C2 and D6 Liquor Permit to 4792 Rocky River Drive, and repealing Res. No. 1648-01 objecting to said renewal.

Whereas, this Council objected to the renewal of a C1, C2 and D6 Liquor Permit to 4792 Rocky River Drive by Res. No. 1648-01 adopted by Council on August 15, 2001; and

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

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

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

Section 1. That objection to the renewal of a C1, C2 and D6 Liquor Permit to 4792 Rocky River Drive, be and the same is hereby withdrawn and Res. No. 1648-01, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 99-02.
By Councilman White.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3879 E. 123rd St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit from Permit No. 3052920, Vadia J. Garrett, DBA Blends & Trims Mini Mart, 3879 E. 123rd St., Cleveland, Ohio 44105; 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 issuance of a C1 Liquor Permit from Permit No. 3052920, Vadia J. Garrett, DBA Blends & Trims Mini Mart, 3879 E. 123rd St., Cleveland, Ohio 44105 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 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 100-02.
By Councilman White.
An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 3695-97 East 131st Street, 1st Fl. & Bsmt., and repealing Res. No. 1773-01 objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 3695-97 East 131st Street, 1st Fl. & Bsmt. by Res. No. 1773-01 adopted by Council September 10, 2001; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; 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 D1, D2, D3 and D3A Liquor Permit to 3695-97 East 131st Street, 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1773-01, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

**SECOND READING
ORDINANCE PASSED**

Ord. No. 2417-01.

By Councilman Coats.

An ordinance to change from General Industry to Semi-Industry the Use District of lands bounded by Coit Road, East 140th Street, Topeka Avenue, East 138th Place, Maxwell Avenue, East 137th Street, Aspinwall Avenue, and a Conrail right-of-way. (Map Change No. 2039, Sheet No. 7)

Approved by Directors of City Planning Commission, Law; Relieved of Committee on City Planning.

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

LAI D ON THE TABLE

Ord. No. 218-2000 (Duplicate).

By Councilman Westbrook.

An emergency ordinance to amend Section 173.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 3028-84, passed December 20, 1984 relating to Members of Council.

Without objection, Ord. No. 218-2000 (Duplicate) Laid on the Table. Yeas 20, Nays 0.

MOTION

By Council Member Cimperman and seconded by Council Member Cintron and unanimously carried that the absence of Council Member Edward W. Rybka be and is hereby authorized.

The Council adjourned at 8:05 p.m. to meet on Monday, January 28, 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

BOARD OF CONTROL

January 9, 2002

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 9, 2002, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Directors McGuirk, Glending, Director Hudecek, Romero and Warren.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Henry Guzman, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 10-02.

By Mayor Campbell.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 77 of the Charter of the City of Cleveland and the provisions of Ordinance No. 1137-01, passed by the Cleveland City Council on November 26, 2001, this Board of Control hereby concurs in the establishment of the Department of Consumer Affairs, as more fully set forth in Chapter 147 of the Codified Ordinances of Cleveland, Ohio 1976.

Be it further resolved that the Secretary of the Board of Control is hereby instructed to file a certified copy of this resolution with the Clerk of Council immediately upon the adoption hereof for attachment to said Ordinance No. 1137-01.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Directors McGuirk, Glending, Director Hudecek, Romero and Warren.

Nays: None.

Absent: None.

Resolution No. 11-02.

By Acting Director Brown.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Orion Painting & Contracting, Inc. for an estimated quantity of Painting of Streetside Elements, item nos. 1 thru 28, 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 21st day of November 2001, pursuant to the authority of Ordinance No. 616-2001 passed May 21, 2001 on the basis of the estimated quantity would amount to One Hundred Fifty Seven Thousand Three Hundred Fifty and no/100 Dollars (\$157,350.00), (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. 115705 which shall be certified against such contract in the sum of Fifty Thousand and no/100 Dollars (\$50,000.00).

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, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Directors McGuirk, Glending, Director Hudecek, Romero and Warren.

Nays: None.

Absent: None.

Resolution No. 12-02.

By Acting Director Brown.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 7, 2001, for vehicle maintenance equipment all items, for the Divisions of Cleveland Public Power, Department of Public Utilities, pursuant to the authority Ordinance No. 843-2001 passed by the Council of the City of Cleveland on June 11, 2001, be and the same are hereby rejected.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Directors McGuirk, Glending, Director Hudecek, Romero and Warren.

