

# The City Record

Official Publication of the City of Cleveland

May the Tenth, Two Thousand

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

Containing	PAGE
City Council	3
The Calendar	31
Board of Control	32
Civil Service	37
Board of Zoning Appeals	39
Board of Building Standards and Building Appeals	40
Public Notices	40
Public Hearings	40
City of Cleveland Bids	40
Adopted Resolutions and Ordinances	41
Committee Meetings	60
Index	61

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones .....	4691 East 177th Street	44128
2	Robert J. White .....	3760 East 126th Street	44105
3	Odelia V. Robinson .....	3448 East 123rd Street	44120
4	Kenneth L. Johnson .....	2948 Hampton Road	44120
5	Frank G. Jackson .....	2327 East 38th Street	44115
6	Patricia J. Britt .....	12402 Britton Drive	44120
7	Fannie M. Lewis .....	7416 Star Avenue	44103
8	William W. Patmon .....	867 East Boulevard	44108
9	Craig E. Willis .....	11906 Beulah Avenue	44106
10	Roosevelt Coats .....	1775 Cliffview Road	44112
11	Michael D. Polensek .....	17855 Brian Avenue	44119
12	Edward W. Rybka .....	6832 Indiana Avenue	44105
13	Joe Cimperman .....	3053 West 12th Street	44113
14	Nelson Cintron, Jr. ....	3032 Vega Avenue	44113
15	Merle R. Gordon .....	1700 Denison Avenue	44109
16	Michael C. O'Malley .....	6710 Brookside Drive	44144
17	Timothy J. Melena .....	6110 West Clinton Avenue	44102
18	Jay Westbrook .....	10513 Clifton Boulevard	44102
19	Dona Brady .....	3466 Bosworth Road	44111
20	Martin J. Sweeney .....	3632 West 133rd Street	44111
21	Michael A. Dolan .....	16519 West Park Road	44111

### MAYOR – Michael R. White

Judith Zimomra, Chief of Staff  
 Barry Withers, Executive Assistant for Administration  
 Susan E. Axelrod, Senior Executive Assistant for Health and Human Services  
 Kenneth Silliman, Executive Assistant for Development  
 Reuben Sheperd, Executive Assistant for Services  
 Nina Turner, Executive Assistant for Legislative Affairs  
 Lucille Ambroz, Director, Office of Equal Opportunity

### DEPT. OF LAW – Cornell P. Carter, Director, Pinky Carr, Chief Counsel, Room 106

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

### DEPT. OF FINANCE – Ronald E. Brooks, Director, Room 104;

Frank Badalamenti, Manager, Internal Audit  
 DIVISIONS – Accounts – Marilyn Henderson, Commissioner, Room 19  
 City Treasury – Algeron Walker, Treasurer, Room 115  
 Assessments and Licenses – Robert J. Schneider, Commissioner, Room 122  
 Purchases and Supplies – Myrana Branche, Commissioner, Room 128  
 Printing and Reproduction – James D. Smith, Commissioner, 1735 Lakeside Avenue  
 Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue  
 Financial Reporting and Control – Robert Dolan, Controller, Room 18  
 Information Systems Services – Joyce Thomas, Acting Commissioner, 1404 E. 9th St.

### DEPT. OF PUBLIC UTILITIES – Michael Konicek, Director, 1201 Lakeside Avenue

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

### DEPT. OF PORT CONTROL – LaVonne Sheffield-McClain, Director,

Cleveland Hopkins International Airport, 5300 Riverside Drive;  
 Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner  
 Burke Lakefront Airport – \_\_\_\_\_, Commissioner

### DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, Director, Room 113

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

### DEPT. OF PUBLIC HEALTH – Michele C. Whitlow, Director, Mural Building 1925 St. Clair Avenue

DIVISIONS – Health – Cheri Hahn, Commissioner, Mural Building, 1925 St. Clair Avenue  
 Environment – Donald Culp, Commissioner, Mural Building, 1925 St. Clair Avenue  
 Correction – Thomas Hardin, Commissioner, Cleveland House of Corrections, 4041 Northfield Road

### DEPT. OF PUBLIC SAFETY – Henry Guzmán, Director, Room 230.

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

### DEPT. OF PARKS, RECREATION & PROPERTIES – Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.

DIVISIONS – Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
 Property Management – Tom Nagle, Commissioner, East 49th & Harvard

Parking Facilities – Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.

Park Maintenance and Properties – Richard L. Silva, Commissioner, Public Auditorium – E. 6th & Lakeside.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 87

WEDNESDAY, MAY 10, 2000

No. 4509

## CITY COUNCIL

MONDAY, MAY 8, 2000

The City Record  
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Clerk of Council  
216 City Hall

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

#### MONDAY

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio  
Monday, May 8, 2000.

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

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

Also present were Mayor White and Directors Brooks, Konicek, Ricchiuto, Jackson, Hudecek, Warren, Patterson, Alexander, Dove, Morrison and Acting Directors Carr, Langhenry, Balraj, Palinkas.

Absent: Directors Carter, Sheffield-McClain, Whitlow.

Pursuant to Ordinance No. 2976-76 the Council Meeting was opened with a prayer offered by Rev. Eugene Ward, Jr., Pastor of Greater Love Missionary Baptist Church, located at 3630 East 116th Street in Ward 2. Pledge of Allegiance.

#### MOTION

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

#### STATEMENT OF WORK ACCEPTED

##### File No. 673-2000.

From the Department of Public Utilities re: Contract No. 53929, Cleaning & Lining Truck Mains Area 98-T2, completed and accepted March 31, 2000. Received.

#### FROM DEPARTMENT OF LIQUOR CONTROL

##### File No. 674-2000.

Re: New Application - 5432683 - Saeed H. Mahmoud d.b.a. Central

Foods, 7109 Central Avenue. (Ward 5). Received.

##### File No. 675-2000.

Re: Transfer of Ownership Application - 2403466 - East 97th Food Market, Inc., 9621 Mt. Auburn Road, first floor and basement. (Ward 4). Received.

##### File No. 676-2000.

Re: Transfer of Ownership Application - 6234793 - Karimeh A. Muntaser d.b.a. Lakeview Superette, 970 Lakeview Road, front first floor and basement. (Ward 8). Received.

##### File No. 677-2000.

Re: Transfer of Ownership Application - 8699433 - Sun Valley Mart, Inc. 2700 West 25th Street. (Ward 14). Received.

##### File No. 678-2000.

Re: Transfer of Ownership Application - 1095778 - Bulkley Investments LTD d.b.a. Erie Blue, 4204 Detroit Avenue, first floor, basement and patio. (Ward 14). Received.

##### File No. 679-2000.

Re: Transfer of Ownership Application - 1400375 - Charlie's Place, Inc. d.b.a. Charlie's Place, 2909 Sackett Avenue, first floor and basement. (Ward 14). Received.

##### File No. 680-2000.

Re: Transfer of Ownership Application - 5598090 Marxi, Inc. d.b.a. Mise, 10423-27 Clifton Boulevard, first floor, basement and patio. (Ward 18). Received.

##### File No. 681-2000.

Re: Transfer of Location Application - 73153074320 - Revco Discount Drug Centers, Inc. d.b.a. CVS Pharmacy 4320, 14025 Puritas Avenue. (Ward 20).

##### File No. 682-2000.

Re: Transfer of Ownership and Location Application - 35648400015 - Hanada Corp., 5400 Broadway Avenue. (Ward 13). Received.

##### File No. 683-2000.

Re: Stock Transfer Application - 7403184 - Ritz Carlton Hotel, Co., LLC d.b.a. Ritz Carlton Cleveland, 1515 West Third Street, basement, first, sixth through twelfth and fourteenth floors. (Ward 13). Received.

##### File No. 684-2000.

Re: Stock Transfer Application - 1709285 - Convenient Food Mart, Inc. 3100 d.b.a. Convenient Food Mart, 15521 St. Clair Avenue. (Ward 11). Received.

##### File No. 685-2000.

Re: Stock Transfer Application - 6484183 - O. M. Q., Inc., 837 East 185th Street, first floor. (Ward 11). Received.

**File No. 686-2000.**

Re: Transfer of Exempt - Transfer of Ownership and Location Application - 8530551 - Settlers Dwnunder, Inc. d.b.a. Lorenzos, 1360 West Ninth Street, basement level. (Ward 13). Received.

**File No. 687-2000.**

Re: Transfer of Ownership Application - 9053079 - Triple Threat, Inc. d.b.a. Club Odyssey, 7901 St. Clair Avenue, first floor and basement. (Ward 8). Received.

**File No. 688-2000.**

Re: Transfer of Ownership Application - 9241206 - Migdalia Velez d.b.a. Cooley's Beverage, 12417 Cooley Avenue, first floor. (Ward 19). Received.

**File No. 689-2000.**

Re: Transfer of Ownership and Location Application 9369229 - Mike Wallace d.b.a. Shipwrecked, 11 O. Main Avenue, Unit A. (Ward 14). Received.

**COMMUNICATIONS****File No. 690-2000.**

From City of Parma, Ohio - Resolution No. 113-00, objecting to the water rate increase proposed by the City of Cleveland and the Cleveland Water Department. Received.

**File No. 691-2000.**

From the City of North Royalton, Ohio - Resolution 2000-80 - Opposing the proposed increase in water rates by the City of Cleveland. Received.

**File No. 692-2000.**

From the City of Strongsville, Ohio - certified copy of Resolution No. 2000-70 - Opposing the proposed increase in water rates by the City of Cleveland. Received.

**OATH OF OFFICE****File No. 693-2000.**

From Dolores Alexander, Director Department of Aging. Received.

**File No. 694-2000.**

From Lucille Ambroz, Director, Office of Equal Opportunity. Received.

**File No. 695-2000.**

From Ronald E. Brooks, Director, Department of Finance. Received.

**File No. 696-2000.**

From Henry Guzman, Director, Department of Public Safety. Received.

**File No. 697-2000.**

From Marilyn Henderson, Commissioner, Division of Accounts. Received.

**File No. 698-2000.**

From LaVonne Sheffield-McClain, Director, Department of Port Control. Received.

**File No. 699-2000.**

From Mark W. Ricchiuto, Director, Department of Public Service. Received.

**File No. 700-2000.**

From Algeron A. Walker, City Treasurer, Division of Treasury. Received.

**File No. 701-2000.**

From Michele C. Whitlow, Director, Department of Public Health. Received.

**CONDOLENCE RESOLUTIONS**

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

**Res. No. 702-2000**—Nora B. Carr.

**Res. No. 703-2000**—James Zollicoffer.

**Res. No. 704-2000**—Jerome G. McClain.

**CONGRATULATION RESOLUTIONS**

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

**Res. No. 705-2000**—Feliz Acierno.

**Res. No. 706-2000**—Almeta A. Johnson.

**Res. No. 707-2000**—Russell T. Adrine.

**RECOGNITION RESOLUTIONS**

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

**Res. No. 708-2000**—Josh Ferguson.

**Res. No. 709-2000**—Rev. Robert J. Welsh.

**Res. No. 710-2000**—Doris Capito.

**FIRST READING EMERGENCY ORDINANCES REFERRED****Ord. No. 711-2000.**

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

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

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvements of filter rehabilitation, water treatment and monitoring improvements for the Baldwin Water Treatment Plant and the Nottingham Water Treatment Plant, including, but not limited to, turbidity and particle meters, piping, valves, media and underdrains, structural and architectural improvements, instrumentation and control systems, and operator training, and the public improvement of pump station and reservoir improvements for the Garrett A. Morgan Water Treatment Plant, including, but not limited to,

construction of a new finished water pump station, turbidity and particle meters, demolition of the existing five million gallon reservoir, construction of a new laboratory, modifications to the administration building, construction of piping and pump headers, and operator training, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidders after competitive bidding for a gross price for the improvements.

**Section 2.** That the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvements with the lowest responsible bidders after competitive bidding for a gross price for the improvements provided however, that each separate trade and each distinct component part of said improvements may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvements.

**Section 3.** That the Director of Public Utilities is hereby authorized to make written standard purchase and requirement contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the necessary items of labor and/or materials needed in conjunction with the making of the public improvements authorized by this ordinance, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

**Section 4.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property necessary for the public improvements authorized by this ordinance.

**Section 5.** That the Director of Public Utilities is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interests in real property and to employ title companies, surveyors, escrow agents, appraisers, environmental consultants, field service consultants and other consultants necessary for the acquisition or use of the rights or interests in real property authorized above.

**Section 6.** That the Director of Public Utilities is hereby authorized to enter into agreements with the holders of said rights or interests in real property to relocate or otherwise modify existing fixtures or features of said property to permit the construction of the public improvements authorized by this ordinance.

**Section 7.** That the Director of Public Utilities is hereby authorized to apply and pay for such permits, licenses, or other authorizations required by any regulatory entity or

other public authority as necessary to make the public improvements authorized by this ordinance.

**Section 8.** That the cost of said improvements hereby authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 223, 52 SF 225, and from the funds and subfunds to which are credited the proceeds of the sale of future waterworks revenue bonds and bond anticipation notes issued for the purposes of making the improvements described in this ordinance, Request Nos. 23398, 23399 and 23400.

**Section 9.** 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 Utilities, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

**Ord. No. 712-2000.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to STAVSERV, Inc., an Ohio Corporation, dba the Greek Isles Restaurant to encroach into the public right-of-way of West St. Clair Ave. with an outdoor seasonal sidewalk cafe, a fencing enclosure and associated equipment for the dining area.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit to STAVSERV, Inc., an Ohio Corporation, dba the Greek Isles Restaurant to encroach into the public right-of-way of West St. Clair Ave. with an outdoor seasonal sidewalk cafe, a fencing enclosure and associated equipment for the dining area which will encroach into the public right-of-way of West St. Clair Avenue at the location more fully described as Exhibit "A" in File No. 712-2000-A, being filed by the Clerk of the Council of the City of Cleveland at the Council Office of the City of Cleveland.

**Section 2.** That said outdoor seasonal sidewalk cafe, fencing enclosure and associated equipment for the cafe dining area will be placed within the public right-of-way as aforesaid, in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a building Permit, shall be obtained before said fence is constructed.

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

**Section 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.

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

**Ord. No. 713-2000.**

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

**An emergency ordinance approving the final draft Solid Waste Management Plan of the Cuyahoga County Solid Waste Management District.**

Whereas, the Ohio Solid Waste Disposal Act, effective June 24, 1988, mandated that all counties establish a Solid Waste District and a Solid Waste Management Policy Committee to prepare, adopt and submit to the Ohio Environmental Protection Agency a Solid Waste Management Plan (Sections 3734.52 to 3734.56 of the Revised Code); and

Whereas, through its Resolution No. 814313, adopted August 29, 1988, the Cuyahoga County Board of Commissioners formed a single-county Solid Waste Management District, in accordance with Section 3734.52 of the Revised Code; and

Whereas, the Director of the Ohio Environmental Protection Agency, on March 30, 1989, designated the Cuyahoga County Planning Commission to serve as the Solid Waste Management Policy Committee for the Cuyahoga County Solid Waste District (the "Policy Committee") pursuant to Section 3734.54(D) of the Ohio Revised Code, which Policy committee is required to prepare a "solid waste management plan" for the District as required by Section 3734.54 (the "Plan"); and

Whereas, the Policy Committee completed a draft Plan for the District and submitted that Plan to the Director of the Ohio Environmental Protection Agency for preliminary review and comment in accordance with Sections 3734.54 and 3734.55 of the Revised Code; and

Whereas, the Policy committee received the Director's written, non-binding advisory opinion regarding binding advisory opinion regarding the draft Plan and established a public's authorized by Divisions (A) and (B) of Section 3734.573 of the Revised Code to levy fees upon the generation of solid wastes within the District for the purposes of preparing, revising and implementing the Solid Waste Management Plan and as otherwise provided in Section 3734.573 of the Revised Code; and

Whereas, the Policy Committee has adopted and submitted to this Council a resolution adopting a proposed fee schedule upon the generation of solid wastes within the District and disposed of within the State of Ohio; and

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

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

**Section 1.** That the Final Draft Plan for the Cuyahoga County Solid Waste District is hereby approved in the form submitted to this Council and contained in File No. 713-2000-A.

**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.

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

**Ord. No. 714-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of steel lid refurbishment, for the Division of Waste Collection and Disposal, Department of Public Service, for a period of one year with one one-year option to renew.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of steel lid refurbishment in the approximate amount as purchased during the preceding year, with one (1) option exercisable by the Director of Public Service, to renew for an additional one-year period, and cancellable upon thirty days written notice by said Director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21137)

**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 Public Service, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**Ord. No. 715-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**  
**An emergency ordinance authorizing the purchase by requirement contract of contingency services for the disposal of municipal solid waste, for the Division of Waste Collection and Disposal, Department of Public Service, for a period of one year with a one year option to renew.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the provision of contingency services for the disposal of municipal solid waste to various approved and certified transfer facilities and landfills, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The contract or contracts hereby authorized shall have an initial term of one (1) year. The City shall have one (1) one-year option, exercisable by the Director of Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each or any combination of said items as the Board of Control shall determine.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Service. Alternate bids for a period less than the initial term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

**Section 2.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the initial one-year term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached hereto as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. The Director may also require that the performance of each contract be secured in any option year by a performance bond or bonds, each in an amount determined by the Director. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

**Section 3.** That the cost of such contract or contracts authorized hereby shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21133)

**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.

**EXHIBIT A  
 BID GUARANTY AND  
 CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned \_\_\_\_\_

(Name and Address)  
 as Principal and \_\_\_\_\_

(Name of Surety)  
 as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Oblige, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Oblige on \_\_\_\_\_ (date) to undertake the project known as \_\_\_\_\_

The penal sum referred to herein shall be \_\_\_\_\_

For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named Principal has submitted a bid on the above referred project;

NOW THEREFORE, if the Oblige accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Oblige the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Oblige may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Oblige does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Oblige the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with the resubmission, of printing new contract documents, required advertising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Oblige accepts the bid of the Principal and the Principal within

ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Oblige against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Oblige herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PRINCIPAL: \_\_\_\_\_ SURETY: \_\_\_\_\_

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
 Attorney-in-Fact

TITLE: \_\_\_\_\_

SURETY COMPANY ADDRESS: \_\_\_\_\_

Street \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

SURETY AGENT'S ADDRESS: \_\_\_\_\_

Agency Name \_\_\_\_\_  
 Street \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

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

**Ord. No. 716-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**  
**An emergency ordinance authorizing the purchase by requirement contract of bulk waste disposal services, for the Division of Waste Collection and Disposal, Department of Public Service, for a period of one year with a one year option to renew.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the provision of bulk waste disposal, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The contract or contracts hereby authorized shall have an initial term of one (1) year. The City shall have one (1) one-year option, exercisable by the Director of Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each or any combination of said items as the Board of Control shall determine.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Service. Alternate bids for a period less than the initial term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

**Section 2.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the initial one-year term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached hereto as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. The Director may also require that the performance of each contract be secured in any option year by a performance bond or bonds, each in an amount determined by the Director. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

**Section 3.** That the cost of such contract or contracts authorized hereby shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21132)

**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.

**EXHIBIT A  
BID GUARANTY AND  
CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned \_\_\_\_\_

(Name and Address)  
as Principal and \_\_\_\_\_

(Name of Surety)  
as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Oblige, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Oblige on \_\_\_\_\_ (date) to undertake the project known as \_\_\_\_\_

The penal sum referred to herein shall be \_\_\_\_\_

\_\_\_\_\_. For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named Principal has submitted a bid on the above referred project;

NOW THEREFORE, if the Oblige accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Oblige the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Oblige may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Oblige does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Oblige the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with the resubmission, of printing new contract documents, required advertising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Oblige accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Oblige against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims

of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Oblige herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PRINCIPAL: \_\_\_\_\_ SURETY: \_\_\_\_\_

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
Attorney-in-Fact

TITLE: \_\_\_\_\_

SURETY COMPANY ADDRESS: \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

SURETY AGENT'S ADDRESS: \_\_\_\_\_

Agency Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

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

**Ord. No. 717-2000.**  
**By Councilmen White, Robinson, Jones, Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the Cuyahoga County Commissioners for the cost of the design and rehabilitation of Phases II and III the Harvard Avenue project between East 116th Street and the east corporation line.**

Whereas, in Ordinance No. 2166-99, passed March 27, 2000, this Council gave consent to the Cuyahoga County Commissioners, for the design and rehabilitation of Phases II and III of the Harvard Avenue project between East 116th Street and the east corporation line; and

Whereas, this Council authorized the City to cooperate with the County of Cuyahoga in the cost of the above-referenced improvement, including its design; and

Whereas, the City's share of the cost of said improvement, including its design, is currently estimated to be \$459,400.00; and

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

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

**Section 1.** That this Council hereby authorizes payment to the Cuyahoga County Commissioners of the City's share of the design and rehabilitation of Phases II and III of the Harvard Avenue project between East 116th Street and the east corporation line, from Fund No. 20 SF 364, and from the fund or funds to which are credited the proceeds of the sale of general obligation bonds for 2000 if authorized by this Council and sold by the City for a purpose which includes this payment, Request No. 22504.