Nays: None.

Absent: None.

Resolution No. 13-02.

By Acting Director DeVaul.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Tire Distributors, Inc. for an estimated quantity of tire recapping (all items), for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on October 19, 2001, pursuant to the authority of Ordinance No. 816-01, passed by the Council of the City of Cleveland on June 11, 2001, which on the basis of the estimated quantity would amount to Ninety Nine Thousand One Hundred Eighty and no/100 Dollars (\$99,180.00) (2% 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 105660 which shall be certified against such contract in the sum of Twenty Thousand and no/100 Dollars (\$20,000.00).

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

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Directors McGuirk, Glending, Director Hudecek, Romero and Warren.

Nays: None.

Absent: None.

Resolution No. 14-02.

By Director Hudecek.

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

Whereas, pursuant to Ordinance No. 1037-01, passed by the Council of the City of Cleveland on July 18, 2001, the Director of Community Development was authorized to transfer property, described and identified therein and under its control, said property being a component of the City of Cleveland's Land Reutilization Program, to the control, possession and use of the Department of Parks, Recreation and Properties for Phase II of the Woodland Recreation Center Project; and

Whereas, said Ordinance No. 1037-01, provided that as a condition of said transfer, the Department of Parks, Recreation and Properties shall pay the Department of Community Development a price not less than fair market value as determined by the Board of Control, considering the restrictions and covenants deemed necessary by the Director of Community Development to assure the property's effective reutilization; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1037-01, passed by the Council of the City of Cleveland on July 18, 2001, the consideration to be paid for said property is hereby fixed at One Dollar (\$1.00) per parcel for a total purchase price of Forty-Two Dollars (\$42.00), which amount is hereby determined to be not less than the fair market value, plus the promise to utilize the property for public recreational purposes only.

Yeas: Mayor Campbell, Acting Directors Horvath, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Directors McGuirk, Glending, Director Hudecek, Romero and Warren.

Nays: None.
Absent: None.

Resolution No. 15-02.

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. 118-29-103 under said Land Reutilization Program; and

Whereas, Ordinance No. 1965-01 passed December 10, 2001, 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, Burten, Bell, Carr Development, Inc. 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. 1965-01 passed December 10, 2001, 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 No. 118-29-103, 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, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Directors McGuirk, Glending, Director Hudecek, Romero and Warren.

Nays: None.
Absent: None.

Resolution No. 16-02.

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(s). 106-15-118, 106-15-119, 106-15-007 under said Land Reutilization Program; and

Whereas, Ordinance No. 1868-01 passed December 10, 2001, 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, Greater Safeway Baptist Church 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. 1868-01 passed December 10, 2001, 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 Greater Safeway Baptist Church for the sale and development of Permanent Parcel No(s). 106-15-118, 106-15-119, 106-15-007, 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, Hruby, Brown, Directors Konicek, Ricchiuto, Acting Directors McGuirk, Glending, Director Hudecek, Romero and Warren.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ANNE BLOOMBERG,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 28, 2002

9:30 A.M.

Calendar No. 01-346: 613 Literary Road (Ward 13)

Bridge Avenue Development Ltd., owner, c/o Brian McCreary, agent, appeals to construct a 20' x 40'

three story single-dwelling and a 20' x 20' detached garage all situated on a 25' x 116' parcel located in a Multi-Family District on the south side of Literary Road at 613 Literary Road; said proposal being contrary to the Area Requirements of Section 355.04(b) where 1,450 sq. ft. maximum gross floor area is permitted for a residential building and 2,896 sq. ft. is proposed, and where a minimum street frontage of 40' is required and 25' is proposed and a minimum 4,800 sq. ft. lot is required and 2,900 is proposed and contrary to the Yards and Courts Requirements of Section 357.09 where no building may be erected less than 10' from a main building on an adjoining lot and where the interior side yard proposed is 1 1/2' and 7' instead of the 3' and 7' for a total of 10' as required by Section 357.09 of the Codified Ordinances.

Calendar No. 01-347: 3662 East 131st Street (Ward 3)

James Cameron, owner, appeals to enclose an existing 8' x 22'-7" front porch of a one-dwelling unit situated on a 37' x 169' parcel located in a Local Retail Business District on the west side of East 131st Street at 3662 East 131st Street; said enclosure being contrary to the Yards and Courts Requirements where the proposed porch projects 8' and enclosed porches shall not project beyond 4' and do not aggregate a vertical area in any story more than 20% of the area of facade in that story as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 01-348: 13404 Coit Road (Ward 10)

Delonte Rollins, owner, appeals to change the use of an existing approximate 17' x 60' one-story tavern building and an approximate 64' x 134' triangular shaped parcel into an office and used car lot located in a Two-Family District on the south side of Coit Road at 13404 Coit Road; said change of use being contrary to the Residential District Requirements of Section 337.03 where a used car lot is not permitted in a Two-Family District but first permitted in a General Retail Business District as stated in Section 343.11 and contrary to the Business District Requirements of Section 343.11(b)(2)(1)(4) where car lots must maintain a 1 1/2 barrier at the setback line behind which all vehicles, advertising, and parking must be kept back and no barrier is proposed and contrary to the Specific Use Regulations of Section 347.11 where used car lots must be 60' in width and the widest area of the lot to display cars is approximately 30' and contrary to the Landscaping and Screening Requirements of Section 352.10 where a 4' landscaped strip is required where the lot abuts Coit Road and East 134th Street and a 10' wide transition strip where the lot abuts the residential district and no landscaping strip or transition strip is proposed and substitution of a non-conforming use requires the Board of Zoning.

Calendar No. 01-349: 10707 Edgewater Drive (Ward 17)

Matt Gillespie, owner, appeals to construct a 12' x 15' two-story frame deck to the rear of an existing one-family dwelling situated on a 90' x 200' parcel located in a Lim-

ited One-Family District located on the south side of Edgewater Drive at 10707 Edgewater Drive; said proposed two-story deck being contrary to the Yards and Courts Requirements where the proposed width of interior side yard is 1'-6" and the minimum width of an interior side yard shall be 5' and the aggregate width of side yards on the same premises shall be not less than 20' as stated in Section 357.09(B)(1) of the Codified Ordinances.

Calendar No. 01-350: 1872 Rudwick Road (Ward 10)

Gregory and Flora Lard, owners, appeals to expand the use of a One-Family dwelling unit to include a day-care all situated on a 50' x 279' parcel located in a Two-Family District on the west side of Rudwick Road at 1872 Rudwick Road; said expansion being contrary to the Enforcement and Penalty Requirements of Section 327.02 where an adequate site plan is required showing streets, accurate property lines, and stripped parking spaces or garage and contrary to the Residential District Requirements where the proposed use is surrounded by a Two-Family District and this is referenced as regulated in a One-Family District, Section 337.02(f)(3), is required to be 30' from any adjoining premises in a residential district not used for similar purposes as stated in Section 337.03 of the Codified Ordinances.

Calendar No. 01-351: 11500 Franklin Blvd. (Ward 18)

Positive Education Program, owners, and Bruce Farkas, agent, appeals to install a 6'-9" high free-standing identification sign at the north easterly side of an approximate 260' x 296' irregular shaped parcel and a 10 sq. ft. double faced sign 6'-9" high at the southwesterly corner of the same parcel located in a Two-Family District on the northeast corner of West 116th Street and Franklin Blvd. at 11500 Franklin Blvd.; said installation being contrary to the Sign Requirements of Section 350.13(A) where the permitted height of a sign in a residential district is 5' and the permitted height for a directional sign is 3' and 6'-9" is proposed and a 10 sq. ft. sign is proposed and 4 sq. ft. is the maximum sq. footage allowed as stated in Section 350.13(a) of the Codified Ordinances.

Calendar No. 01-353: 4026 West 143rd Street (Ward 20)

Joanne A. Meier, owner, appeals to construct a 24' x 24' x 19' high accessory garage to the rear of a 50' x 120' parcel located in a One-Family District on the west side of West 143rd Street at 4026 West 143rd Street; said construction being contrary to the Height Requirements where a 19' high accessory garage is proposed and the maximum height of an accessory garage shall not exceed 15' in height as stated in Section 353.05 of the Codified Ordinances.