**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.

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

**Ord. No. 718-2000.**

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

**An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the Ohio Department of Transportation for the cost of the rehabilitation of the Stokes Boulevard Bridge.**

Whereas, in Ordinance No. 2025-87, passed November 30, 1987, this Council gave consent to the Director of Transportation of the State of Ohio, for the rehabilitation of the Stokes Boulevard Bridge; and

Whereas, this Council authorized the City to cooperate with the State of Ohio in the cost of the above-referenced improvement; and

Whereas, the City's share of the cost of said improvement, is currently estimated to be \$621,000.00; and

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

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

**Section 1.** That this Council hereby authorizes payment to the State of Ohio, Department of Transportation of the City's share of the rehabilitation of the Stokes Boulevard Bridge, from Fund Nos. 20 SF 322 and 20 SF 353, Request No. 22512.

**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.

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

**Ord. No. 719-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of construction and debris disposal services, for the Division of Waste Collection and Disposal, Department of Public Service, for a period of one year with a one year option to renew.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the provision of construction and debris disposal services, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The contract or contracts hereby authorized shall have an initial term of one (1) year. The City shall have one (1) one-year option, exercisable by the Director of Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each or any combination of said items as the Board of Control shall determine.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Service. Alternate bids for a period less than the initial term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

**Section 2.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the initial one-year term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached hereto as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. The Director may also require that the performance of each contract be secured in any option year by a performance bond or bonds, each in an amount determined by the Director. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

**Section 3.** That the cost of such contract or contracts authorized hereby shall be charged against the proper appropriation account and

the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21131)

**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.

**EXHIBIT A  
BID GUARANTY AND  
CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, that we the

\_\_\_\_\_  
(Name and Address)  
as Principal and \_\_\_\_\_

\_\_\_\_\_  
(Name of Surety)  
as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Obligee, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Obligee on \_\_\_\_\_ (date) to undertake the project known as \_\_\_\_\_

The penal sum referred to herein shall be \_\_\_\_\_

\_\_\_\_\_. For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named Principal has submitted a bid on the above referred project;

NOW, THEREFORE, if the Obligee accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Obligee may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Obligee does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with the resubmission, of printing new contract documents, required advertising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Obligee accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance



with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Obligee against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Obligee herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PRINCIPAL: \_\_\_\_\_ SURETY: \_\_\_\_\_

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
Attorney-in-Fact

TITLE: \_\_\_\_\_

SURETY COMPANY ADDRESS: \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

SURETY AGENT'S ADDRESS: \_\_\_\_\_

Agency Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

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

**Ord. No. 720-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Maltese Fire Equipment Co. for the purchase of L.T.I. fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Maltese Fire Equipment Co. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with Maltese Fire Equipment Co. for the purchase of L.T.I. fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Public Service pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17668)

**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 Public Service, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 721-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Finley Fire Equipment, for the purchase of Pierce fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Finley Fire Equipment. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with Finley Fire Equipment for the purchase of Pierce fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Public Service pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17667)

**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 Public Service, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 722-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Sutphen Corporation, for the purchase of Sutphen fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Sutphen Corporation. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with Sutphen Corporation for the purchase of Sutphen fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Public Service pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17669)

**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 Public Service, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 723-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with Maltese Fire Equipment Co. for the purchase of Duplex cab and chassis fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Maltese Fire Equipment Co. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with Maltese Fire Equipment Co. for the purchase of Duplex cab and chassis fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Public Service pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17665)

**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 Public Service, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 724-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to enter into a requirement contract with American Fire Equipment Co. for the purchase of E-one fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than American Fire Equipment Co. Therefore, the Director of Public Service is hereby authorized to make a written requirement contract with American Fire Equipment Co. for the purchase of E-one fire apparatus parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Director of Public Service pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 17666)

**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 Public Service, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 725-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to refurbish front-end loaders and roll off dumpsters, for the Division of Waste Collection and Disposal, Department of Public Service, for a period of one year, with one option to renew for an additional year.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year, with one (1) option exercisable by the Director of Public Service, to renew for an additional one-year consecutive terms, and cancellable upon thirty days written notice by said Director, for the necessary items of labor and materials necessary to refurbish front-end loaders and roll off dumpsters in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21134)

**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 Public Service, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 726-2000.**  
**By Councilmen Cintron and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Service to employ one or more professional consultants necessary to perform geotechnical testing services.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to perform geotechnical testing services.

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

**Section 2.** That the cost of said services herein authorized shall be paid from Fund No. 20 SF 364, Request No. 4308.

**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 Public Service, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 727-2000.**  
**By Councilman Cimperman.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to the Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge for an outdoor seasonal cafe restaurant with a sidewalk barrier which will encroach into the public right-of-way of West 9th Street.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent

of the Director of Public Service to Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge, 1300 West 9th Street, Cleveland, Ohio, 44113, its successors and assigns, for the construction, use and maintenance of an outdoor seasonal cafe restaurant with a sidewalk barrier which will encroach into the public right-of-way of West 9th Street at the location described herein:

**LEGAL DESCRIPTION FOR PROPOSED ENCROACHMENT AREA/CIRCO CAFE N.W. CORNER OF WEST ST. CLAIR AVENUE AND WEST 9TH STREET**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being part of West 9th Street, 99.00 feet wide, and being further bounded and described as follows:

Beginning at the intersection of the Northwesterly right-of-way line of West St. Clair Avenue, 49.50 feet wide, and the Southwesterly right-of-way line of said West 9th Street; thence North 34°-56'-42" West along the Southwesterly right-of-way line of West 9th Street a distance of 16.50 feet to a point and the Principal Place of Beginning of the encroachment herein described;

Course No. 1: Thence continuing North 34°-56'-42" West along the Southwesterly right-of-way line of West 9th Street, a distance of 67.00 feet to a point;

Course No. 2: Thence North 55°-03'-18" East and at right angles to said Southwesterly right-of-way line of West 9th Street, a distance of 10.50 feet to a point;

Course No. 3: Thence South 34°-56'-42" East parallel to the Southwesterly right-of-way line of said West 9th Street, a distance of 67.00 feet to a point;

Course No. 4: Thence South 55°-03'-18" West and at right angles to the Southwesterly right-of-way line of said West 9th Street, a distance of 10.50 feet to the place of beginning and containing 703 square feet of land as calculated and described by McSteen and Associates, Inc. dated March 29, 2000, be the same more or less, but subject to all legal highways and easements.

**Section 2.** That said outdoor seasonal cafe will be placed within the public right-of-way as aforesaid in Section 1, and will be by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before said fence is constructed.

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

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

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

**Ord. No. 728-2000.**  
**By Councilman Cimperman.**  
**An emergency ordinance authorizing the Director of Public Service to issue a permit to 1222 Prospect, Inc., an Ohio Corporation dba Bottoms Up of Cleveland to encroach into the public right-of-way of Bolivar Road S.E. with an outdoor seasonal sidewalk cafe, bollards, planters and associated equipment.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to 1222 Prospect, Inc., an Ohio Corporation dba Bottoms Up of Cleveland, 1222 Prospect Avenue, Cleveland, Ohio 44115, its successors and assigns, for the construction, use and maintenance of an outdoor seasonal sidewalk cafe, bollards, planters and associated equipment, which will encroach into the public right-of-way of Bolivar Road S.E. at the location more fully described as follows:

**LEGAL DESCRIPTION/PROPOSED ENCROACHMENT AREA/ BOTTOMS UP OF CLEVELAND SIDEWALK CAFE/BOLIVAR ROAD S.E.**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and described as follows:

Beginning on the Northwesterly line of Bolivar Road S.E. (66 feet wide), at its intersection with the Southerly line of Prospect Avenue S.E. (82.50 feet wide)

Thence Southwesterly along the Northwesterly line of Bolivar Road, 104.45 feet to a point;

Thence Southeasterly at a right angle to said Northwesterly line, 9.50 feet to a point;

Thence Northeasterly and parallel with said Northwesterly line of Bolivar Road 104.45 feet to a point;

Thence Northwesterly 9.50 feet to the place of beginning.

**Section 2.** That said outdoor seasonal sidewalk cafe, bollards, planters and associated equipment will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a building Permit, shall be obtained before said fence is constructed.

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

**Section 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.

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

**Ord. No. 729-2000.**  
**By Councilman Dolan.**  
**An emergency ordinance authorizing the Director of Public Service to issue a permit to Fairview Hospital, of the Cleveland Clinic Health System, to encroach into the right-of-way of Fernshaw Ave. S.W. & Riveredge Rd. S.W. for the construction of a walk, driveway and landscaping to the new Fairview Hospital Parking Facility pending the vacation of portions of Fernshaw Ave. S.W. & Riveredge Rd. S.W. & the completion of the Cul-de-Sacs.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Fairview Hospital (of the Cleveland Clinic Health System), 18101 Lorain Avenue, Cleveland, Ohio 44111-5656, its successors and assigns, for the construction, use and maintenance of grading, paving and draining of an access driveway, walk and the associated landscaping to the Fairview Hospital Parking Facility which will encroach into the public right-of-way of Fernshaw Avenue S.W. and Riveredge Road S.W., pending the street vacation of parts of Fernshaw Avenue S.W. and Riveredge Road S.W. and the completion of the street Cul-de-Sacs, at the locations more fully described as follows:

**LEGAL DESCRIPTION OF THE PROPOSED ENCROACHMENT AREA FOR FAIRVIEW HOSPITAL PARKING FACILITY WITH LANDSCAPING:**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and described as follows:

Being those portions of Fernshaw Avenue S.W. (50.00 feet wide), and Riveredge Road S.W. (60.00 feet wide), extending Southerly from Old Lorain Road (so called) to the proposed Cul-de-Sacs for said Fernshaw Avenue S.W. and Riveredge Road S.W.

**Section 2.** That said Fairview Hospital Parking Facility with landscaping will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before said fence is constructed.

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

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

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

**Ord. No. 730-2000.**

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

**An emergency ordinance determining the method of making the public improvement of rehabilitating State Road from Brookpark Road to Pearl Road, and authorizing the Director of Public Service to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating State Road from Brookpark Road to Pearl Road, for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund No. 20 SF 364 and from the fund or funds to which are credited the proceeds of any grant funds from the Ohio Works Commission and from the Ohio Department of Transportation, Request No. 22513.

**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.

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

**Ord. No. 731-2000.**

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

**An emergency ordinance to amend Section 1 of Ordinance No. 137-96, passed February 5, 1996, relating to causing the payment of the City of Cleveland's share to the state of Ohio for the cost of rehabilitating or reconstructing the West 44th Street Bridge.**

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. 137-96, passed February 5, 1996, is hereby amended to read as follows:

Section 1. That this Council hereby authorizes payment to the State of Ohio of the City's share of the cost of the improvement of rehabilitating, repairing and reconstructing the West 44th Street Bridge over Conrail and Train Avenue, City Bridge No. 1:053 from Fund Nos. 20 SF 322, 20 SF 190, 20 SF 312, 20 SF 883, and 20 SF 364, Request No. 21791.

**Section 2.** That existing Section 1 of Ordinance No. 137-96, passed February 5, 1996, 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.

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

**Ord. No. 732-2000.**

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

**An emergency ordinance authorizing the Director of Public Service to lease property located at the southeast corner of Detroit Avenue and West 80th Street to St. Augustine Manor, or their designee, for a term not to exceed ten years, with two ten-year options to renew.**

Whereas, the City of Cleveland owns certain property located on the southeast corner of Detroit Avenue and West 80th Street which is not needed for public use for the next ten years; and

Whereas, St. Augustine Manor, or their designee, has proposed to lease said property from the City; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is authorized to lease to St. Augustine Manor, or their designee, certain property which is determined to be not needed for public use for the term of the lease, and which is described as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot No. 29 and parts of Sublots Nos. 1, 2, 3, 4 and 5 in The Chas Pease Subdivision of part of Original Brooklyn Township Lot No. 29 as shown by the recorded plat in Volume 20 of Maps, Page 12 of Cuyahoga County Records, together forming a parcel of land bounded and described as follows:

Beginning on the Southeasterly line of Detroit Avenue, N.W. (66 feet wide) at its point of intersection with the Northeasterly line of West 80th Street (40 feet wide);

Thence Northeasterly along said Southeasterly line of Detroit Avenue N.W. 438.83 feet to the Westerly line of a parcel of land conveyed to The West Side Deutscher Frauen Verein by deed dated March 19, 1894 and recorded in Volume 557 Page 636 of Cuyahoga County Records;

Thence Southerly along said Westerly line to a point distant Southeasterly by rectangular measurement 20 feet from said Southeasterly line of Detroit Avenue N.W.;

Thence Southwesterly parallel with said Southeasterly line of Detroit Avenue N.W. to said Northeasterly line of West 80th Street;

Thence Northwesterly along said Northeasterly line 20 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That the term of the lease authorized above shall not exceed ten years, with two (2) options exercisable by the Director of Public Service, to renew for an additional ten-year term, and cancellable upon thirty days written notice by said Director

**Section 3.** That the property described above shall be leased at a rental of \$1.00 per year.

**Section 4.** That the lease may authorize the lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

**Section 5.** That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

**Section 6.** That the Director of Public Service and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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

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

**Ord. No. 733-2000.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the U.S. Department of Housing and Urban Development for the 2001-2003 Lead-Based Paint Hazard Control Program; authorizing said Director to enter into contracts with various agencies to implement the program; and to enter into one or more contracts for the implementation of the Community Lead Exposure Prevention Project.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the

approximate amount of \$3,000,000, and any other funds as they become available during the grant term, from the U.S. Department of Housing and Urban Development, to conduct the 2001-2003 Lead-Based Paint Hazard Control Program, for the purposes set forth in the abstract and budget and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the abstract and budget for said grant.

**Section 2.** That the abstract and budget for said grant, File No. 733-2000-A, made a part hereof as if fully rewritten herein, are hereby approved in all respects.

**Section 3.** That the Director of Public Health is hereby authorized to enter into one or more contracts for the implementation of the program as described in the abstract and budget contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance with the following agencies, in the following amounts:

Agency	Amount
Glenville Development	\$180,000
St. Clair Superior Coalition	\$180,000
Fairfax Renaissance Development	\$180,000
Tremont West Development	\$180,000
Cleveland Housing Network	\$402,000
Cleveland Housing Network	\$485,000

**Section 4.** That the Director of Public Health is hereby authorized to enter into one or more contracts for the implementation of the program, as described in the abstract and budget contained in the file, with various community based organizations for implementation of the 2001-2003 Community Lead Exposure Prevention Project ("CLEPP"), which is a part of the Lead-Based Paint Hazard Control program, with a total sum of all contracts not exceeding \$352,737.

**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 Health, Finance, Law; Committees on Public Health, Finance.

**Ord. No. 734-2000.**  
**By Councilmen Gordon and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health to enter into one or more lease or leases by way of concession with MetroHealth to provide medical services and clinical physician services at the J. Glen Smith, Thomas McCafferty, and Miles-Broadway Health Center, and to provide health care screenings at the Tremont Health Center six times a year, for a period not to exceed five years and a five-year option to renew, and to employ medical professionals to provide necessary services.**

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 Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Health is hereby authorized to enter into one or more lease or leases by way of concession with MetroHealth Systems for the provision of medical services and clinical physician services, including comprehensive maternal services, infant and pediatric services, primary adult health care services, dental services, and Women, Infants and Children ("WIC") services, at the J. Glen Smith and Miles-Broadway Health Center, for a period not greater than five (5) years, with approval by City Council.

**Section 2.** That, notwithstanding Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Health is hereby authorized to enter into one or more lease or leases by way of concession with MetroHealth Systems for the provision of health care screenings at the Tremont Health Center six (6) times a year, for a period of not greater than five (5) years, with approval by City Council.

**Section 3.** That said leases or by way of concession shall include provisions for MetroHealth Systems to assist the City of Cleveland in coordinating other medical and public health services offered at McCafferty, J. Glen Smith and Miles-Broadway Health Centers; to contribute medical and other staff; and to contribute a share of the operating costs of said Health Centers. The lease or leases by way of concession shall contain a provision wherein City Council approval is necessary to amend said lease or leases in order for MetroHealth Health Systems to provide medical services or clinical physician services in addition to those specified in said lease on its Effective Date. The lease or leases by way of concession shall contain a provision wherein MetroHealth Medical Systems shall provide notice to City Council in the event that any of those factors contained in said lease, which permit MetroHealth Medical Systems to terminate said lease or leases, come into existence and that said notification shall be at the earliest possible time.

**Section 4.** That the Director of Public Health and MetroHealth Health Systems shall not enter into a billing agreement for services provided under the lease or leases by way of concession without prior approval from City Council.

**Section 5.** That the Director of Public Health is hereby authorized to employ by contract(s) MetroHealth and/or MetroHealth employed physicians and professional staff for the professional consulting services of said physicians and professional staff, as necessary. This authority shall be included in the lease or leases by way of concession and said authority shall continue for the duration of the lease or leases by way of concession.

**Section 6.** That the lease or leases by way of concession shall be prepared by the Director of Law and shall contain such necessary provisions which the Director of Law deems necessary to protect the public interest.