Calendar No. 01-361: 2357 Tremont Avenue (Ward 13)

Positive Education Program, owners, and Bruce Farkas, agent, appeals to install one illuminated 4' x 8' wall sign, one non-illuminated 4' x 8' wall sign, and one 2'-4' x 9' canopy sign on an existing building situated on an irregular shaped

acreage parcel located in a Two-Family District on the east side of Tremont Avenue at 2357 Tremont Avenue; said installation being contrary to the Sign Requirements where three identification signs totaling approximately 85 sq. ft. is proposed and one 40 sq. ft. identification sign per vehicle entrance is permitted in a Residential District as stated in Section 350.13 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 14, 2002

At the meeting of the Board of Zoning Appeals on Monday, January 14, 2002, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 01-299: 8003 Broadway Avenue

Bud Brady Ford, owner, and George Dragon, agent appealed to install two free standing signs on an irregular shaped parcel.

Calendar No. 01-308: 517 Literary Road

Lori Properties, owner, and Douglas Wahl, appealed to construct a 20' x 50'-8" three story single-dwelling and detached garage on an approximate 21' x 116' parcel located in a Multi-Family District.

Calendar No. 01-308: 515 Literary Road

Lori Properties, owner, and Douglas Wahl, appealed to construct a 20' x 50'-8" three story single-dwelling and detached garage on an approximate 21' x 116' parcel located in a Multi-Family District.

Calendar No. 01-308: 511 Literary Road

Lori Properties, owner, and Douglas Wahl, appealed to construct a 20' x 50'-8" three story single-dwelling and detached garage on an approximate 21' x 116' parcel located in a Multi-Family District.

Calendar No. 01-308: 509 Literary Road

Lori Properties, owner, and Douglas Wahl, appealed to construct a 20' x 50'-8" three story single-dwelling and detached garage on an approximate 21' x 116' parcel located in a Multi-Family District.

The following appeal was **Denied**:

Calendar No. 01-306: 9313 Clifton Blvd.

Daniel B. Farrell, owner, appealed to construct a 22' x 24', 2-story, 2 car garage with a gable roof and use the upper portion for habitable space all to the rear of a parcel located in a One-Family District.

The following appeals were **Postponed**:

Calendar No. 01-307: 9713 Parkview Avenue postponed to January 28, 2002.

Calendar No. 01-312: 7770 Harvard Avenue postponed to January 28, 2002.

On Monday, January 14, 2002, in Executive Session:

The following appeals were heard on Monday, December 17, 2001, and said decisions were approved and adopted by the Board on January 14, 2002:

The following appeals were **Approved**:

Calendar No. 01-298: 3114 Hillcrest Avenue

Jim and Michelle Hoy, owners, appealed to construct a 18' x 24' one-story room addition to the rear of an existing one-family house.

Calendar No. 01-300: 1603 SchAAF Road

Dan Uzo, owner, and John Gazdag, agent, appealed to construct a 20' x 20' one-story gable roof garage to the rear of an irregular shaped parcel.

Calendar No. 01-303: 4720 West 147th Street

John Biasi, owner, appealed to install 22 linear feet of 4', 5', and 6' high wooden fencing to the south of a parcel located in a One-Family District.

Calendar No. 01-305: 10906 Linnet Avenue

Christopher Giannini, owner, appealed to install an above ground pool and deck to the rear of a parcel.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, JANUARY 23, 2002

Neff Park Aquatic Playground & Sound Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1748-99 and Ordinance No. 501-01. THERE WILL BE A REFUNDABLE FEE OF TWENTY-FIVE DOLLARS (\$25.00) IN THE FORM OF A CASHIER'S CHECK AND/ OR MONEY ORDER.

January 9, 2002 and January 16, 2002

THURSDAY, JANUARY 31, 2002

Integrated Live Scan System, Uninterruptible Power Supply (UPS) and Installation, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1656-99, passed by the Council of the City of Cleveland, December 14, 1999.

X-Ray Inspection System, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 497-01, passed by

the Council of the City of Cleveland, May 21, 2001.

January 9, 2002 and January 16, 2002

WEDNESDAY, FEBRUARY 6, 2002

Property Insurance for the Cleveland Browns Football Stadium, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 303-96, passed by the Council of the City of Cleveland, May 8, 1996.