**Section 7.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

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

**Ord. No. 735-2000.**  
**By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance to extend the retirement dates of Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor, for a one year period for the Division of Police, Department of Public Safety.**

Whereas, Section 135.07 of the Codified Ordinances of Cleveland, Ohio, 1976, provides that members of the Division of Police in the Department of Public Safety, attaining the age of sixty-five years, upon written request of the Police Chief, shall continue on active duty on a year-to-year basis subject to the approval of the Department of Public Safety and this Council; and

Whereas, Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor, possess great wealth of knowledge and expertise and have proved invaluable in attaining the goals of the Division of Police, Department of Public Safety; and

Whereas, the Director of Public Safety has approved the continuation on active duty for Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor; 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 Officer Emil Cielec of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 20, 2000, and that such continuation is hereby approved by this Council.

**Section 2.** That Lieutenant Michael O'Malley of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on June 30, 2000, and that such continuation is hereby approved by this Council.

**Section 3.** That Lieutenant Edward Lentz of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 14, 2000, and that such continuation is hereby approved by this Council.

**Section 4.** That Detective Arssie Taylor of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 26, 2000, and that such continuation is hereby approved by this Council.

**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 Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 736-2000.**  
**By Councilmen Polensek and Pat-**  
**mon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to service and maintain police aircraft, including labor if necessary, for the Division of Police, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to service and maintain police aircraft, including labor if necessary, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 5704)

**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 Public Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 737-2000.**  
**By Councilmen Polensek and Pat-**  
**mon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of supplies needed for care and feeding of horses, for the Division of Police, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of

Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of supplies needed for the care and feeding of horses in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 5706)

**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 Public Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 738-2000.**  
**By Councilmen Polensek and Pat-**  
**mon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of aviation fuel and hangar space for aircraft, for the Division of Police, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of aviation fuel and hangar space for police aircraft in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 5705)

**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 Public Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 739-2000.**  
**By Councilmen Polensek and Pat-**  
**mon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of prisoner meals, for the Division of Police, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of prisoner meals in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 5703)

**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 Public Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 740-2000.  
By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of citation forms, for the Division of Police, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of citation forms in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 5709)

**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 Public Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 741-2000.  
By Councilmen Polensek and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of photo lab materials and supplies, for the Division of Police, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of photo lab materials and supplies in the approximate amount as purchased during the preceding year, to be purchased

by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 5707)

**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 Public Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 742-2000.  
By Councilmen Polensek, Rybka, Cimperman and Patmon (by departmental request).**

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located on the east side of East 200th Street, north of Interstate 90 to Richard J. and Rita M. Case.**

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located at located on the east side of East 200th Street, north of Interstate 90; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

**DESCRIPTION OF PARCEL "C"  
FOR  
RICK CASE HONDA**

Situated in the City of Cleveland County of Cuyahoga, and State of Ohio and known as being a part of Original Euclid Township Lot No. 8, Tract No. 17, now in said City, and is bounded and described as follows:

Beginning in the centerline of East 200th Street at its intersection with the line which separates the City of Cleveland from the City of Euclid, said point of beginning being located South 0°-43'-23" East, a distance of 1,245.23 feet as measured along said centerline from an

iron pin monument found marking its intersection with the centerline of Cherokee Avenue (now vacated), said point of beginning being also located North 0°-43'-23" West, a distance of 69.72 feet as measured along said centerline from an iron pin monument found marking a point of curvature in the relocated centerline of said East 200th Street at Station 3 + 58.89 North in the survey thereof, as shown to improvement plans for CUY-2-24.33 (Project I-329 (20) filed with the Ohio Department of Transportation:

Thence South 44°-32'-58" East along said line which separates the City of Cleveland from the City of Euclid 64.98 feet to a point located 45.00 feet Easterly by normal measure from said centerline of East 200th Street and the principal point of beginning of the following described parcel of land:

COURSE I: Thence South 44°-32'-58" East continuing along said line which separates the City of Cleveland from the City of Euclid 126.22 feet to a point located 30.00 feet Northerly by normal measure from the centerline of the North Marginal Road of the Lakeland Freeway as shown by said plans;

COURSE II: Thence South 55°-22'-44" West by a line which is parallel with said centerline of the North Marginal Road 37.54 feet to a point at the beginning of a curve;

COURSE III: Thence Northwesterly on the arc of said curve and deflecting to the Right (said curve having a radius of 35.00 feet and a chord which bears North 64°-18'-02" West and is 60.82 feet in length, a distance of 73.70 feet to a point of compound curvature;

COURSE IV: Thence Northerly on the arc of said curve and deflecting to the Right (said curve having a radius of 1,100.92 feet, a chord which bears North 2°-21'-05.5" West and is 62.58 feet in length, and being concentric with said relocated centerline of East 200th Street and 45.00 feet Easterly by normal measure therefrom), a distance of 62.58 feet to a point;

COURSE V: Thence North 0°-43'-23" West by a line which is parallel with the centerline of said East 200th Street, a distance of 22.39 feet to the principal point of beginning and containing about 0.124 of an acre of land as calculated and described from surveys dated September, 1999 and March, 2000 by Timothy P. Hadden, Ohio Registered Surveyor #6786 of CT Consultants, Inc., Registered Engineers and Surveyors.

Bearings used herein are based upon those shown on plat recorded in Volume 227, Page 111 of the Cuyahoga County Map Records.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Richard J. and Rita M. Case at a price not less than fair market value as determined by the Board of Control.

**Section 3.** That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or bill-

boards except permitted identification signs.

**Section 4.** That, if necessary, the Director of Parks, Recreation and Properties is authorized to accept a purchase money mortgage to finance all or part of purchaser's acquisition cost.

**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 Parks, Recreation and Properties, City Planning, Finance, Law; Committees on Public Parks, Property and Recreation and City Planning, Finance.

**Ord. No. 743-2000.**

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

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with T & G Flying Club, Inc. for space in the terminal building at Burke Lakefront Airport for use as a flight training facility and related services.**

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 Port Control ("Director") is authorized to enter into a Lease By Way of Concession ("Lease") with T & G Flying Club, Inc. ("Lessee") for approximately 486 square feet of space in the terminal building at Burke Lakefront Airport for use as a flight training facility and related services. The term of the Lease shall be for two years. The rent shall be \$12.00 per square foot per year. During the term, any addition or deletion of space to be leased shall be approved by the Board of Control, and shall be effective upon written agreement between Lessee and the City.

**Section 2.** That the Lease shall be prepared by the Director of Law and shall contain such other terms and conditions as said Director deems necessary to protect and benefit the public interest.

**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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 744-2000.**

**By Councilmen Dolan, Lewis and Patmon (by departmental request).**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 571.021 thereof relating to service providers at the airport.**

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 571.021 thereof, to read as follows:

**Section 571.021 Service Providers at the Airport**

Effective August 1, 2000, all entities that provide services at the Airport, including, but not limited to services related to ground handling, cargo handling, fueling aircraft, fueling ground equipment, aircraft maintenance, ground vehicle maintenance, interior and exterior aircraft cleaning, catering, deicing, and laboratory services for aircraft, shall pay the Airport a fee of seven percent (7%) of gross revenues for the privilege of providing such services at the Airport.

The Director may, at any time, increase or decrease the percentage fee authorized herein, subject to prior approval of the Board of Control.

**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.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Legislation, Finance.

**Ord. No. 745-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of tree trimming, for the Division of Cleveland Public Power, Department of Public Utilities.**

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

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

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

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on

order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 12249)

**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 Public Utilities, Finance, Law; Committees on Public Utilities, Finance.

**Ord. No. 746-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to install streetlighting bases and pull boxes, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

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

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 16533)

**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 Public Utilities, Finance, Law; Committees on Public Utilities, Finance.



**Ord. No. 747-2000.  
By Councilmen O'Malley and Patmon (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to replace or repaid concrete or asphalt areas, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

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

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 16538)

**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 Public Utilities, Finance, Law; Committees on Public Utilities, Finance.

**Ord. No. 748-2000.  
By Councilmen Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities and to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs and to expend funds for the operation of programs administered by the Department of Community Development.**

Whereas, the City of Cleveland has received a Community Develop-

ment Block Grant, Year XXVI, from the United States Government; and

Whereas, the Council of the City of Cleveland has approved the Year XXVI Community Development Block Grant Plan as set forth in File No. 135-2000-A, pursuant to Ordinance No. 135-2000, passed March 30, 2000; and

Whereas, in prior Block Grant years, the Council has approved Block Grant Plans; and

Whereas, the Block Grant Plans as approved commit funds to Neighborhood Development Activities ("NDA"), which are CDBG eligible activities proposed by the various Council members; and

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

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

**Section 1.** That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend contracts with various social services agencies, community development or local development corporations and private for profit entities for activities and programs that are eligible under the Community Development Block Grant ("CDBG") Program and are consistent with the City's Community Development objectives and policies.

**Section 2.** That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend memorandums of understanding with various City departments to implement activities and programs that are eligible under the CDBG Program and are consistent with the City's Community Development objectives and policies.

**Section 3.** That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to expend NDA funds for the operation of programs administered by the Department of Community Development, including all related services, and to enter into contract under those programs.

**Section 4.** That prior to entering into or amending those contracts or memorandums of understanding, or expending any funds, the Director of Community Development shall receive written approval from the Councilmember whose ward line item is to fund the activity or program, provided that the amount for such activity or program does not exceed the amount allocated for the Councilmember's ward pursuant to the relevant Community Development Block Grant plan.

**Section 5.** That the cost of the contracts, memorandums of understanding and expenditures for the programs administered by the Department of Community Development shall not exceed \$10,500,000.00 and shall be paid from Fund No. 14 SC 026.

**Section 6.** That the Director of Community Development is authorized to accept program income and to deposit that program income in Fund No. 14 to be used as a revolving fund to finance the eligible NDA programs that generated the program income.

**Section 7.** That the Director of Community Development is authorized to enter into or amend con-

tracts with the entities administering the NDA program that generated the program income in an amount not to exceed that generated program income and to expend funds for the programs administered by the Department of Community Development that generated program income in an amount not to exceed that generated program income, all to be paid from the revolving fund in Fund 14.

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

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

**Ord. No. 749-2000.  
By Councilmen Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into contract with various Citywide Development Support agencies to provide housing, commercial, industrial and real estate development activities.**

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 hereby authorized to enter into contract with the following agencies to provide housing, commercial, industrial and real estate development activities:

**City-wide Development Assistance Program**

Cleveland Neighborhood Development Corporation  
Cleveland Housing Network: Reivership Project  
Cleveland Restoration Society  
Cleveland Tenants Organization  
Hispanic Business Association  
Living in Cleveland Center  
Lutheran Housing Corporation:  
Tool Loan Program  
Lutheran Housing Corporation:  
Furnace Repair Program  
Neighborhood Housing Services of Cleveland, Inc.  
United Labor Agency

**Section 2.** That the cost of said contracts shall be in an amount not to exceed \$545,000.00, and shall be paid from Fund Nos. 14 SC 026, Request No. 20687.

**Section 3.** That the Director of Community Development is authorized to accept program income and use this and other program income to finance additional housing, commercial, industrial and real estate development activities.

**Section 4.** That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that generated program income in an amount not to exceed that generated program income and to be paid from the revolving fund in Fund 14.

**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 Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 750-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for the operation of the Storefront Renovation Program.**

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$2,000,000 from Fund No. 14 SC 026, Request No. 20690 for the operation of the Storefront Renovation Program for all related services including: to enter into rebate contracts with program applicants and to reimburse eligible administrative costs to local development corporations for implementation of the program.

**Section 2.** That the Director of Community Development is authorized to accept program income monies in repayment from local development corporations under the Storefront Renovation Program, to utilize this program income, other Community Development Block Grant program income and Kiosk program income for additional expenditures under the Storefront Renovation Program.

**Section 3.** Authorizing the City to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of fees under the City's Storefront Renovation Program.

**Section 4.** That the Director of the Department of Community Development be and is hereby authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City under the City's Storefront Renovation Program.

**Section 5.** That the Director of Community Development is hereby authorized to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and serving costs. Such fees shall be deposited to and expended from Fund No. 14.

**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, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 751-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into contracts with various housing development entities, or their designees, to implement the Housing Trust Fund Program, for costs associated with various housing activities.**

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 hereby authorized to expend funds and to enter into contracts with various housing development entities, or their designees, including those listed below, for the purpose of implementing the Housing Trust Fund Program:

**Section 2.** Eligible activities under the Housing Trust Fund Program include new construction, rehabilitation, site preparation, site acquisition, predevelopment activities and financial assistance to home buyers.

**Section 3.** That the cost of said contracts shall be in an amount not to exceed \$3,955,000.00, and shall be paid from Federal HOME Grant Fund No. 13 SF 895 and Community Development Block Grant Fund No. 14 SC 026, Request No. 20685.

**Section 4.** That the Director of Community Development is authorized to accept monies in repayment of loans authorized in this ordinance and to deposit those monies in Fund No. 14 and to utilize said repayments and other program income in a revolving fund for making additional expenditures under this program.

**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 Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 752-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into contracts with various non-profit development corporations to provide grants to small, neighborhood-based street clubs, block clubs and other community improvement groups to implement the Cityworks Program.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into contracts with various nonprofit development corporations to provide grants to small neighborhood based street

clubs, block clubs and other community improvement groups to implement the Cityworks Program.

**Section 2.** That the aggregate cost of said contracts shall be in an amount not to exceed \$250,000.00, and shall be paid from Fund No. 14 SC 026, Request No. 20688.

**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 Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 753-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs.**

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 hereby authorized to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs in the City of Cleveland.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$500,000.00, and shall be paid from Fund No. 14 SC 026, Request No. 20683.

**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 Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 754-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Housing Network, or its designee, to provide development loan assistance in the form of a Community Development Block Grant float loan for the purchase, rehabilitation or construction of low income rental housing.**

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 hereby authorized to enter into contract with Cleveland Housing Network, or its designee, to provide development loan assistance in the form of a Community Development Block Grant float loan in the amount of \$3,500,000.00 for the purchase, rehabilitation or construction of low income rental housing in the City of Cleveland.

**Section 2.** That the terms of said loan shall be determined by the Director of Community Development in accordance with regulations, state and local law, and said Director is authorized to amend said terms from time to time, as he deems necessary to remain consistent with said laws and regulations.

**Section 3.** That the cost of said contract shall be paid from Fund No. 14 SC 810, Request No. 20692.

**Section 4.** That the Director of Community Development shall obtain an irrevocable, unconditional letter of credit to secure repayment of said loan. Any security instrument shall be approved by the Director of Law.

**Section 5.** That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in the CDBG fund.

**Section 6.** That the Director of Community Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from the CDBG fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction authorized hereunder.

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

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

**Ord. No. 755-2000.**

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

**An emergency ordinance authorizing the Director of Aging to expend Community Development Block Grant funds for the Senior Homeowners Assistance Program (SHAP) and the CHORE Program.**

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

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

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

**Section 1.** That the Director of Aging is hereby authorized to expend Community Development Block Grant funds in the amount of One Hundred Six Thousand Dollars (\$106,000.00), from Fund No. 14 SC 026 Request No. 20681, for the Senior Homeowners Assistance Program ("SHAP") and the CHORE Program in conjunction with the Community Development Block Grant Program, Year XXVI.

**Section 2.** That said Director and the Director of Community Development are hereby authorized to enter into a memorandum of understanding for this program.

**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 Community Development, Aging, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 756-2000.**

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

**An emergency ordinance authorizing the Directors of Community Development and the Community Relations Board to expend Community Development Block Grant funds for fair housing services.**

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

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

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

**Section 1.** That the Director of the Community Relations Board is hereby authorized to expend Community Development Block Grant funds in the amount of \$100,000.00 from Fund No. 14 SF 026 Request No. 20680, for fair housing services in conjunction with the Community Development Block Grant Program.

**Section 2.** That said Director and the Director of Community Development are hereby authorized to enter into a memorandum of understanding for this program.

**Section 3.** That the Director of the Community Relations Board is hereby authorized to enter into contracts with outside agencies for the purpose of providing fair housing services in conjunction with the Community Development Block Grant Program.

**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.

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

**Ord. No. 757-2000.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Housing Network, or its designee, for the acquisition, rehabilitation, or construction of low income housing units.**

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 hereby authorized to enter into contract with Cleveland Housing Network, or its designee, for the acquisition, rehabilitation, or construction of housing units affordable to lower income households through the lease-purchase program.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$2,000,000.00, and shall be paid from Fund Nos. 13 SC 895, Request No. 20691.

**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 Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 758-2000.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 805, 807, 811-15 East 115th Street to Strowder's Funeral Chapel, Inc.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 108-26-012, 108-26-013 and 108-26-114, as more fully described in Section 2 below, to Strowder's Funeral Chapel, Inc.

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

P.P. No. 108-26-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 75 feet of Sublot No. 87 and the Westerly 75 feet of the Northerly 10 feet of Sublot No. 86 in the Cleveland Realty Company's Subdivision of part of Original One Hundred Acre Lots Nos. 362 and 370 as shown by the recorded plat in said Subdivision in Volume 24 of Maps, Page 17 of Cuyahoga County Records.

Said parts of said Sublots Nos. 87 and 86 together form a parcel of land having a frontage of 50 feet on the Easterly side of East 105th Street (formerly Doan Street) and extending back between parallel lines 75 feet along the Southerly side of Englewood Avenue, N.E., excepting therefrom the Westerly 6 feet dedicated on said plat for the widening of Doan Street, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 108-26-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 85 and 86 in The Cleveland Realty Company's Subdivision of part of Original One Hundred Acre Lots Nos. 362 and 370, as shown by the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records and together forming a parcel of land described as follows: Beginning on the Westerly line of East 105th Street (66 feet wide), said Easterly line being also distant 36 feet Easterly and parallel to the Westerly line of said Original Lot No. 370, at a point which is distant 15 feet Southerly, measured along the Easterly line of East 105th Street, from its intersection with the Northerly line of Sublot No. 85; thence Northerly along the Easterly line of East 105th Street, 40 feet to a point; thence Easterly and parallel with the Southerly line of said Sublot No. 86, 110 feet to a point, which is distant 34 feet Westerly, measured along a line drawn parallel with the Southerly line of said Sublot No. 86, from the Easterly line of said Sublot No. 86; thence Southerly and parallel with the Easterly line of Sublots Nos. 86 and 85, 40 feet to a point; thence Westerly in a direct line, 110 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 108-26-114

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly parts of Sublots Nos. 85, 86 and 87 in the Cleveland Realty Company's Subdivision of part of Original One Hundred Acre Lots Nos. 362 and 370 as shown by the recorded plat of said Subdivision in Volume 24 of Maps, Page 17 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Southerly line of Englewood Avenue, N.E., (formerly Engliwood Street) at the Northeast corner of said Sublot No. 87; thence Southerly along the Easterly line of said Sublots Nos. 87, 86 and 85, 110 feet to the Southeast corner of said Sublot No. 85; thence Westerly along the Southerly line of said Sublot No. 85, 34 feet; thence Northerly on a line parallel to said

Easterly line of said Sublots Nos. 85 and 86, 60 feet; thence Westerly on a line parallel to said Southerly line of Englewood Avenue N.E., 41 feet; thence Northerly on a line parallel to said Easterly line of said Sublots Nos. 86 and 87, 50 feet to the Southerly line of Englewood Avenue, N.E.; thence Easterly along said Southerly line of Englewood Avenue, N.E., 75 feet to place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

**Ord. No. 759-2000.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9810 Orleans Avenue to Annie Gray.**

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). 135-05-103, as more fully described in Section 2 below, to Annie Gray.

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

P.P. No. 135-05-103

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 92 feet of the Westerly 80 feet of Sublot No. 20 in the Carter Heirs' Allotment of part of Original One Hundred Acre Lots Nos. 449 and 450, as shown by the recorded plat in Volume 12 of Maps, Page 38 of Cuyahoga County Records, and being 80 feet front on the Southerly side of Orleans Avenue, and extending back of equal width 92 feet, the Westerly side line being also the Easterly side of East 98th Street, as appears by said plat, be the same more or less, subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

**Section 4.** That the consideration for the subject 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. 760-2000.**  
**By Councilmen Lewis, Melena and Patmon (by departmental request).**

**An emergency ordinance to amend Sections 2 and 3 of Ordinance No. 739-99, passed June 14, 1999, relating to an Empowerment Zone contract with Aletha Gambrell dba Operation Hair to provide economic development assistance to partially finance capital improvements to property located at 1787 East 55th Street, Cleveland, Ohio.**

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

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

**Section 1.** That Sections 2 and 3 of Ordinance No. 739-99, passed June 14, 1999, are hereby amended to read, respectively, as follows:

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. **739-99-B.**

**Section 3.** That the costs of said contract shall not exceed **\$155,000.00** and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request Nos. **23762 and 13104.**

**Section 2.** That existing Sections 2 and 3 of Ordinance No. 739-99, passed June 14, 1999, 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.

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

**Ord. No. 761-2000.**  
**By Councilmen Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Rex-Buckeye Company, Inc. to provide economic development assistance to partially finance the acquisition of machinery and equipment, located at 1230 West 58th Street, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Rex-Buckeye Company, Inc. to provide economic development assistance to partially finance the acquisition of machinery and equipment located at 1230 West 58th Street, Cleveland, Ohio.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 761-2000-A.

**Section 3.** That the costs of said contract shall not exceed One Hundred Thousand Dollars (\$100,000.00), and shall be paid from Fund No. 12 SF 954, Request No. 26612.

**Section 4.** That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive Sum-

mary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 12 SF 958.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

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

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

**Ord. No. 762-2000.**  
**By Councilmen Rybka, Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with ACH Properties, Inc. to provide economic development assistance to partially finance the acquisition of real property located at 7100 Broadway Avenue, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with ACH Properties, Inc. to provide economic development assistance to partially finance the acquisition real property located at 7100 Broadway Avenue, Cleveland, Ohio.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 762-2000-A.

**Section 3.** That the costs of said contract shall not exceed One Hundred Ten Thousand Dollars (\$110,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26629.

**Section 4.** That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to

deposit said monies in Fund No. 17 SF 006.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

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

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

**Ord. No. 763-2000.**  
**By Councilmen Sweeney, Melena and Patmon (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Shiloh Industries, Inc. to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to assist with making leasehold improvements and for the acquisition of furniture and fixtures relative thereto located at 18013 Cleveland Parkway in the Cleveland Area Enterprise Zone.**

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Shiloh Industries, Inc. (the "Enterprise") has proposed to make leasehold improvements and to acquire furniture and fixtures relative thereto for its facility located at 18013 Cleveland Parkway in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

**Section 1.** That this Council hereby approves the application of the Enterprise for enterprise zone incentives on the basis that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to assist with the making of leasehold improvements and for the acquisition of furniture and fixtures relative thereto located at 18013 Cleveland Parkway; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 763-2000-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

**Section 4.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 5.** That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

**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 Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 764-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Shiloh Industries, Inc. to provide economic development assistance to partially finance leasehold improvements and the acquisition of furniture and fixtures, located at 18013 Cleveland Parkway, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Shiloh Industries, Inc. to provide economic development assistance to partially finance leasehold improvements and the acquisition of furniture and fixtures, located at 18013 Cleveland Parkway, Cleveland, Ohio.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 764-2000-A.

**Section 3.** That the costs of said contract shall not exceed Four Hundred Thousand Dollars (\$400,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26617.

**Section 4.** That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

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

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

**Ord. No. 765-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Midland Steel Products Holding Company to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to assist with making the acquisition of machinery and equipment and for real property improvements located at 10615 Madison Avenue in the Cleveland Area Enterprise Zone.**

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the

Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Midland Steel Products Holding Company (the "Enterprise") has proposed to acquire machinery and equipment and for real property improvements located at 10615 Madison Avenue in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

**Section 1.** That this Council hereby approves the application of the Enterprise for enterprise zone incentives on the basis that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to assist with the acquisition of machinery and equipment and for real property improvements relative thereto located at 10615 Madison Avenue; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 765-2000-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

**Section 4.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 5.** That the Director of Law shall prepare and approve said agreement and that said agreement

shall contain such terms and provisions as he deems necessary to protect the City's interest.

**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 Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 766-2000.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Midland Steel Products Holding Company to provide economic development assistance to partially finance the acquisition of machinery and equipment and for real property improvements located at 10615 Madison Avenue, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Midland Steel Products Holding Company to provide economic development assistance to partially finance the acquisition of machinery and equipment and for real property improvements located at 10615 Madison Avenue, Cleveland, Ohio.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 766-2000-A.

**Section 3.** That the costs of said contract shall not exceed Five Hundred Thousand Dollars (\$500,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 26615.

**Section 4.** That the Director of Economic Development is hereby authorized to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 7.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

**Section 8.** That this ordinance is hereby declared to be an emergency

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

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

**Ord. No. 767-2000.**

**By Councilmen Cimperman and Patmon.**

**An emergency ordinance to amend Section 349.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1876-94, passed February 27, 1995 relating to surface parking lots in designated downtown districts.**

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 349.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1876-94, passed February 27, 1995, is hereby amended to read as follows:

(g) Variances for Establishment of Parking Lots.

In the case of a request for a variance to permit the establishment of a surface parking lot which is prohibited by regulations of this section, the Board of Zoning Appeals shall grant such variance if it determines that denial of the variance would deprive the owner of reasonable economic use of the subject property. In making this determination, the Board shall consider the recommendation of Cleveland City Council, as determined by resolution, as to the economic impact on the owner of the subject property.

**Section 2.** That existing Section 349.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1876-94, passed February 27, 1995 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.

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

**Ord. No. 768-2000.**

**By Councilman Cintron.**  
**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.04 thereof, relating to Exempted Special Events.**

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are

hereby supplemented by enacting new Section 133.04 thereof, to read as follows:

**Section 133.04 Exempted Special Events**

**Notwithstanding Section 133.031(g) or any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, a member of Council may request an exemption for a special event for an event located outside of the members' ward if there is not a location in the members' ward suitable for the special event. This exemption shall not be considered as the exemption designated pursuant to Section 133.031(g) of the Codified Ordinances.**

**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.

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

Councilmen Gordon, Johnson, Robinson and Westbrook left the meeting.

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

**Ord. No. 769-2000.**

**By Councilman Britt.**  
**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Alta House for the repair or replacement of the boiler for the Alta House Recreation Center through the use of Ward 6 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Alta House for the repair or replacement of the boiler for the Alta House Recreation Center.

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$18,322 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 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 770-2000.****By Councilman Brady.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Ministerial Day Care/Headstart Association to stretch six banners at 3645 West 117th Street (west side of West 117th Street - pole nos. #4596, #4592, east side of West 117th Street - pole nos. #680155, #537724, #537725, #537726), for the period from June 1, 2000 to July 5, 2000, inclusive, publicizing the Children First Learning & Enrichment Center, Our Children are #1.**

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 Ministerial Day Care/Headstart Association to install, maintain and remove a six banner at 3645 West 117th Street (west side of West 117th Street - pole nos. #4596, #4592, east side of West 117th Street - pole nos. #680155, #537724, #537725, #537726), for the period from June 1, 2000 to July 5, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 771-2000.****By Councilman Cimperman.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Grace Hospital to stretch banners at 2307 West 14th Street, for the period from August 1, 2000 to August 31, 2000, inclusive, publicizing the Grace Hospital Health Fair.**

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 Grace Hospital to install, maintain and remove banners at 2307 West 14th Street, for the period from August 1, 2000 to August 31, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 772-2000.****By Councilman Cimperman.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Disability Coalition Movement of Cleveland to stretch banners across Lakeside Avenue at the intersection of Lakeside Avenue and East 9th Street, across Lakeside Avenue at the intersection of Lakeside Avenue and Ontario and across Euclid Avenue at the intersection of Euclid Avenue and East 9th Street, for the period from June 21, 2000 to July 28, 2000, inclusive, publicizing the 10th Anniversary of ADA Day - a Celebration.**

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 Disability Coalition Movement of Cleveland to install, maintain and remove banners across Lakeside Avenue at the intersection of Lakeside Avenue and East 9th Street, across Lakeside Avenue at the intersection of Lakeside Avenue and Ontario and across Euclid Avenue at the intersection of Euclid Avenue and East 9th Street,

for the period from June 21, 2000 to July 28, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 773-2000.****By Councilman Cimperman.**

**An emergency ordinance to amend Section 341.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 527-2000, passed April 17, 2000, relating to pedestrian retail area restrictions.**

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 341.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 527-2000, passed April 17, 2000, is hereby amended to read as follows:

**Section 341.07 Pedestrian Retail Area Restrictions**

(a) Purpose. The regulations of this section are established to achieve, among others, the following purposes.

(1) ensuring the continued economic viability of retail corridors that depend on the patronage of customers who seek a shopping environment that is convenient and comfortable for pedestrians;

(2) enhancing the vitality of downtown streets, thereby strengthening the district's attractiveness as a location for residences, offices and tourism;

(3) increasing the marketability of housing located on upper floors of historic buildings in the district;

(4) providing necessary retail services to downtown residents and office workers;

(5) reducing traffic congestion by allowing downtown residents and employees to patronize retail businesses by walking rather than by traveling in automobiles or other vehicles;

(6) furthering economic development in the City of Cleveland and



providing additional employment for City residents.

(b) Applicability. The regulations of this section shall apply to the ground floor or "street-level floor area" of any property located both in the Public Land Protective District and in a Retail Business District on a "pedestrian-oriented shopping street," as defined herein. No use in such location shall be established or changed except in accordance with the provisions of this section.

(c) Pedestrian-Oriented Shopping Street. A "pedestrian oriented shopping street" is any side of any block of a street characterized by a predominance of retail businesses situated at or near the public sidewalk. The City Planning Commission shall prepare and adopt a map designating pedestrian-oriented streets within the area to which the regulations of this section apply. The Planning Commission shall review and update that map periodically. The Planning Commission shall also consider for designation as a pedestrian-oriented shopping street any block that is designated for retail use in the adopted general plan for the development and improvement of the City, regardless of the current uses located on that block.

(d) Referral by Division of Building and Housing. The Division of Building and Housing shall refer to the City Planning Commission any application for establishment or change of a ground floor use in a building located both in the Public Land Protective District and in a Retail Business District.

(e) Planning Commission Determination. Upon receipt of an application to establish a new street-level use in a location subject to the provisions of this section, the City Planning Commission shall determine whether the space is located on a pedestrian-oriented street and whether the proposed use is permitted by the regulations of this section. The Commission shall make its determination within thirty (30) days of receipt of a complete application, unless the applicant approves an extension of time.

(f) Prohibited Uses. Street-level floor area in a building located on a pedestrian-oriented shopping street, as determined by the City Planning Commission in accordance with the provisions of this section, shall not be occupied principally for purposes of storage or warehousing or operation of telecommunications devices, telephone switching equipment or other automated or remotely controlled machinery or equipment.

(g) Facade and Window Treatment. If any uses prohibited in street-level areas are proposed for upper floors in buildings subject to the provisions of this section, the City Planning Commission or, if applicable, the Landmarks Commission during its review shall ensure that the entire facade and window areas are treated in a manner that does not convey the appearance of a space used for storage or warehousing purposes, but rather conveys the appearance of a space used actively by employees, customers or residents.

(h) Nonconforming Uses. Legally-established uses made nonconforming by the initial adoption of this section may continue but may not be expanded or otherwise changed

so as to create a greater degree of nonconformity, unless approved by the Board of Zoning Appeals in accordance with Chapter 359.

**(i) For any use subject to the regulations of this section, no exhaust vents (including, without limitation, any exhaust vents serving any diesel or other powered emergency generator) shall be placed along the designated pedestrian-oriented shopping street on the first floor, second floor or in the sidewalk area.**

(j) Exceptions. Notwithstanding the variance powers outlined in Section 329.03, the Board of Zoning Appeals may vary or modify the application of these provisions in harmony with the general purpose and intent of the Zoning Code so that the public health, safety, morals and general welfare may be safeguarded and substantial justice done. The decision to vary or modify the application of these provisions shall consider the following factors: (1) the proximity of the proposed use to the pedestrian-oriented street frontage, in the case of a use that will occupy only a portion of the street-level floor space; (2) the physical size, shape or other characteristics of the premises; and (3) whether refusal of the variance appealed for will deprive the owner of substantial property rights.

**Section 2.** That Section 341.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 527-2000, passed April 17, 2000, is hereby repealed.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 774-2000.**

**By Councilman Cintron.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Blessed Sacrament School to stretch one banner at Fulton Rd. using a utility pole (by separate permission) for the period of May 18, 2000 to June 14, 2000, inclusive publicizing their special event.**

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 Blessed Sacrament School, 3389 Fulton Road, Cleveland, Ohio 44109, to install, maintain and remove one (1) banner to be stretched on a Cleveland Public Power utility pole, (by separate per-

mission) for their special event, for the period of May 18, 2000 to June 14, 2000 inclusive, on the following pole location: Fulton Road - the 2nd pole South of Storer Avenue (E), and which 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 or 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 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 775-2000.**

**By Councilman Cintron.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Project Afford, Inc. for the construction and rehabilitation of homes in Ward 14 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 an agreement with Project Afford, Inc. for the construction and rehabilitation of homes in Ward 14.

**Section 2.** That the costs 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 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 776-2000.****By Councilman Gordon.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Archwood/Denison Concerned Citizens to stretch banners across Pearl Road at the NW corner of Pearl Road and Archwood, for a period from May 10, 2000 to June 10, 2000, inclusive, publicizing the 13th Annual Archwood Street Sale.**

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 Archwood/Denison Concerned Citizens to install, maintain and remove banners across Pearl Road at the NW corner of Pearl Road and Archwood (pole no. CPTB397), for a period from May 10, 2000 to June 10, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 777-2000.****By Councilman Gordon.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Senior Citizen Resources, Inc. to stretch banners at 4125 Fulton (pole no. #HC11) and 4102 Fulton (pole no. #GOM1825), for the period from August 31, 2000 to September 30, 2000, inclusive, publicizing the Senior Citizen Resources Annual Garage Sale.**

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 Senior Citizen Resources, Inc. to install, maintain and remove banners at 4125 Fulton (pole no. #HC11) and 4102 Fulton (pole no. #GOM1825), for the period from August 31, 2000 to September 30, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 778-2000.****By Councilman White.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Straight Eight Productions to stretch a banner across Miles Avenue at 11417 Miles, for the period from June 2, 2000 to June 30, 2000, inclusive, publicizing the Straight Eight Productions Second Annual Cabaret.**

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 Straight Eight Productions to install, maintain and remove a banner across Miles Avenue at 11417 Miles, for the period from June 2, 2000 to June 30, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said

banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 779-2000.****By Councilmen Willis and Britt.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Incorporated to stretch banners on Martin Luther King, Jr. Drive (east of the Cleveland Museum of Natural History), on Stokes Boulevard and on Cedar Hill, for the period from May 15, 2000 to June 15, 2000, inclusive, publicizing Parade the Circle Celebration.**

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 University Circle Incorporated to install, maintain and remove banners on Martin Luther King, Jr. Drive (east of the Cleveland Museum of Natural History), on Stokes Boulevard and on Cedar Hill, for the period from May 15, 2000 to June 15, 2000, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 780-2000.****By Councilman Patmon.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Glenville Development Corporation for partial support of a youth program and additional funds for Ward 8 home improvement programs through the use of Ward 8 Workers' Compensation Neighborhood Development Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with Glenville Development Corporation for partial support of a youth program and additional funds for Ward 8 home improvement programs.

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$8,800 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 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**Ord. No. 781-2000.****By Councilman Patmon.**

**An emergency ordinance consenting and approving the issuance of a permit for the 11th Annual Miles Standish Miller Fun Run on June 1, 2000 (raindate: June 2, 2000), sponsored by the Miles Standish Elementary School.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 11th Annual Miles Standish Elementary School, on June 1, 2000 (raindate: June 2, 2000), beginning at the school, 1000 East 92nd Street, west on Parkgate Rd. to East Blvd. to Parkside Rd., north on Parkside Rd. to Parkgate Rd., east on Parkgate Rd. and finish back at the school, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to

the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Councilman Westbrook entered the meeting.

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

**Res. No. 782-2000.****By Councilman Cimperman.**

**An emergency resolution directing the Director of the Department of Public Service to provide notification to Council members in the event of closures to the public right of ways for maintenance or repair.**

Whereas, the Director of the Department of Public Service is charged with the responsibility of planning, constructing, improving, repairing and maintaining streets, sidewalk, bridges and other public right of ways throughout the City of Cleveland; and

Whereas, this Council of the City of Cleveland is aware that, from time to time, certain public right of ways must be closed for maintenance and repair; and

Whereas, in order to facilitate better communication of such closures with the residents of the City of Cleveland, it is imperative that the Director of Public Service ensure that the member of Council is whose ward the maintenance or repair must be done is notified prior to the closure, or if that is not possible due to an emergency situation, then as soon as possible of the right of way closure; 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, in the event of closure of a public right of way for maintenance or repair, the Director of the Department of Public Service is directed to provide notification, either verbally or in writing, prior to the closure to the member of Council in whose ward the work is being performed and to the Clerk of Council; if prior notification is not possible due to an emergency, then the Council member and Clerk of Council must be notified of such closure as soon as possible.

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

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

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

**Res. No. 783-2000.****By Councilmen Dolan, Patmon, White, Sweeney, Rybka, O'Malley, Cimperman, Melena, Polensek, Lewis, Coats and Brady.**

**An emergency resolution denouncing the discriminatory practices and policies prevalent at Bob Jones University.**

Whereas, this Council of the City of Cleveland adamantly rejects the practice of racism, bigotry and intolerance; and

Whereas, the leaders of Bob Jones University have historically enforced a racist and segregationist policy of prohibiting interracial dating; and

Whereas, the administration of Bob Jones University has denigrated African Americans, Asian Americans and people of different religious beliefs other than their own; and

Whereas, the leaders of Bob Jones University have described Pope John Paul II as an "antichrist and a man of sin" and "demon-possessed;" and

Whereas, Dr. Ian Paisley of Northern Ireland, a renowned anti-Catholic preacher, currently sits on the Board of Trustees and the Cooperating Board of Bob Jones University; and

Whereas, Dr. Ian Paisley, who has described Pope John Paul II as "the great fornicator" and "the Anti-Christ" was celebrated and honored at Bob Jones University with an honorary doctorate degree; and

Whereas, elementary school textbooks produced at Bob Jones University teach that Catholicism is a "false religion;" and

Whereas, this Council is disturbed that Governor George Bush of Texas visited and spoke at Bob Jones University in February, 2000; and

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

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

**Section 1.** That this Council of the City of Cleveland denounces the practices at Bob Jones University that attempt to foster and perpetrate racism, bigotry and intolerance, and urges the administration of the university to embrace the racial, cultural and religious diversities that make the United States a richer and more interesting nation.