January 9, 2002 and January 16, 2002

Certified MBE's and FBE's Reporting Fourth Quarter 2001, pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland, Ohio listed below are the firms that above have been certified as Minority Business Enterprises (MBEs) and Female Business Enterprises (FBEs) by the Mayor's Office of Equal Opportunity during the Fourth Quarter, 2001.

WEDNESDAY, JANUARY 30, 2002

Sterling Recreation Center Site Improvements, for the Division of Research, Development & Planning, Department of Parks, Recreation & Properties, as authorized by Ordinance No. 1748-99, passed by the Council of the City of Cleveland, April 17, 2000.

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

January 16, 2002 and January 23, 2002

WEDNESDAY, FEBRUARY 6, 2002

Hangar Space and Aviation Fuel, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1746-01, passed by the Council of the City of Cleveland, November 26, 2001.

Auto/Truck Frame Repair, for the Division of Motor Vehicle Maintenance, Department of Public Ser-

vice, as authorized by Ordinance No. 271-01, passed by the Council of the City of Cleveland, April 9, 2001.

January 16, 2002 and January 23, 2002

THURSDAY, FEBRUARY 7, 2002

Auto/Truck Glass Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 360-01, passed by the Council of the City of Cleveland, April 9, 2001.

Millcreek Subdivision-Phase 4B, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1117-2000, passed by the Council of the City of Cleveland, October 16, 2000.

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

Reconstruction of West 31st Place, between Hancock Avenue and Keene Court, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance 609-01, passed by the Council of the City of Cleveland, June 11, 2001.

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

January 16, 2002 and January 23, 2002

FRIDAY, MARCH 1, 2002

Powdered Activated Carbon, for the Division of Water, Department of Public Utilities.

THERE WILL BE A PRE-BID MEETING ON FEBRUARY 15, 2002 AT 11:00 A.M. AT 1201 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

January 16, 2002 and January 23, 2002

Certified MBEs and FBE Reporting Period: Fourth Quarter, 2001

Pursuant to Chapter 187 of the Codified Ordinances of the City Of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprises (MBEs) and Female Business Enterprises (FBEs) by the Mayor's Office of Equal Opportunity during the Fourth Quarter of 2001.

Company	MBE/FBE	Certdate	Description
A-1 Thompson Lowest Price Movers	MBE	10/29/2001	Local trucking and furniture moving/evictions
Alpha Omega Chemical Co.	MBE	11/15/2001	Mgmt. services; asbestos/lead abatement. Underground storage tank removal. Excavation, hazardous waste removal. Environmental consulting, remediation, clean-up; analytical laboratory
An-Gay, Inc., dba. A.C. Lock and Key Services	MBE	11/19/2001	Key and lock service: repair & replace locks and keys