**Section 2.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to the President of Bob Jones University and to Governor George W. Bush.

**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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 784-2000.**  
**By Councilman Jackson.**  
**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 7109 Central.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 5432683, Saeed H. Mahmoud, DBA Central Foods, 7109 Central, 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, property, 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 to Permit No. 5432683, Saeed H. Mahmoud, DBA Central Foods, 7109 Central, 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 hereby is 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 785-2000.**  
**By Councilman Johnson.**  
**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 9621 Mt. Auburn Rd., 1st Fl. & Bsmt.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 9725521, Woddi II Inc., DBA Cousins Superette, 9621 Mt. Auburn Rd., 1st Fl. & Bsmt., Cleveland, Ohio 44104 to Permit No. 2403466, East 97th Food Market Inc., 9621 Mt. Auburn Rd., 1st Fl. & Bsmt., 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, property, 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 C2 and C2X Liquor Permit from Permit No. 9725521, Woddi II Inc., DBA Cousins Superette, 9621 Mt. Auburn Rd., 1st Fl. & Bsmt., Cleveland, Ohio 44104 to Permit No. 2403466, East 97th Food Market Inc., 9621 Mt. Auburn Rd., 1st Fl. & Bsmt., 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 hereby is 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 786-2000.**  
**By Councilman Patmon.**  
**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 970 Lakeview Rd. Front, 1st Fl. & Bsmt.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 4980630, Lakeview Supermarket II Inc., DBA Lakeview Superette, 970 Lakeview Rd., Front, 1st Fl., Cleveland, Ohio 44108, 4027 Rocky River Dr. to Permit No. 6234793, Karimeh A. Muntaser, DBA Lakeview Superette, 970 Lakeview Rd. Front, 1st Fl. & Bsmt., Cleveland, Ohio 44108; 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, property, 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 C2 and C2X Liquor Permit from Permit No. 4980630, Lakeview Supermarket II Inc., DBA Lakeview Superette, 970 Lakeview Rd., Front, 1st Fl., Cleveland, Ohio 44108, 4027 Rocky River Dr. to Permit No. 6234793, Karimeh A Muntaser, DBA Lakeview Superette, 970 Lakeview Rd. Front, 1st Fl. & Bsmt., Cleveland, Ohio 44108 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 hereby is 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 787-2000.**

**By Councilman Patmon.**

**An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 7901 St. Clair Avenue, 1st Fl. & Bsmt.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D3A and Liquor Permit from Permit No. 3243035, Willie J. Goins, DBA California Club, 7901 St. Clair Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103 to Permit No. 9053079, Triple Threat Inc., DBA Club Odyssey, 7901 St. Clair Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103; 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, property, 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 D2, D2X, D3 and D3A and Liquor Permit from Permit No. 3243035, Willie J. Goins, DBA California Club, 7901 St. Clair Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103 to Permit No. 9053079, Triple Threat Inc., DBA Club Odyssey, 7901 St. Clair Avenue, 1st Fl. & Bsmt., Cleveland, Ohio 44103 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 hereby is 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 788-2000.**

**By Councilmen Polensek and White.**

**An emergency resolution authorizing an inquire into and investigation of the conduct of the Civil Service Commission, including its current and past administrative staff, with respect to certain safety personnel appointments and creation of certain eligible lists.**

Whereas, Charter Section 46 provides that the Council or any person or committee authorized by the Council shall have the power to inquire into the conduct of any department, office, officer or employee of the City and to make investigation as to City affairs; and

Whereas, pursuant to Charter Section 46 and Section 11.09 of the Codi-

fied Ordinances of Cleveland, Ohio, 1976, the Council has provided that the chairperson of a standing committee of the Council that is authorized to conduct such inquiry or investigation, with the approval of the President of Council, may subpoena witnesses, administer oaths and compel testimony and the production of books, papers and other evidence; and

Whereas, the citizens of the City of Cleveland must have confidence that the Civil Service Commission, including its administrative staff, properly fulfills its duties with respect to executing impartially the civil service provisions of the Charter and the civil service rules and regulations and enforcing the merit system of appointment to the classified service, including its responsibilities for offering open competitive tests to ascertain the relative fitness of applicants for appointment; creating eligible lists from the results of such examinations; and certifying names from such eligible lists at the request of appointing authorities to fill vacancies in the manner provided by law; and

Whereas, questions have arisen with respect to the manner in which the Civil Service Commission, including its administrative staff, has performed or is performing those duties with respect to appointments to the position of Patrol Officer subsequent to the 119th Police Academy Class and with respect to the 1998 Patrol Officer examination and resulting eligible lists;

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety in that there needs to be inquiry into matters involving the safety forces of the City; now, therefore,

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

**Section 1.** That the Committees on Public Safety and Employment, Affirmative Action and Training are hereby authorized to inquire into and investigate the conduct of the Civil Service Commission, including its current and past administrative staff, with respect to appointments to the position of Patrol Officer subsequent to the 119th Police Academy Class and with respect to the 1998 Patrol Officer examination and resulting eligible lists. The Chairperson of the Joint Committee shall determine the procedure for conducting such inquiry and investigation, consistent with Charter Section 46 and Section 111.09 of the Codified Ordinances of the City of Cleveland, 1976.

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

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

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

Councilman Gordon entered the meeting.

**SECOND READING  
EMERGENCY ORDINANCES**

**Ord. No. 321-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment with American Airlines, Inc., City Contract No. 31083 to provide for the deletion of certain space from the Lease, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance, Law.

**Ord. No. 331-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide labor and materials, including software, necessary for evaluation, implementation and maintenance of the CMMS work order system.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance, Law; when amended as follows:

1. Insert new Section 2 to read as follows:

**"Section 2. That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended, extended, or modified without City Council approval."**

2. Renumber existing Sections 2 and 3, respectively, to new "Section 3" and "Section 4".

3. In existing Section 2, strike "contemplated" and insert in lieu thereof **"shall not exceed \$25,000.00 and"**.

Amendments agreed to.

**Ord. No. 411-2000.**

By Mayor White.

An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to repair and service Oshkosh broom trucks for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, strike lines 7 and 8 in their entirety and insert in lieu thereof the following: **"of Port Control."**

2. In Section 1, line 4 and in line 12, strike "two years" and insert in lieu thereof **"one year"**.

3. In Section 2, at the end, add the following: **"All expenditures under the contract authorized herein shall not exceed \$22,443.00."**

4. Insert new Section 3 to read as follows:

**"Section 3. That the contract authorized herein shall not be amended, extended or modified without City Council approval."**

5. Renumber existing "Section 3" to new "Section 4".

Amendments agreed to.

**Ord. No. 413-2000.**

By Mayor White.

An emergency ordinance authorizing the purchase by requirement contract of new or refurbished seat-

ing for the terminal areas of the various divisions of the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In Section 2, at the end, insert **"All expenditures under the contract authorized herein shall not exceed \$120,000.00."**

2. Insert new Sections 3 and 4 to read, respectively, as follows:

**"Section 3. That the contract authorized herein shall not be amended, extended or modified without City Council approval."**

**Section 4. That the Director of Port Control shall, upon receipt and review of the bids solicited pursuant to the authority of this ordinance, provide the Chairman of the Aviation and Transportation Committee with a written analysis of the cost differential between purchasing new seating and refurbishing of current seating."**

3. Renumber existing "Section 3" to new "Section 5".

Amendments agreed to.

**Ord. No. 414-2000.**

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

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain combination sewer and catch basin cleaners, including appurtenances, for the Division of Water Pollution Control, Department of Public Utilities, for a period not to exceed two years.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities and Finance; when amended as follows:

1. In Section 2, line 7, after Finance", insert **"All expenditures under the contract authorized herein shall not exceed \$140,000.00."**

2. Insert new Section 3 to read as follows:

**"Section 3. That the contract authorized herein shall not be amended, extended or modified without City Council approval."**

3. Renumber existing "Section 3" as new "Section 4".

Amendments agreed to.

**Ord. No. 517-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of equipment, materials and supplies necessary for safety and environmental monitoring, including labor and maintenance, if necessary, for the various divisions of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. In the title, strike lines 8 and 9 in their entirety and insert in lieu thereof the following: **"of Port Control."**

2. In Section 1, line 2, after "contract" insert **"with the lowest and best bidder"**; in line 4 and in line 14, strike "two years" and insert in lieu thereof **"one year"**.

3. In Section 2, at the end, add the following: **"The expenditures under the contract authorized herein shall not exceed \$30,000.00."**

4. Insert new Section 3, to read as follows:

**"Section 3. That the contract authorized herein shall not be amended, extended, or modified without City Council approval."**

5. Renumber existing "Section 3" to new "Section 4".

Amendments agreed to.

**Ord. No. 591-2000.**

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

An emergency ordinance authorizing the purchase by contract of not to exceed four bronze impellers, one pattern, not to exceed eight impeller rings and not to exceed eight case rings, for the Division of Water, Department of Public Utilities.

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

**THIRD READING EMERGENCY  
ORDINANCES PASSED**

**Ord. No. 1852-99.**

By Councilmen Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance appropriating funds obtained from Norfolk Southern and CSX; authorizing the Director of Economic Development to enter into agreements with Cudell Improvement, Lutheran Housing Corporation and Cleveland Housing Network to implement the Home Insulation Program to mitigate railroad noise; and authorizing the Director of Economic Development to enter into such other agreements necessary to complete this improvement authorizing the Commissioner of Purchases and Supplies to purchase real property in connection with the Home Insulation Program.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 267-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of International truck parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 268-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Ford passenger and police car parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 269-2000.**

By Councilmen Cintron and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of EZ Pack packer parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 367-2000.**

By Councilmen Rybka and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain movable doors and walls, security shutters, electric gates and other means of access, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 478-2000.**

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

An emergency ordinance to amend the title, the first whereas clause and Section 2 of Ordinance No. 1569-99, passed December 13, 1999, relating to the sale of City-owned property no longer needed for public use located in Block C-1 of the Cleveland Industrial Park.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 514-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of a criminal and civil filing system, including materials necessary to file and retrieve cases, for the Department of Finance, on behalf of the Cleveland Municipal Court.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 589-2000.**

By Councilman Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of one uninterrupted power supply unit and associated appurtenances necessary to protect Sun computer equipment, for the Division of Taxation, Department of Finance.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 594-2000.**

By Councilmen Sweeney, Cintron and Patmon (by departmental request).

An emergency ordinance to amend Section 7 of Ordinance No. 1786-97, passed September 22, 1997, as amended by Ordinance No. 506-99, passed June 14, 1999, relating to the rehabilitation of Grayton Road access and spine road leading to Cleveland Business Park Phase II.

Read third time. Passed. Yeas 20. Nays 0.

Councilman Robinson entered the meeting.

**MOTION**

The Council adjourned at 8:50 p.m. to meet on Monday, May 15, 2000, at 7:00 p.m. in the Council Chambers.



Clerk of Council

**THE CALENDAR**

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

**ORDINANCES**

**Ord. No. 321-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment with American Airlines, Inc., City Contract No. 31083 to provide for the deletion of certain space from the Lease, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

**Ord. No. 331-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide labor and materials, including software, necessary for evaluation, implementation and maintenance of the CMMS work order system.

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 Port Control is hereby authorized to employ by contract one or more computer consultants or one or more firms of computer consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to labor and materials, including software, necessary for evaluation, implementation and maintenance of the CMMS work order system.

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

**Section 2.** That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended, extended, or modified without City Council approval.

**Section 3.** That the costs for such services herein shall not exceed \$25,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8259.

**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.

**Ord. No. 411-2000.**

By Mayor White.

An emergency ordinance authorizing the purchase by requirement contract of labor and materials needed to repair and service Oshkosh broom trucks for the various divisions of the Department of Port Control.

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 Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of labor and materials needed to repair and service Oshkosh broom trucks, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8270) **All expenditures under the contract authorized herein shall not exceed \$22,443.00.**

**Section 3.** That the contract authorized herein shall not be amended, extended or modified without City Council approval.

**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.

**Ord. No. 413-2000.**

By Mayor White.

An emergency ordinance authorizing the purchase by requirement contract of new or refurbished seating for the terminal areas of the various divisions of the Department of Port Control.

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 Port Control is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of new or refurbished seating for the terminal areas, in the estimated sum of \$120,000.00 to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8252). **All expenditures under the contract authorized herein shall not exceed \$120,000.00.**

**Section 3. That the contract authorized herein shall not be amended, extended or modified without City Council approval.**

**Section 4. That the Director of Port Control shall, upon receipt and review of the bids solicited pursuant to the authority of this ordinance, provide the Chairman of the Aviation and Transportation Committee with a written analysis of the cost differential between purchasing new seating and refurbishing of current seating.**

**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.

**Ord. No. 414-2000.**

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

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain combination sewer and catch basin cleaners, including appurtenances, for the Division of Water Pollution Control, Department of Public Utilities, for a period not to exceed two years.

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter

and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to repair and maintain combination sewer and catch basin cleaners, including appurtenances, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. **All expenditures under the contract authorized herein shall not exceed \$140,000.00.** (RL 11433)

**Section 3. That the contract authorized herein shall not be amended, extended or modified without City Council approval.**

**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.

**Ord. No. 517-2000.**

By Councilmen Dolan and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of equipment, materials and supplies necessary for safety and environmental monitoring, including labor and maintenance, if necessary, for the various divisions of **Port Control.**

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 Port Control is hereby authorized to make a written requirement contract **with the lowest and best bidder** in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **one year** of the necessary items of equipment, materials and supplies necessary for safety and environmental monitoring, including labor and maintenance, if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Sup-

plies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than **one year** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 8271). **The expenditures under the contract authorized herein shall not exceed \$30,000.00.**

**Section 3. That the contract authorized herein shall not be amended, extended, or modified without City Council approval.**

**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.

**Ord. No. 591-2000.**

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

An emergency ordinance authorizing the purchase by contract of not to exceed four bronze impellers, one pattern, not to exceed eight impeller rings and not to exceed eight case rings, for the Division of Water, Department of Public Utilities.

**BOARD OF CONTROL**

May 3, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 3, 2000, at 11:00 a.m. with Mayor White presiding.

Present: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Absent: None.

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

On motion, the following resolutions were adopted.

**Resolution No. 299-00.**

By Director Konicek.

Whereas, pursuant to the authority of Ordinances Nos. 1254-92 and 2096-92, passed by the Council of the City of Cleveland on June 15, 1992 and December 14, 1992, respectively, and Board of Control Resolutions No. 789-94, adopted October 26, 1994, and No. 190-98, adopted March 25, 1998, the City through its Director of



Public Utilities entered into City Contract No. 48173 with Bialosky & Partners Architects, ("Consultant") for professional services required in connection with the design and renovation of the buildings located at 1201 and 1825 Lakeside Avenue, for the Division of Water and a first amendment thereto; and

Whereas, the Division of Water requires additional architectural and engineering services relative to the renovation of the Carl B. Stokes Public Utilities Building and the renovation of the division's facility at 1825 Lakeside Avenue; and

Whereas, by its April 27, 2000 proposal, Consultant has proposed to perform such additional services for an amount not to exceed \$175,319.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities, is hereby authorized to enter a second modification to Contract No. 48173 with Bialosky & Partners Architects, based upon its proposal dated April 27, 2000 which amendment shall increase the total contract amount from \$1,222,744.00 to \$1,398,062.96.

Yeas: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 300-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Co., for an estimated quantity of manholes, casting and grating, item nos. 1 thru 27, 66 alt., 67 alt., and 68 thru 71, for the Divisions of Water, Water Pollution Control and 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 March 2, 2000, pursuant to the authority of Ordinance No. 1630-92, passed September 21, 1992, which on the basis of the estimated quantity would amount to One Hundred Thirty Seven Thousand Fifty One and 25/100 Dollars (\$137,051.25) (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. 16539

which shall be certified against such contract in the sum of Seven Thousand Three Hundred Sixty and no/100 Dollars (\$7,360.00).

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 White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 301-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Bradley Road, Inc. for an estimated quantity of disposal of debris at a landfill, item nos. 4, 5 and 6, for the Divisions of Water, Water Pollution Control and 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 March 23, 2000, pursuant to the authority of Ordinance No. 946-99, passed June 14, 1999, which on the basis of the estimated quantity would amount to Fifty Nine Thousand Six Hundred and no/100 Dollars (\$59,600.00) (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. 16543

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

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 White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 302-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of East Jordan Iron Works, Inc. for an estimated quantity of manholes, casting and grating, item nos. 28 thru 30 and 32 thru 65, for the Divisions of Water, Water Pollution Control and 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 March 2, 2000, pursuant to the authority of Ordinance No. 1630-92, passed September 21, 1992, which on the basis of the estimated quantity would amount to Two Hundred Twenty Three Thousand Five Hundred Thirty and no/100 Dollars (\$223,530.00) (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. 16540

which shall be certified against such contract in the sum of Eleven Thousand Three Hundred Fifty Two and no/100 Dollars (\$11,352.00).

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 White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 303-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Granger Trucking, Inc. for an estimated quantity of Disposal of Catch Basin Debris for the Division of Water Pollution Control, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on March 30, 2000, pursuant to the authority of Ordinance No. 2115-99, passed February 14, 2000, which on the basis of the estimated quantity would amount to Two Hundred Fifty-Four Thousand Six Hundred and 00/100 Dollars (\$254,600.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 22316

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

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

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

<u>SUBCONTRACTORS</u>	<u>WORK</u>
Genley Transfer, Inc.	Hauling 15%
L. T. Services, Inc.	Hauling 5%

Yeas: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 304-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Wesco Distribution - Akron for an estimated quantity of FRE Conduit and Fittings, item nos. 1 thru 24, 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 April 6, 2000, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the

estimated quantity would amount to Thirty One Thousand Seventy and 22/100 Dollars (\$31,070.22) (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. 16601 which shall be certified against such contract in the sum of One Thousand Eight Hundred Thirty Four and no/100 Dollars (\$1,834.00). 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 White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 305-00.**

By Director Konicek.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of IDEXX Distribution Corporation for an estimated quantity of biological testing media and appurtenances (all items) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 14th day of April, 2000, pursuant to the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the order quantities would amount to Sixty Thousand Two Hundred Ninety Four Dollars and Thirteen Cents (\$60,294.13) (10 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. 23434 which shall be certified against such contract in the sum of Thirty Thousand and no/100 Dollars (\$30,000.00).

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

Yeas: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 306-00.**

By Director Konicek.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of Underwater Marine Con-

tractors, Inc. for an estimated quantity of diving and underwater inspection services (all items) for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 30th day of March, 2000, pursuant to the authority of Ordinance No. 509-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to One Hundred Eleven Thousand Five Hundred Ninety Two Dollars (\$111,592.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 23433 which shall be certified against such contract in the sum of Thirty Thousand and no/100 Dollars (\$30,000.00).

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

Yeas: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 307-00.**

By Director Sheffield-McClain.  
Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 139.041 of the Codified Ordinances of Cleveland, Ohio, 1976, the Department of Port Control is hereby authorized to make the following charges for each landing made by aircraft as fixed by the Commissioner of Cleveland Hopkins International Airport, other than those aircraft of airlines that are signatories, or majority-owned subsidiaries of signatories, to the Agreement and Lease authorized by Ordinance No. 1585-A-76, passed on August 16, 1976, or signatories of a lease that establishes a specific landing fee, each of which shall pay the rate determined by the Agreement and Lease or other lease, respectively, at Cleveland Hopkins International Airport in accordance with the following schedule of rates:

**Single-Engine Aircraft** \$20.00

**Multi-Engine Aircraft by Gross Weight**

0-10,000 lbs.	\$30.00
10,001-12,500 lbs.	\$40.00
12,500 and over	See (a), (b) and (c) below

(a) For non-signatory air carriers operating under Parts 121 or 135 of the Federal Aviation Regulations, but that operate on a scheduled basis, the fee shall be 125% of the prevailing rate applicable to signatory airlines under the Agreement and Lease.

(b) For all other itinerant aircraft, the fee shall be 150% of the prevailing rate applicable to the sig-

natory airlines under the Agreement and Lease.

(c) For a non-signatory air carrier that has submitted a letter of intent to become a signatory airline under the Agreement and Lease that has been accepted by the Director of Port Control, the fee shall be the prevailing rate applicable to signatory airlines.

(d) For based aircraft of organizations operating under written agreements requiring the payment of landing fees, the fee shall be 125% of the prevailing rate applicable to the signatory airlines under the Agreement and Lease.

"Gross Weight" shall mean the maximum allowable gross landing weight.

An airline operating on a "scheduled basis" shall mean an airline that submits schedules in advance and reports landings on a monthly basis to the Division of Cleveland Hopkins International Airport.

Be it further resolved that Resolution No. 193-99, adopted April 7, 1999, be and the same is hereby rescinded, and that the rates herein fixed shall be in force and effect as of June 1, 2000.

Yeas: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 308-00.**

By Director Sheffield-McClain.  
Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Section 139.051 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of the Department of Port Control is hereby authorized to establish the following charges for use of facilities at Burke Lakefront Airport as fixed by the Commissioner of Burke Lakefront Airport.

**LANDING FEES**

**Public Aircraft** No Charge

Private Aircraft, Commercial Aircraft, Corporate Aircraft, Scheduled Air Carrier Aircraft, and Private Aircraft transporting persons for business purposes

**Single-Engine Aircraft and Helicopters** \$5.00

**Multi-Engine Aircraft by weight as follows:**

0-10,000 lbs.	\$5.00
10,001 - 12,500 lbs.	\$10.00
12,501 and over	\$1.00
	per 1,000 lbs. gross weight

Be it further resolved that pursuant to Section 139.01 of the Codified Ordinances of Cleveland, Ohio, 1976, the Department of Port Control shall charge the following fees for parking aircraft at Burke Lakefront Airport.

**DAILY PARKING/TIE-DOWN FEES ON DESIGNATED CITY RAMPS**

**Public Aircraft** No Charge

Private Aircraft, Commercial Aircraft, Corporate Aircraft, Scheduled Air Carrier Aircraft, and Private Aircraft transporting persons for business purposes

For periods from 0-2 hours  
No Charge

For periods from 2-24 hours, and for each additional 24 hour period, or portion thereof, as follows:

**Single-Engine Aircraft and Helicopters** \$5.00

**Multi-Engine Aircraft by weight as follows:**

0-10,000 lbs.	\$5.00
10,001 - 12,500 lbs.	\$10.00
12,501 and over	\$1.00
	per 1,000 lbs. gross weight

**MONTHLY PARKING/TIE-DOWN FEES ON CITY DESIGNATED RAMPS**

**Single-Engine Aircraft and Helicopters** \$100.00

**Multi-Engine Aircraft by weight as follows:**

0-10,000 lbs.	\$100.00
10,001 and over	\$200.00

For the purposes of this Resolution, the following definitions shall apply:

"GROSS WEIGHT" shall mean the maximum allowable certificated gross landing weight.

"COMMERCIAL AIRCRAFT" shall mean an aircraft carrying persons or property for compensation or hire.

"CORPORATE AIRCRAFT" shall mean a company-owned aircraft transporting persons or property for business purposes.

"PUBLIC AIRCRAFT" shall mean an aircraft used in the service of a government entity at the local, state or federal level.

"SCHEDULED AIR CARRIER" shall mean an airline that submits schedules in advance and reports landings on a monthly basis to the Department of Port Control.

"PRIVATE AIRCRAFT" shall mean an aircraft that is not a Commercial Aircraft, Corporate Aircraft, Public Aircraft, or Scheduled Air Carrier Aircraft.

Be it further resolved that any prior Resolution setting forth landing and/or parking fees at Burke Lakefront Airport be hereby rescinded, and that the rates herein fixed shall be in force and effect as of May 1, 2000.

Yeas: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 309-00.**

By Director Sheffield-McClain.  
Whereas, pursuant to the authority of Ordinance No. 434-97, passed by the Council of the City of Cleveland on June 2, 1997, and Board of Control Resolution No. 882-97, adopted on October 22, 1997, the City through its Director of Port Control entered into City Contract No. 52553 with Solar Testing Laboratories, Inc. ("Consultant") for professional testing and construction inspection services at Cleveland Hopkins International Airport and Burke Lakefront Airport for the Department of Port Control; and

Whereas, the City has determined to modify the scope of work to include the additional testing and construction inspection services necessary for professional design support; and

Whereas, Consultant has proposed by its Design Services Contract Amendment dated August 5, 1999 to perform the additional Quality Acceptance/Quality Control Testing, televising Burke Lakefront underground sewers and any additional testing services necessary; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into a first amendment to the agreement between the City of Cleveland and Solar Testing Laboratories, Inc. ("Consultant"), Contract No. 52553, for an addition to the work scope consisting of professional design support as set forth in Consultant's design services contract amendment proposal dated August 5, 1999. Compensation for all services shall be increased by an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00) to a total contract amount not to exceed Four Hundred Thousand Dollars (\$400,000.00).

Be it further resolved that the Director of Port Control is hereby authorized to complete and execute any document necessary and appropriate to effect the amendment hereby authorized.

Be it further resolved that the employment of the following subcontractors by Solar Testing Laboratories, Inc. for the first amendment to Contract No. 52553 for the testing and construction for the above-mentioned contract is hereby approved:

**SUBCONTRACTORS SERVICES**

Dodson-Stilson, Inc.  
(MBE - 30% Participation)

Environmental lab analysis Architect/engineering services

Office-Pro, Inc.  
(FBE-10% Participation)

Administrative services

Yeas: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 310-00.**

By Director Ricchiuto.  
Be it resolved by the Board of Control of the City of Cleveland that pursuant to authority of Ordinance No. 2118-99, passed by the Council of the City of Cleveland February 14, 2000, the firm of The Osborn Engineering Company is hereby selected upon the nomination of the Director of Public Service from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Public Service as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City in order to obtain engineering services for the rehabilitation of

West 77th Street bridge, City Bridge No. 1:064M.

Be it further resolved that the Director of Public Service hereby is authorized to enter into a written contract with The Osborn Engineering Company based on its proposal dated October 21, 1999, provided that the compensation to be paid shall not exceed One Hundred Forty Eight Thousand, Nine Hundred Fifty Five, and 00/100 Dollars (\$148,955.00). Agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultants by The Osborn Engineering Company for the design services contract authorized above hereby is approved:

Robert P. Madison  
2930 Euclid Avenue  
Cleveland, OH 44115  
(MBE) — \$30,160.00 — (20.248%)

Prime Engineering Inc.  
1038 Ghent Road  
Akron, OH 44333  
(FBE) — \$7,800.00 — (5.236%)

Yeas: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 311-00.**

By Director Ricchiuto.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Jack Doheny Supplies, Inc. for an estimated quantity of Gutter Broom Sets and Coreless Tube Brooms all items, for the Division of Streets, Department of Public Service, for the period of one year beginning with the date of execution of a contract, received on February 17, 2000, pursuant to the authority of Ordinance No. 1829-99, passed December 6, 1999, which on the basis of the estimated quantity would amount to Forty Six Thousand Five Hundred and 00/100 Dollars (\$46,500.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08881 which shall be certified against such contract in the sum of Four Thousand Six Hundred Forty and 00/100 Dollars (\$4,640.00).

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 White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 312-00.**

By Director Ricchiuto.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Able Contracting Group, Inc. for an estimated quantity of Guard Rail Elements, for the Division of Streets, Department of Public Service, for the period of one year beginning with the date of execution of a contract, received on February 17, 2000, pursuant to the authority of Ordinance No. 1835-99, passed December 6, 1999, which on the basis of the estimated quantity would amount to Thirty Five Thousand Seventy Five and 00/100 Dollars (\$35,075.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08849 which shall be certified against such contract in the sum of Twenty Four Thousand Nine Hundred and 00/100 Dollars (\$24,900.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Able Contracting Group, Inc., is hereby approved:

Crawford Fence  
MBE — \$7,500 — 21%

Yeas: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.  
Nays: None.  
Absent: None.

**Resolution No. 313-00.**

By Director Ricchiuto.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Valk Manufacturing Company for an estimated quantity of 225 plow blades and 100 curb bumpers, for the Division of Streets, Department of Public Service, for the period of one year beginning with the execution of this contract, received on February 17, 2000, pursuant to the authority of Ordinance No. 1834-99, passed December 6, 1999, which on the basis of the estimated quantity would amount to Nine Thousand Five Hundred Thirty Seven and 25/100 Dollars (\$9,537.25), 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. 08850 which shall be certified against such contract in the sum of One Thousand Eight Hundred Thirty Nine and 50/100 Dollars (\$1,839.50).

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 White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.  
Nays: None.  
Absent: None.

**Resolution No. 314-00.**

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

Whereas, City has acquired Permanent Parcel No. 106-16-027 under said Land Reutilization Program; and;

Whereas, Ordinance No. 217-00 passed April 17, 2000, 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, Beverly Butler 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. 217-00 passed April 17, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Beverly Butler for the sale and development of Permanent Parcel No. 106-16-027, 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 White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.  
Nays: None.  
Absent: None.

**Resolution No. 315-00.**

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

Whereas, City has acquired Permanent Parcel Nos. 119-05-101 and 119-05-102 and 119-05-103 under said Land Reutilization Program; and

Whereas, Ordinance No. 379-2000 passed April 17, 2000, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Milton Allen and Crystal Allen have 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. 379-2000 passed April

17, 2000, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Milton Allen and Crystal Allen for the sale and development of Permanent Parcel Nos. 119-05-101 and 119-05-102 and 119-05-103, 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 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 White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.  
Nays: None.  
Absent: None.

**Resolution No. 316-00.**

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

Whereas, City has acquired Permanent Parcel No. 005-26-032 under said Land Reutilization Program; and

Whereas, Ordinance No. 1847-99 passed December 13, 1999, 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, Cecily Annette Lewis, a.k.a. Cecily A. Lewis 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. 1847-99 passed December 13, 1999, 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 Cecily Annette Lewis, a.k.a. Cecily A. Lewis for the sale and development of Permanent Parcel No. 005-26-032, 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 \$400.00, 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 White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.  
Nays: None.  
Absent: None.

**Resolution No. 317-00.**

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

Whereas, City has acquired Permanent Parcel No. 126-36-102 under said Land Reutilization Program; and;

Whereas, Ordinance No. 1750-99 passed December 13, 1999, 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, Laura M. Little 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. 1750-99 passed December 13, 1999, 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 Laura M. Little for the sale and development of Permanent Parcel No. 126-36-102, 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 \$450,000, 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 White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 318-00.**

By Director Brooks.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authority of Ordinance Nos. 1744-97 and 521-99, passed by the council of the City of Cleveland June 5, 1995, and March 29, 1999, respectively, the firm of Carrera-MAXIMUS, Inc. is hereby selected upon the nomination of the Director of Finance, as determined after a full and complete canvass by the Director of Finance, as the firm to be employed for the purpose of providing professional services, including but not limited to project management and implementation of the computer aided dispatch and records management system to Y2K compliance, for the Department of Public Service.

Be it further resolved that the Director of Finance hereby is authorized to enter into a contract with Carrera-MAXIMUS, Inc. based upon its proposal dated May 1, 2000, which contract shall provide that the compensation to be paid shall not exceed \$500,000. The contract authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit public interest.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White.

**Resolution No. 319-00.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Granger Trucking, Inc. for the rental of heavy duty, large capacity trucks with operators, for the Division of Streets, Department of Pub-

lic Service, for the period of one (1) year beginning with the date of execution of a contract, received on April 14, 2000, pursuant to the authority of Ordinance No. 504-99, passed May 17, 1999, which on the basis of the estimated quantity would amount to Six Hundred Thirty Eight Thousand and No/100 Dollars (\$638,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08892 which shall be certified against such contract in the sum of Six Hundred Thousand and No/100 Dollars (\$600,000.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Granger Trucking, Inc., for the rental of large capacity trucks with operators, is hereby approved:

Genley Transfer  
(MBE) 5%

Kelew DBA K-Enterprises  
(MBE) 5%

Interstate Safety  
(FBE) 5%

L.T. Services  
(FBE) 5%

Yeas: Mayor White, Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 320-00.**

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 285-00 adopted by the Board of Control of the City of Cleveland on April 26, 2000, approving the bid of R.P. Carbone Co. for the Police Headquarters Garage and Plaza Renovation, for the Department of Public Safety hereby is rescinded.

Be it further resolved by the Board of Control of the City of Cleveland that all bids received on March 15, 2000 for the Police Headquarters Garage and Plaza Renovation, for the Department of Public Safety, pursuant to the authority of Ordinance No. 1578-90, passed February 24, 1992 be and the same are hereby rejected.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White.

**Resolution No. 321-00.**

By Director Jackson.

Whereas, Resolution No. 288-00, adopted by this Board on April 26, 2000, pursuant to the authority of Ordinances Nos. 1605-98, passed by the Cleveland City Council on October 19, 1998, authorized the Director of Parks, Recreation & Properties to enter into a contract with R. DiLillo & Company as the lowest responsible bidder for the public improvement of Artha Woods Park, Humphrey Park and Thames Park Site Improvements; and

Whereas, in approving subcontractors, the parks to be improved were incorrectly identified; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 288-00 adopted April 26, 2000, affirming and approving R. DiLillo & Company as lowest responsible bidder for certain Artha Woods Park, Humphrey Park and Thames Park Site Improvements is hereby amended by deleting "Jefferson Park Site Improvements and Trent Park Fence Improvements", where appearing, and substituting "Artha Woods Park, Humphrey Park and Thames Park Site Improvements".

Be it further resolved that all other provisions of said Resolution No. 288-00 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Acting Director Carr, Directors Brooks, Konicek, Acting Director Williams, Directors Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

ANNE BLOOMBERG,  
President

**CIVIL SERVICE NOTICE****ANNOUNCEMENT - 2000**

Announcement No.	Classification
37	Legal Secretary (Open)
38	Systems Analyst (Open)

**PROOF OF CITY RESIDENCY**

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing**. The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current**. Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

Lease - from rental agency.

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

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

Post Office change of address form properly date stamped.

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

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

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

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

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

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

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

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

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

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 37

**LEGAL SECRETARY (Open)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination

for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$17,189.55 to \$33,647.36 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 15 UNTIL 4:30 P.M. ON FRIDAY, MAY 26, 2000.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, MAY 26, 2000.**

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

**EXAMINATION INFORMATION**

**TYPE: WRITTEN EXAMINATION**

**DUTIES OF THE POSITION**

Under supervision, assists in the preparation of legal documents and other papers. Performs general clerical duties. Takes and transcribes legal dictation as required. Tracks legislation as necessary. Performs other job-related duties as required.

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

Candidate must have one (1) year of legal secretary experience. Candidate must also have an Associate's degree, legal certificate or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job.

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 38

**SYSTEMS ANALYST (Open)**

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

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$18,627.62 to \$44,046.54 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THE EXAMINATION FROM 8:30 A.M. ON MONDAY, MAY 15 UNTIL 4:30 P.M. ON FRIDAY, MAY 26, 2000.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, MAY 26, 2000.**

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

**EXAMINATION INFORMATION**

**TYPE: WRITTEN EXAMINATION**

**DUTIES OF THE POSITION**

Under supervision, performs computer systems design, implementation, and management tasks. Assists in, or performs, special project work as assigned. Troubleshoots computer system problems and provides other technical assistance as needed. Performs other job-related duties as required.

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

Candidate must have an Associate's Degree in Computer Science, or closely related field; and/or any equivalent combination of education, training, and experience, which provides the requisite knowledge, skills, and abilities for this position. Two (2) years of related experience may be substituted for each year of education lacking. (30 semester/45 quarter hours equals one (1) year of college. The following job experience is required: two (2) years of full-time experience in set-up and configuration of personal computers in a networking environment (Novell and/or Microsoft NT).

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

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

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

**AN EQUAL OPPORTUNITY EMPLOYER**

ANNE BLOOMBERG,  
President

May 10, 2000

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, MAY 22, 2000**

**9:30 A.M.**

**Calendar No. 00-86:** 14213 Clifford Avenue (Ward 21)  
Jeffery Sommer, owner, appeals to construct an 11' x 24' one-story frame garage addition to an existing 26' x 24' one-story garage all situated on a 40' x 120' parcel and located in a One-Family District on the south side of Clifford Avenue at 14213 Clifford Avenue; said construction addition being contrary to the Residential District Regulations where the proposed floor area of an accessory building is 888 sq. ft. and the existing parcel equals 4,800 sq. ft. and an accessory building shall not exceed 650 sq. ft. for lots that are 4,800 sq. ft. or less as stated in Section 337.03(7)(a) of the Codified Ordinances.

**Calendar No. 00-87:** 2860 East 130th Street (Ward 6)  
Amos Norwood, owner, and Thresa Whitt, tenant, appeal to change the use of the second floor of an existing 2-story masonry commercial building from offices to an expansion of day care use to match the first floor use, which is a day care, situated on an 80' x 148' parcel and located in a Local Retail Business District on the west side of East 130th Street at 2860 East 130th Street; said expansion being contrary to the Residential District Regulations where the building use as proposed shall not be less than 30' from an adjoining premises not used for similar purposes and is subject to the review and approval of the Board of Zoning Appeals as stated in Section 337.02(f)(3) of the Codified Ordinances.