Aries Distribution	FBE	11/7/2001	Distributor: janitorial supplies including paper products
ASC Group, Inc.	FBE	10/14/2001	Cultural resource surveys including archaeology & architectural history; also, ecological and wetland surveys
Aviles Construction Company	MBE	11/14/2001	General contractor specializing in commercial & residential remodeling, electrical, plumbing, HVAC and insulation
Ballast Construction, dba Ballast Fence Bland, Inc.	FBE	11/27/2001	Fencing contractor
Bland, Inc.	FBE	11/23/2001	Asphalt contractor
Brown, Flynn Communications, Ltd.	FBE	12/13/2001	Strategic marketing communications specializing in community relations management including media relations, strategy development, events planning, research
Builders Glass and Door Corp.	MBE	10/29/2001	Installation, service, repair and maintenance of glass and doors
Clark Mechanical, Inc.	MBE	12/18/2001	Mechanical contractor specializing in HVAC and fire protection
Class Construction, Inc.	FBE	12/15/2001	Painting Contractor
Coleman Development, Inc.	MBE	11/14/2001	Mechanical dismantling and interior wrecking services
CYA Plumbing, Inc.	FBE	12/17/2001	Plumbing contractor
Dan Platt Draperies	FBE	11/28/2001	Custom design window treatments, residential & commercial
Danoli Landscape, Inc.	MBE	10/11/2001	Landscape and landscape design; commercial and non-commercial
Dentz Painting, Inc.	FBE	11/19/2001	Painting Contractor
E.G. Enterprise Services, Inc.	MBE	11/9/2001	Offset printing, photocopying and duplicating services; mailing services: folding, stuffing and postage; binding, services
Emerald Sage, bda Aameco Transmissions, Inc.	FBE	10/21/2001	Repair transmissions & driveline (a/c, cv boots, mounts, etc.) including 4wds, clutches, transfer cases for domestic & foreign cars, light trucks, vans for both automatic & standard shift vehicles
Epstein Design Partners, Inc.	FBE	12/16/2001	Graphic design
F.B.E. Construction Co., Inc.	FBE	12/11/2001	Plastering, exterior stucco, drywall and taping
G. Stephens, Inc.	MBE	10/30/2001	Construction management; Construction inspection, consulting specializing in contract evaluation, project management, marketing analysis, subcontract arbitration, EEO regulation
GAW Enterprises, Ltd.	MBE	10/23/2001	Trucking, snow plowing, landscaping
Gayle's Welding & Fabrication Company	MBE	10/29/2001	Certified welder and steel fabrication
Gratton Building Specialties	FBE	11/15/2001	Supplier of commercial building specialties and products: toilet partitions, both accessories & related building products; waterproofing, brick and window replacement
Hammond Corporation	MBE/FBE	11/24/2001	Mechanical contractor: HVAC, plumbing and process piping
Heights Title Agency, Inc.	MBE	11/19/2001	Full Title and escrow services, including outside closings and lien searches, comparables, legal and tax information
HWH, LLC	MBE/FBE	10/5/2001	Management consulting firm special in marketing and public relations services
Infrastructure Services, Inc.	MBE	10/13/2001	Engineering services: civil, structural, inspections, drafting and surveying
Institute of Technology Consulting, Inc., The	FBE	12/18/2001	Telecommunications consulting, management & education services. telephone courtesy courses, long distance services
Interconnect Cabling Network Services, Inc.	FBE	10/3/2001	Installation of telecommunication networks; LAN, WAN, WTN: design & consulting. Supply network hardware & components

J & H Construction Company	MBE/FBE	12/11/2001	General contractor specializing in building restoration, masonry including footers, interior demolition, excavation, power cleaning
J.B. Neal Associates	MBE/FBE	10/21/2001	Consultant: employee relations, workforce education
Janitorial Services, Inc.	MBE	10/30/2001	Janitorial services; cleaning of walls, windows, carpet, light fixtures; building maintenance
Jet 4500 Service, Inc.	MBE	11/15/2001	General contractor specializing in concrete and asphalt paving
Johmyell Contractors, Inc.	MBE/FBE	10/30/2001	General contractor
K.L.E. Construction Company	MBE	10/30/2001	Install concrete
Kingsway Contracting & Excavating Co., Inc.	MBE/FBE	12/16/2001	General contractor specializing in demolition and excavation; sewer work and underground drainage
L.M.R. Construction Co., Inc.	FBE	12/7/2001	Masonry contractor
L.T. Davis and Associates, Inc.	MBE	10/13/2001	Real estate appraiser
Lassiter Plastering Co.	MBE	10/26/2001	Exterior insulation finish system, application of various types of plaster and stucco products
Lee Infrastructure Restoration, Inc.	MBE/FBE	12/7/2001	Infrastructure rehab including manholes, storage tanks, flooring, walls, highways: materials for casting, rings, risers
Markie Construction Co., Inc.	FBE	11/21/2001	General contractor specializing in underground utilities, sewer and water line installation
McDevitt Mechanical Contractors, Inc.	FBE	10/18/2001	General contractor specializing in plumbing, HVAC & process piping, commercial and industrial
MCGIX Corporation	MBE	10/29/2001	Management consulting and information technology services
MCM Company, Inc.	FBE	10/23/2001	General contractor, construction management, project management services
Micro Plus	MBE	12/9/2001	Supplier: computer hardware, software, & peripherals (printers, modems, monitors, diskettes)
Microplex, Inc.	FBE	10/10/2001	Manufacture of custom cables for computers and network systems
New Concepts Consulting, Inc.	MBE/FBE	10/31/2001	Customized software, database design & development, network installation & support, web page dev., client server/mainframe placement. Software training; video production, editing
Nordonia Building Products, Inc.	FBE	11/20/2001	Commercial and industrial metal siding and roofing contractor
Nowak Mechanical Services, Inc.	FBE	12/14/2001	HVAC contractor including sprinkler & fire protection, boilers, hydronics & temp controls, service, install, repair
One Way Express, Inc.	FBE	12/24/2001	Commercial freight trucking: local, interstate, intrastate including Canada
Outside In, Inc., The	MBE	10/17/2001	Interior and exterior landscaping. Landscape architectural services: planning & urban design, site, park, recreational and transportation design, environmental designs and studies
Pneumatic Specialties, Inc.	FBE	11/14/2001	Air dryers, air compressors, fittings, tubing for pressurization of cables within the telecommunications industry
Post Painting, Inc.	FBE	10/22/2001	Commercial painting and wallcovering contractor
Prime Engineering & Architecture, Inc.	MBE/FBE	11/24/2001	Architectural & engineering services: civil, structural, geotechnical, material testing and site development
Pyramid Cleaning Group, Inc., The	MBE	11/9/2001	Mobile pressure wash and steam cleaning
Quality Ribbons and Supplies Co.	FBE	10/21/2001	Office and computer supplies, equipment; janitorial supplies
R & R Mechanical Corp.	MBE	10/29/2001	General contractor specializing in plumbing and installation of fire protection systems: concrete work
Relocation Specialists, Inc.	FBE	12/24/2001	Office and industrial relocation, management & consulting