**Calendar No. 00-88:** 3381 West Boulevard (Ward 18)  
Craig Brown, owner, appeals to install approximately 225 linear feet of 6' high wood privacy fencing with a gate to the rear of a 60' x 175' corner parcel located in a One-Family District on the northeasterly corner of Champion Avenue and West Boulevard at 3381 West Boulevard; said installation being contrary to the Yards and Courts Requirements where a 6' high fence is proposed and on the rear third of a corner lot abutting a residential district the fence height shall not exceed 4'-6" in the required side street yard setback as stated in Sec-

tion 357.05(b)(1) of the Codified Ordinances.

**Calendar No. 00-90:** 16700 Lorain Avenue (Ward 21)  
Kamcor Realty Company, owner c/o Daniel Lovinger, and Carom, Inc., d.b.a. BJ Diamond Mine, tenant, and Dan Marguillies, agent, appeal to change the use of an existing 51' x 103' one-story and mezzanine area into a night club and billiards parlor and situated on a 170' x 120' parcel and located in a Local Retail Business District on the north side of Lorain Avenue; said change of use being contrary to the Business District Regulations of Section 343.01 where entertainment or dancing is not permitted in a Local Retail Business District and Section 343.11 where dance hall and pool billiards are permitted but subject to the regulations of the Amusement and Recreation Uses of Section 347.12 and adult entertainment uses where amusement and recreation uses must be 500' from a Residential District and contrary to the Off-Street Parking and Loading Requirements where zero parking spaces are proposed and 86 are required as stated in Section 349.04 of the Codified Ordinances.

**Calendar No. 00-96:** 8937 Cedar Avenue (Ward 6)  
Charles Scott, owner, and Lou's Diner, tenant, appeal to install 14 accessory off-street parking spaces in the front of an approximate 95' x 105' corner parcel situated in a Local Retail Business District on the northwest corner of East 90th Street and Cedar Avenue at 8937 Cedar Avenue; said parking spaces being contrary to the Off-Street Parking and Loading Requirements of Section 349.08(a) where parking within the 10' setback area along Cedar Avenue is not allowed and contrary to the Landscaping and Screening Requirements of Section 352.11 where a frontage strip of 6' is required and 5' is proposed and the maximum height of fencing proposed is 6' and 4'-6" is permitted as stated in Section 357.13(b)(3).

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, MAY 8, 2000**

At the meeting of the Board of Zoning Appeals on Monday, May 8, 2000, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 00-82:** 8225 Carnegie Avenue  
J.T. Bailey & Company, d.b.a. Carter Howell LLC, owners, appealed to construct an 85'-4" x 42' one-story masonry shopping plaza building on a 193' x 127' parcel in a General Retail Business District.

**Calendar No. 00-83:** 2901 Bridge Avenue  
Patricia M. Williams, owner, appealed to use a 47' x 108' vacant parcel for 14 accessory off-street parking spaces in a Two-Family District.

**Calendar No. 00-72:** 10250 Shaker Boulevard  
Morning Star Baptist Church, owner, appealed to renovate the first and second floors of a two-story masonry, former auto sales building into a church in a General Retail Business District; approval subject to submission of timelines for the desired phasing of the proposed interior and exterior renovations and installation of landscaping to clarify the record on project deployment.

The following appeal was **Withdrawn:**

**Calendar No. 00-32:** 2129 West 11th Street  
Don Mural, owner, and Parkhill Associates, prospective purchaser c/o Brian McCreary, appealed to convert a one-story masonry garage into a single family dwelling, two-story house in a Multi-Family District.

The following appeals were **Postponed:**

**Calendar No. 00-78:** 7508 Donald Avenue postponed to May 22, 2000.

**Calendar No. 00-84:** 17115 Amber Drive postponed to May 22, 2000.

**Calendar No. 00-45:** 9215 Madison Avenue postponed to May 22, 2000.

**Calendar No. 00-46:** 3300 West 65th Street postponed to June 5, 2000.

**On Monday, May 8, 2000, in Executive Session:**

The following appeals were heard on Monday, May 1, 2000 and said decisions were approved and adopted by the Board on May 8, 2000.

The following appeals were **Approved:**

**Calendar No. 00-76:** 2188 West 6th Street  
Tremont Ridge Phase I Limited Partnership, owner, appealed to construct a 20' x 40' three-story, 2 family dwelling on a 25' x 100' vacant lot in a Multi-Family District.

**Calendar No. 00-77:** 308 Central Viaduct  
Norfolk and Southern Corporation, owners, and Gateway Economic Development Corporation, tenant, appealed to a parking lot for approximately 250 spaces in a General Industry District.

**Calendar No. 00-67:** 4211 Franklin Boulevard  
Vickie and John Popa, owners, appealed to install 40 linear feet of 6' high wrought iron fencing with 2 gates to the front of a 30' x 120' parcel in a Two-Family District; approved with submission of plan showing specifics on brick pillars pursuant to request of City Landmarks Commission.

**Calendar No. 00-68:** 4305 Franklin Boulevard  
Richard Shucofsky, owner, and Vickie and John Popa, prospective purchasers, appealed to install 38 linear feet of 6' high wrought iron fencing to the front of a vacant corner parcel in a Two-Family District;

approved with submission of plan showing specifics on brick pillars pursuant to request of City Landmarks Commission.

The following appeal was **Denied:**

**Calendar No. 00-75:** 5301-5307 Broadway Avenue

Donald Bram, owner, and Leland S. Freedman, attorney, appealed to use a 40' x 145' lot with existing 12' x 46' trailer as a used auto sales lot in a General Retail Business District.

#### BOARD OF APPEALS

**Calendar No. 00-74:** 1898 West 45th Street

David L. Gelzer, owner, appealed from being issued a Violation Notice dated February 28, 2000 by the Commissioner of Building and Housing.

The following appeal was heard on Monday, April 24, 2000 and said decision was approved and adopted by the Board on May 1, 2000.

The following appeal was **Approved:**

**Calendar No. 00-69:** 3150 West 58th Street

The West 58th Street Church of God, owner c/o Reverend Howard Black, appealed to construct a one-story sanctuary building addition to an existing one-story "T" shaped Church in a Two-Family District; granted upon revised plan submitted April 26, 2000.

EUGENE CRANFORD, JR.,  
Secretary

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

NO MEETING

#### PUBLIC NOTICE

NONE

#### NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, May 17, 2000  
1:00 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, May 17, 2000, at 1:00 P.M., to consider the following ordinances now pending in the Council:

**Ord. No. 2059-98.**

By Councilman Moran.

An ordinance to change the Use and Area Districts of lands on the northerly side of Memphis Avenue, S.W. between Ridgeview Drive and West 59th Street. (Map Change No. 1986, Sheet No. 2)

**Ord. No. 177-2000.**

By Councilman Gordon.

An ordinance changing the Use and Area Districts of lands bound by Spring Road, S.W., Hinckley

Industrial Parkway, Jennings Township and easterly extension of the Brooklyn Heights Village boundary. (Map Change No. 2007, Sheet No. 6)

**Ord. No. 178-2000.**

By Councilman Sweeney.

An ordinance to change the Use District of lands on the northwesterly side of Grayton Road, S.W.; south of I-480 (Map Change No. 2006, Sheet No. 13)

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

JOSEPH C. CIMPERMAN,  
Chairman

Committee on City Planning

May 3, 2000 and May 10, 2000

#### CITY OF CLEVELAND BIDS

##### For All Departments

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

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

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

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

#### WEDNESDAY, MAY 17, 2000

**Electronic Traffic Signal Equipment,** for the Division of Traffic Engineering and Parking, Department of Public Service, as authorized by Ordinance No. 2165-99, passed by the Council of the City of Cleveland, February 11, 2000.

**Various Sewer Maintenance Appurtenances - Slabs,** for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of the City of Cleveland, 1976

May 3, 2000 and May 10, 2000

#### THURSDAY, MAY 18, 2000

**Repair And Constructing Sidewalks, Curbs, Curb Ramps, Driveway Aprons,** for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 593-2000.

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

May 3, 2000 and May 10, 2000

#### WEDNESDAY, MAY 24, 2000

**Quicklime,** for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

May 3, 2000 and May 10, 2000

#### THURSDAY, MAY 25, 2000

**Swimming Pool Pumps,** for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2172-99, passed by the Council of the City of Cleveland, February 28, 2000.

May 3, 2000 and May 10, 2000

#### FRIDAY, MAY 26, 2000

**One (1) Cab/Chassis With Aerial Bucket/Tree Trimming Body,** for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1058-99, passed by the Council of the City of Cleveland, June 14, 1999.

May 3, 2000 and May 10, 2000

#### WEDNESDAY, MAY 31, 2000

**Labor and Materials to Maintain and Repair Boilers,** for the various divisions of the Department of Port Control, as authorized by Ordinance No. 2053-99, passed by the Council of the City of Cleveland.

**A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, MAY 24, 2000, 1:00 P.M., IN THE DEPARTMENT OF PORT CONTROL'S TOWER CONFERENCE ROOM IN THE MAIN TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135. ACCESS TO THE TOWER CONFERENCE ROOM CAN BE OBTAINED THROUGH THE SECOND FLOOR ADMINISTRATIVE OFFICES. DIRECTIONS CAN BE OBTAINED FROM THE CENTRAL INFORMATION COUNTER IN THE CENTER OF THE TICKETING LEVEL.**

May 3, 2000 and May 10, 2000

#### FRIDAY, MAY 26, 2000

**Modular Mobile Office,** for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 1060-99, passed by



the Council of the City of Cleveland, June 14, 1999.

**Construction Equipment Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1837-99, passed by the Council of the City of Cleveland, December 6, 1999.

**Grinding of Pavement**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1838-99, passed by the Council of the City of Cleveland, December 15, 1999.

May 10, 2000 and May 17, 2000

**WEDNESDAY, MAY 31, 2000**

**Standard Wire**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 291-98, passed by the Council of the City of Cleveland, March 23, 1998.

**Automatic Batch Sampling Particle Counter System**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of the City of Cleveland, 1976.

**Two (2) High Speed Printers**, for the Department of Finance.

May 10, 2000 and May 17, 2000

**THURSDAY, JUNE 1, 2000**

**13.8 KV Transformers**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

A **MANDATORY PRE-BID MEETING WILL BE HELD ON MAY 25, 2000, 2:00 P.M., 1300 LAKESIDE AVENUE.**

**Unarmed, Uniformed Security Guard Services**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 363-2000, passed by the Council of the City of Cleveland, April 17, 2000.

May 10, 2000 and May 17, 2000

**THURSDAY, JUNE 15, 2000**

**Installing and Replacing Curbing, Aprons, Ramps for the Handicapped and Other Concrete Work**, for the Various Divisions of City Government, Department of Port Control, as authorized by Ordinance No. 2116-99.

A **PRE-BID MEETING WILL BE HELD ON THURSDAY, JUNE 8, 2000, 1:00 P.M., IN THE DEPARTMENT OF PORT CONTROL'S TOWER CONFERENCE ROOM, IN THE MAIN TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135. THE TOWER CONFERENCE ROOM IS ACCESSED THROUGH THE SECOND FLOOR ADMINISTRATIVE OFFICES. DIRECTIONS ARE AVAILABLE AT THE CENTRAL INFORMATION COUNTER IN THE CENTER OF THE TICKETING LEVEL.**

May 10, 2000 and May 17, 2000

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 276-2000.**

**By Councilman Coats.**

**An emergency resolution urging the President and United States Secretary of Transportation Rodney Slater to take the necessary actions to permit United Parcel Service to conduct cargo business in China.**

Whereas, United Parcel Service (UPS) is a fiscally sound, well-run company, being recently named Forbes Magazine's Company of the Year for 1999; and

Whereas, in 1999, UPS was also recognized by Fortune Magazine as one of America's 50 Best Companies for Asians, Hispanics and African Americans; and

Whereas, because of certain governmental restrictions, UPS has been prohibited from conducting air cargo business from the United States to China; and

Whereas, the U.S. Department of Transportation will designate only one new market entrant to serve China later this year; and

Whereas, it is beneficial for the citizens of the United States to encourage trade and unfettered business operations, thereby promoting economic strength and diplomatic relationships; and

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

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

**Section 1.** That this Council of the City of Cleveland urges the President and U.S. Secretary of Transportation Rodney Slater to take the necessary actions to permit United Parcel Service to conduct air cargo business in China.

**Section 2.** That the Clerk of Council is hereby requested to forward a copy of this resolution to President Clinton and Secretary Slater.

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

Adopted May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 669-2000.**

**By Councilmen Cintron, Patmon and White.**

**An emergency resolution requesting certain MBE/FBE participation information from LTV Steel Company, the Department of Economic Development and the Office of Equal Opportunity.**

Whereas, pursuant to Ordinance No. 1742-88, passed July 14, 1988 and Ordinance No. 34-92, as amended by Ordinance No. 1445-92, passed March 2, 1992 and June 15, 1992, respectively, the Council of the City of Cleveland authorized the Director of Economic Development to enter into an Enterprise Zone Agreements with LTV Steel Company, Inc., dated July 14, 1988 and June 18, 1992,

respectively, to provide for 10 year tax abatements for certain tangible personal property as an incentive to modernize and improve its Cleveland Works Steel Facility; and

Whereas, because of the magnitude of the projects, LTV proposed to complete the projects in successive calendar years, and as such, the parties agreed that the tax abatements would commence at the outset of a number of different 10 year exemption periods; and

Whereas, LTV Steel Company, Inc. is still receiving the benefit of the tax abatements granted in 1988; and

Whereas, as a condition of the granting of the 1988 and 1992 tax abatements, LTV agreed to, among other things, comply with certain MBE/FBE participation requirements; LTV's failure to comply with the MBE/FBE participation requirements was to result in the imposition of a penalty payment charged against the tax abatements, and if necessary, the repeal of the tax abatements; and

Whereas, this Council has information suggesting that LTV may not be in compliance with the terms of its agreements with the City; and

Whereas, this Council requests that the Directors of Economic Development and the Office of Equal Opportunity and LTV Steel Company provide detailed statistical and financial information concerning the MBE and FBE participation for each year from 1990 through the present; and

Whereas, once the information is provided, this Council intends to hold hearings before the various Committees of Council to determine whether LTV is and has been in compliance with its agreements; now, therefore,

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

**Section 1.** That this Council requests that LTV Steel Company, Inc., the City's Office of Equal Opportunity and the Department of Economic Development provide detailed statistical and financial information concerning the MBE and FBE participation from 1990-present, separately identifying the level of participation by certified MBE and FBE companies for each year, as required by LTV's Enterprise Zone Agreements with the City of Cleveland and Chapter 187 of the Codified Ordinance of the City of Cleveland, 1976.

**Section 2.** That this Council of the City of Cleveland intends to hold hearings before the various Committees of Council to determine whether LTV is and has been in compliance with its agreement.

**Section 3.** That the Clerk is hereby requested to transmit a copy of this resolution to the President of LTV Steel Company, Inc. and the Directors of the Department of Economic Development and the Office of Equal Opportunity.

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

Adopted May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 670-2000.****By Councilman Jones.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 4501-03-05 Lee Road, and repealing Res. No. 490-2000 objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 4501-03-05 Lee Road, by Res. No. 490-2000, adopted by Council March 27, 2000; 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, C2 and D6 Liquor Permit to 4501-03-05 Lee Road, by and the same is hereby withdrawn and Res. No. 490-2000, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership.

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

Adopted May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 671-2000.****By Councilman Melena.**

**An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 8002 Detroit Avenue, and repealing Res. No. 1323-99 objecting to said renewal.**

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 8002 Detroit Avenue, by Res. No. 1323-99, adopted by Council on July 14, 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 C2 and C2X Liquor Permit to 8002 Detroit Avenue, by and the same is hereby withdrawn and Res. No. 1323-99, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 672-2000.****By Councilman Polensek.**

**An emergency resolution objecting to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 15428 Lakeshore Blvd.**

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 and Liquor Permit from Permit No. 3653334, HAS & KAL Inc., DBA Convenient Food Mart, 15428 Lakeshore Blvd., Cleveland, Ohio 44110 to Permit No. 6700191, Park CFM Inc., DBA Convenient Food Mart, 15428 Lakeshore Blvd., Cleveland, Ohio 44110; 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, property, 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. 3653334, HAS & KAL Inc., DBA Convenient Food Mart, 15428 Lakeshore Blvd., Cleveland, Ohio 44110 to Permit No. 6700191, Park CFM Inc., DBA Convenient Food Mart, 15428 Lakeshore Blvd., Cleveland, Ohio 44110 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 hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 324-99.****By Councilmen Jones, Zone and Johnson (by departmental request).**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 133.34 thereof, relating to greenhouse fees.**

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 133.34 thereof, to read respectively, as follows:

**Section 133.34 Greenhouse Fees**

(a) The Director of Parks, Recreation and Properties shall assess and collect fees for the use of the City Greenhouse in accordance with the following schedule for City Residents:

(1) Photo shoots (a maximum of 4 hours)	\$ 50.00
(2) Wedding ceremonies and photo shoots (a maximum of 4 hours)	\$100.00

(b) The Director of Parks, Recreation and Properties shall assess and collect fees for the use of the City Greenhouse in accordance with the following schedule for non-City Residents:

(1) Photo shoots (a minimum of 2 hours)	\$ 40.00 per hour
(2) Wedding ceremonies and photo shoots	\$ 40.00 per hour plus rental of chairs

**Section 2.** That the information on Greenhouse permit fees provided to the Committee on Public Parks, Property and Recreation by the Director of Parks, Recreation and Properties shall be contained in File No. 342-99-A and maintained by the Clerk of Council.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2160-99.**

**By Councilman Cintron (by request).**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to 2888 Detroit LLC to encroach into the right-of-way of West 29th Street and Vermont Avenue with a parking lot, security fencing, and safety gates.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to 2888 Detroit LLC, 22348 Professor Avenue, P.O. Box 91644, Cleveland, Ohio 44101-3644, its successors and assigns, for the construction, use and maintenance of a parking lot, and security fencing with special City of Cleveland Fire Department approved safety gates, which will encroach into the public right-of-way of West 29th Street and Vermont Avenue N.W. at the locations described as follows:

**PROPOSED ENCROACHMENT  
AREA/VERMONT AVENUE &  
WEST 29TH STREET**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being all that portion of West 29th Street (66.00 feet wide) extending Northerly from the Northerly line of Detroit Avenue N.W. (width varies) as widened to the Northerly line of Vermont Avenue N.W. (width varies).

**AND**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all that portion of Vermont Avenue N.W. (width varies) extending Easterly from the Easterly line of West 29th Street (66.00 feet wide) to the Northerly prolongation of the Easterly line of the property conveyed to 2888 Detroit LLC by deed recorded in Volume 98-09990, Page 1 of Cuyahoga County Deed Records, and being also known as Permanent Parcel Number 003-14-027.

**Section 2.** That said parking lot, security fencing, and gates, will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. And, that all other required permits, including a building permit shall be obtained before said parking lot, security fencing and gates are constructed.