Resurrected Construction	MBE 10/29/2001	General contractor specializing in drywall and framing
Ridge Painting Company, Inc.	FBE 11/21/2001	Paint contractor; interior, exterior, commercial, industrial, and residential
Rittman Inc. dba Mull Iron	MBE 11/13/2001	Fabrication & erection of structural, ornamental & misc. steel products
RMC, Inc.	MBE 12/6/2001	Cleaning/cement mortar lining of distribution water mains; repair, replace and plug of water mains and appurtenances; general contractor specializing in carpentry, millwork, replacement, restoration, installation of nipples, valves
Roger's Towing, Inc.	FBE 11/25/2001	Towing of automobiles and trucks
Romar Products	MBE 10/23/2001	Supplier; janitorial and industrial products
SBK-Brooks Investment Corp.	MBE 11/23/2001	Investment banking, institutional securities and trading
September & Associates	FBE 12/24/2001	Commercial and residential real estate appraising
Smart Solutions, dba Microage Computer Store	MBE 12/9/2001	Computer store: personal computers, networks, peripherals, and support services
Suburban Janitorial Service, Inc.	FBE 10/23/2001	Janitorial and cleaning services
Thermo-Tec Insulation, Inc.	FBE 11/15/2001	Insulation contractor
Top Quality Cleaning	FBE 11/12/2001	Janitorial services
Traffic Control Products, Inc.	FBE 11/24/2001	Traffic signals and controls: traffic counters, computerized traffic systems
United Ready Mix	MBE 10/21/2001	Manufacture and distribute ready mix concrete
Vicki L. Banda Freelance Stenographer	MBE/FBE 11/22/2001	Stenographer; record & transcriptions
Washington Insurance Agency, Inc.	MBE 11/19/2001	Insurance agency; multi lines, life, health, auto, commercial, homeowners and group
Weiss Movers, Inc.	FBE 11/19/2001	Professional movers of residential and general office goods
Williams Interiors	MBE 10/29/2001	Drywall; framing, hanging finishing painting, acoustical tile installer; ceilings

**MBEs/FBEs DELETED FROM OEO'S DATABASE
Fourth Quarter, 2001**

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	Customized Computer Training, Inc,
FBE	Fox Fire Protection, Inc.
FBE	Lake Architectural Products
FBE	Lake Ladder and Supply, Inc.
FBE	Pat Henry Market Research, Inc.
FBE	Robin's Trucking & Supply Co.
FBE	Take 5 Coffee Company
FBE	U.S. Utility Contractor Co., Inc.
MBE	Cox Décor, Inc.
MBE	First Choice Glass Mirror Co., Ltd.
MBE	Quality First Auto Parts and Paint

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NONE

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NO MEETINGS

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