**Section 3.** That the permit herein authorized shall be prepared by the Director of Law and shall be issued

only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2178-99.**

**By Councilman Britt.  
An emergency ordinance designating Euclid Avenue Church of God as a Cleveland Landmark.**

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of Euclid Avenue Church of God as a landmark; and

Whereas, the owner of Euclid Avenue Church of God has been properly notified of the proposed designation and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of Euclid Avenue Church of God as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

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

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

**Section 1.** That Euclid Avenue Church of God, whose street address in the City of Cleveland is 8601 Euclid Avenue, N.E., also known as Cuyahoga County Auditor's permanent parcel numbers 119-06-025, 119-06-026, and 119-06-027, and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 63-2000.**

**By Councilman Polensek.  
An ordinance establishing the East St. Clair Business Revitalization District (BRD) (Map Change No. 2002, Sheet No. 7)**

Whereas, the Board of Trustees of Northeast Shores (NSDC) Development Corporation have submitted a written request dated August 30, 1999 to the Planning Commission to establish a Business Revitalization District in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

Whereas, such request is accompanied by a map identifying the boundaries of the proposed district; and

Whereas, the City Planning Commission has determined that the proposed District meets the criteria for designation set forth in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio 1976; therefore,

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

**Section 1.** That the following area, further defined and outlined on the map hereto attached, be and the same is hereby designated the East St. Clair Business Revitalization District (BRD).

Beginning at the intersection of the center line of St. Clair Avenue, N.E. and the northwesterly extension of the northeasterly line of Sublot No. 2 in the Gund Subdivision as recorded in Volume 27, Page 3 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said northeasterly line of said Sublot No. 2 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line of said Sublot No. 2 to its intersection with the easterly line thereof; thence southerly along said easterly line of said Sublot No. 2 and along its southerly extension to the center line of Wayside Road, N.E.; thence westerly along said center line of Wayside Road, N.E. to the center line of London Road, N.E.; thence southeasterly along said center line of London Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 2 in the St. Clair-London Road Subdivision as recorded in Volume 54, Page 24 of the Cuyahoga County Map Records; thence southwesterly along

said northeasterly extension and along said northwesterly line of said Sublot No. 2 and continuing southwesterly along the northwesterly line of Sublot No. 86 in said St. Clair-London Road Subdivision and along its southwesterly extension to the center line of Alhambra Road, N.E.; thence northwesterly along said center line of Alhambra Road, N.E. to its intersection with the northeasterly extension of the southwesterly line of Sublot No. 89 in said St. Clair-London Road Subdivision; thence southwesterly along said northeasterly extension and along said southeasterly line of said Sublot No. 89 and continuing southwesterly along the southeasterly lines of Sublot Nos. 90, 174, 175 and 176 in said St. Clair-London Road Subdivision and along its southwesterly extension to the center line of Rudyard Road, N.E.; thence southeasterly along said center line of Rudyard Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 4 in the Frederick and Louis Graft Subdivision as recorded in Volume 31, Page 23 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 4 to its intersection with a line located one hundred thirty two (132) feet southwest of the southwesterly line of Rudyard Road, N.E.; thence northwesterly along said line which is parallel to and one hundred thirty two (132) feet southwest of said southwesterly line of Rudyard Road, N.E. to its intersection with a line located one hundred twenty four (124) feet southeast of the southeasterly line of St. Clair Avenue, N.E.; thence southwesterly from this point to a point located one hundred twenty seven (127) feet southeast of said southeasterly line of St. Clair Avenue, N.E. on the northeasterly line of Whitcomb Road, N.E. and along its southwesterly extension to the center line of Whitcomb Road, N.E.; thence northwesterly along said center line of Whitcomb Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 5 in the S. Vimer Re-Subdivision as recorded in Volume 42, Page 22 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 5 to its intersection with the southwesterly line thereof; thence southeasterly along said southwesterly line of said Sublot No. 5 to its intersection with the northwesterly line of Sublot No. 3 in the Five Points Allotment as recorded in Volume 63, Page 32 of the Cuyahoga County Map Records; thence southwesterly along said northwesterly line of said Sublot No. 3 and along its southwesterly extension to the center line of Rondel Road, N.E.; thence northwesterly along said center line of Rondel Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 75 in said Five Points Allotment; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 75 and continuing southwesterly along the northeasterly line of Sublot No. 80 in said Five Points Allotment and along its southwesterly extension to the center line of Royal Road, N.E.; thence southeasterly along said center line

of Royal Road, N.E. to its intersection with the northeasterly extension of a line located approximately three hundred seventy two and seventy four hundredths (372.74) feet southeast of said southeasterly line of St. Clair Avenue, N.E.; thence southwesterly along said northeasterly extension and along said line which is parallel to and approximately three hundred seventy two and seventy four hundredths (372.74) feet southeast of said southeasterly line of St. Clair Avenue, N.E. and along its southwesterly extension to the center line of Ruple Road, N.E.; thence northwesterly along said center line of Ruple Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 3 in the John H. Ruple Subdivision as recorded in Volume 24, Page 4 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 3 to its intersection with the northeasterly line of Sublot No. 223 in the St. Clair Land Co. Subdivision as recorded in Volume 31, Page 23 of the Cuyahoga County Map Records; thence northwesterly along said northeasterly line of said Sublot No. 223 to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Sublot No. 223 and along its southwesterly extension to the center line of Stevenson Road, N.E.; thence northwesterly along said center line of Stevenson Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 155 in said St. Clair Land Co. Subdivision; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 155 and continuing southwesterly along the northeasterly line of Sublot No. 154 in said St. Clair Land Co. Subdivision and along its southwesterly extension to the center line of Evangeline Road, N.E.; thence southeasterly along said center line of Evangeline Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 85 in said St. Clair Land Co. Subdivision; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 85 and continuing southwesterly along the northwesterly line of Sublot No. 84 in said St. Clair Land Co. Subdivision and along its southwesterly extension to the center line of Nathaniel Road, N.E.; thence continuing southwesterly along the northeasterly extension of the northwesterly line of Sublot No. 16 in said St. Clair Land Co. Subdivision and along said northwesterly line of said Sublot No. 16 to its intersection with the northeasterly line of Sublot No. 14 in the Role and A.J. Thieman Subdivision as recorded in Volume 31, Page 13 of the Cuyahoga County Map Records; thence southeasterly along said northeasterly line of said Sublot No. 14 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line thereof; thence northwesterly along said southwesterly line of said Sublot No. 14 to its intersection with the northwesterly line of Sublot No. 15 in said Role & A.J. Thieman Subdivision; thence southwesterly along

said northwesterly line of said Sublot No. 15 and along its southwesterly extension to the center line of Nye Road, N.E.; thence southeasterly along said center line of Nye Road, N.E. to its intersection with the northeasterly extension of the southeasterly line of Sublot No. 9 in said Role & A.J. Thieman Subdivision; thence southwesterly along said northeasterly extension and along said southeasterly line of said Sublot No. 9 to its intersection with the southwesterly line thereof; thence northwesterly along said southwesterly line of said Sublot No. 9 and along its northwesterly extension to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 13 in the Jules S. Ruple, ET Allotment as recorded in Volume 29, Page 15 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 13 and along its southwesterly extension to the center line of Waldo Road, N.E. thence southeasterly along said center line of Waldo Road, N.E. to the center line of Yorick Avenue, N.E.; thence southwesterly along said center line of Yorick Avenue, N.E. to the center line of Ivanhoe Road, N.E.; thence northwesterly along said center line of Ivanhoe Road, N.E. to the center line of East 152 Street; thence northerly along said center line of East 152 Street to its intersection with the westerly extension of a line located approximately four hundred seventy nine (479) feet south of the southerly line of Utopia Avenue, N.E.; thence easterly along said westerly extension and along said line which is parallel to and approximately four hundred seventy nine (479) feet south of said southerly line of Utopia Avenue, N.E. to its intersection with the southwesterly line of Sublot No. 55 in the J. Hale Subdivision as recorded in Volume 12, Page 17 of the Cuyahoga County Map Records; thence northwesterly along said southwesterly line of said Sublot No. 55 to its intersection with the northwesterly line thereof; thence northwesterly along said northwesterly line of said Sublot No. 55 and continuing northwesterly along the northwesterly lines of Sublots Nos. 56 and 57 in said J. Hale Subdivision to its intersection with the northerly line thereof; thence easterly along said northerly line of said Sublot No. 57 and along its easterly extension to the center line of East 153 Street; thence northerly along said center line of East 153 Street to its intersection with the westerly extension of a line located one hundred (100) feet south of said southerly line of Utopia Avenue, N.E.; thence easterly along said westerly extension and along said line which is parallel to and one hundred (100) feet south of said southerly line of Utopia Avenue, N.E. to its intersection with a line located sixty (60) feet east of the easterly line of East 153 Street; thence southerly along said line which is parallel to and sixty (60) feet east of said easterly line of East 153 Street to its intersection with the northwesterly line of Sublot No. 73 in said J. Hale Subdivision; thence northeasterly along said northwesterly line of said Sublot No. 73 and continuing northwesterly along the northwesterly line of Sublot No. 74 in said J. Hale

Subdivision to its intersection with the westerly line of Sublot No. 68 in said J. Hale Subdivision; thence northerly along said westerly line of said Sublot No. 68 to its intersection with the southeasterly line of Permanent Parcel No. 115-23-25; thence northeasterly along said southeasterly line of said Permanent Parcel No. 115-23-25 and continuing northeasterly along the southeasterly line of Permanent Parcel No. 115-23-24 and along its northeasterly extension to the center line of East 154 Street; thence northwesterly along said center line of East 154 Street to its intersection with the southwesterly extension of the northwesterly line of Permanent Parcel No. 115-22-17; thence northeasterly along said southwesterly extension and along said northwesterly line of said Permanent Parcel No. 115-22-17 to its intersection with the southwesterly line of Permanent Parcel No. 115-22-16; thence northwesterly along said southwesterly line of said Permanent Parcel No. 115-22-16 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Permanent Parcel No. 115-22-16 to its intersection with the southwesterly line of Permanent Parcel No. 115-22-15; thence northwesterly along said southwesterly line of said Permanent Parcel No. 115-22-15 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Permanent Parcel No. 115-22-15 to its intersection with a line located one hundred thirty (130) feet northeast of the northeasterly line of East 154 Street; thence northwesterly along said line which is parallel to and one hundred thirty (130) feet northeast of said northeasterly line of East 154 Street to its intersection with the northwesterly line of Permanent Parcel No. 115-22-14; thence northeasterly along said northwesterly line of said Permanent Parcel No. 115-22-14 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Permanent Parcel No. 115-22-14 to its intersection with a northwesterly line thereof; thence northeasterly along said northwesterly line of said Permanent Parcel No. 115-22-14 and along its northeasterly extension to the center line of East 155 Street; thence southeasterly along said center line of East 155 Street to its intersection with the southwesterly extension of the southeasterly line of Permanent Parcel No. 115-22-74; thence northeasterly along said southwesterly extension and along said southeasterly line of said Permanent Parcel No. 115-22-74 to its intersection with the southwesterly line of Permanent Parcel No. 115-22-8; thence northwesterly along said southwesterly line of said Permanent Parcel No. 115-22-8 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Permanent Parcel No. 115-22-8 and along its northeasterly extension to the center line of East 156 Street; thence northwesterly along said center line of East 156 Street to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 31 in the C.W. Moss & E.D. Burton Subdivision as recorded in Volume 9, Page 33 of the Cuyahoga County Map Records; thence northeasterly along said southwesterly extension

and along said southeasterly line of said Sublot No. 31 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 31 to its intersection with a line located forty three (43) feet southeast of the southeasterly line of Sublot No. 54 in the Ruple Heirs Subdivision No. 2 as recorded in Volume 11, Page 52 of the Cuyahoga County Map Records; thence northeasterly along said line which is parallel to and forty three (43) feet southeast of said southeasterly line of said Sublot No. 54 and along its northeasterly extension to the center line of East 157 Street; thence northwesterly along said center line of East 157 Street to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 73 in said Ruple Heirs Subdivision No. 2; thence northeasterly along said southwesterly extension and along said southeasterly line of said Sublot No. 73 and its extension and continuing northeasterly along the southwesterly line of Sublot No. 65 in said Ruple Heirs Subdivision No. 2 and along its northeasterly extension to the center line of Whitcomb Road, N.E.; thence southeasterly along said center line of Whitcomb Road, N.E. to its intersection with the southwesterly extension of the northwesterly line of Permanent Parcel No. 115-25-57; thence northeasterly along said southwesterly extension and along said northwesterly line of said Permanent Parcel No. 115-25-57 to its intersection with the southwesterly line of Permanent Parcel No. 115-25-37; thence northwesterly, southwesterly and northwesterly along said southwesterly line of said Permanent Parcel No. 115-25-37 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Permanent Parcel No. 37 and continuing northeasterly along the northwesterly line of Permanent Parcel No. 115-25-36 to its intersection with a line located one hundred fifty (150) feet northeast of the northeasterly line of Whitcomb Road, N.E.; thence northwesterly along said line which is parallel to and one hundred fifty (150) feet northeast of said northeasterly line of Whitcomb Road, N.E. to its intersection with the southeasterly line of Permanent Parcel No. 115-25-45; thence northeasterly along said southeasterly line of said Permanent Parcel No. 115-25-45 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 115-25-45 to its intersection with the northerly line of Permanent Parcel No. 115-25-34; thence easterly along said northerly line of said Permanent Parcel No. 115-25-34 and continuing easterly along the northerly lines of Permanent Parcel Nos. 115-25-33, 32, 31 and 30 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Permanent Parcel No. 115-25-30 to its intersection with the northwesterly line of Permanent Parcel No. 115-25-29; thence northeasterly along said northwesterly line of said Permanent Parcel No. 115-25-29 and continuing northeasterly along the northwesterly lines of Sublot Nos. 115-25-28, 27, and 26 and along its northeasterly extension to the center line of London Road, N.E.; thence southeasterly along said center line

of London Road, N.E. to its intersection with the southwesterly extension of the northwesterly line of Permanent Parcel No. 116-14-104; thence northeasterly along said southwesterly extension and along said northwesterly line of said Permanent Parcel No. 116-14-104 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Permanent Parcel No. 116-14-104 and along its southeasterly extension to the place of beginning.

**Section 2.** That the designation of the area set forth in Section 1 hereof as the East St. Clair Business Revitalization District (BRD) and shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

**Section 3.** That the following area, further defined and outlined in the map hereto attached, be and the same is hereby designated the East St. Clair Business Revitalization District (BRD).

Beginning at the intersection of the southeasterly extension of the northeasterly line of Permanent Parcel No. 114-26-003 and the center line of St. Clair Avenue, N.E.; thence southwesterly along said center line of St. Clair Avenue, N.E. to its intersection with the northwesterly prolongation of the northeasterly line of Permanent Parcel No. 114-28-002; thence southeasterly along said northwesterly prolongation of said northeasterly line of said Permanent Parcel No. 114-28-002 to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Permanent Parcel No. 114-28-002 and along its southwesterly extension to the center line of Nottingham Road, N.E.; thence southeasterly along said center line of Nottingham Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Permanent Parcel No. 116-33-71; thence southwesterly along said northeasterly extension and along said northwesterly line of said Permanent Parcel No. 116-33-71 to its intersection with the southwesterly line thereof; thence southeasterly along said southwesterly line of said Permanent Parcel No. 116-33-71 to its intersection with the southeasterly line of Permanent Parcel No. 116-33-03; thence southwestwesterly along said southeasterly line of said Permanent Parcel No. 116-33-03 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Permanent Parcel No. 116-33-03 and along its westerly extension to the center line of East 187 Street; thence southerly along said center line of East 187 Street to its intersection with the easterly extension of the southerly line of Permanent Parcel No. 116-31-01; thence westerly along said easterly extension and along said southerly line of said Permanent Parcel No. 116-31-01 to its intersection with a line located sixty nine and five tenths (69.5) feet west of the westerly line of East 187 Street; thence southerly along said line which is parallel to and sixty nine and five tenths (69.5) feet west of said westerly line of East 187 Street to its intersection with the northerly line of Sublot No. 2 in the W. J. & C.M. Bregenzer and Marg T.

E. Moses Subdivision as recorded in Volume 23, Page 25 of the Cuyahoga County Map Records; thence westerly along said northerly line of said Sublot No. 2 to its intersection with a line located one hundred forty (140) feet west of said westerly line of East 187 Street; thence southerly along said line which is parallel to and one hundred forty (140) feet west of said westerly line of East 187 Street to its intersection with the southwesterly line of Sublot No. 1 in the C. M. Mix Subdivision as recorded in Volume 28, Page 15 of the Cuyahoga County Map Records; thence northwesterly along said southwesterly line of said Sublot No. 1 to its intersection with the southeasterly line of Sublot No. 1 in the Charles Subdivision as recorded in Volume 108, Page 34 of the Cuyahoga County Map Records; thence southwesterly along said southeasterly line of said Sublot No. 1 and along its southwesterly extension to the center line of East 186 Street; thence continuing southwesterly along the northeasterly extension of the northwesterly line of Sublot No. 17 in said Charles Subdivision and along said northwesterly line of said Sublot No. 17 to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 17 and continuing southerly along the westerly lines of Sublot Nos. 16, 15, 14 and 13 in said Charles Subdivision to its intersection the southeasterly line of Permanent Parcel No. 116-31-13; thence southwesterly along said southeasterly line of said Permanent Parcel No. 116-31-13 to its intersection with the southwesterly line thereof; thence northwesterly along said southwesterly line of said Permanent Parcel No. 116-31-13 to its intersection with the southeasterly line of Permanent Parcel No. 116-31-14; thence southwesterly along said southeasterly line of said Permanent Parcel No. 116-31-14 and along its southwesterly extension to the center line of Melville Road, N.E.; thence southeasterly along said center line of Melville Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Permanent Parcel No. 116-31-38; thence southwesterly along said northeasterly extension and along said northwesterly line of said Permanent Parcel No. 116-31-38 to its intersection with the northeasterly line of Permanent Parcel No. 116-31-19; thence northwesterly along said northeasterly line of said Permanent Parcel No. 116-31-19 to its intersection with the northwesterly line thereof; thence southwesterly along said northwesterly line of said Permanent Parcel No. 116-31-19 and along its southwesterly extension to the center line of Penhurst Road, N.E.; thence continuing southwesterly along the northeasterly extension of a line located one hundred thirty (130) feet southeast of St. Clair Avenue, N.E. and along said line which is parallel to and one hundred thirty (130) feet southeast of said southeasterly line of St. Clair Avenue, N.E. and along its southwesterly extension to the center line of Clearaire Road, N.E.; thence northwesterly along said center line of Clearaire Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 11 in the St. Clair Park (E. Worthy Henwick Co.) Subdivision as recorded in Volume 52, Page 22 of the Cuyahoga County Map

Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 11 to its intersection with a line located one hundred (100) feet southwest of the southwesterly line of Clearaire Road, N.E.; thence southeasterly along said line which is parallel to and one hundred (100) feet southwest of said southwesterly line of Clearaire Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 124 in the St. Clair Heights (S.H. Kleinman) Subdivision as recorded in Volume 46, Page 4 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 124 and along its southwesterly extension to the center line of Larchmont Road, N.E.; thence southeasterly along said center line of Larchmont Road, N.E. to its intersection with the northwesterly extension of the northwesterly line of Sublot No. 4 in said St. Clair Heights (S.H. Kleinman) Subdivision; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 4 and its southwesterly extension to its intersection with the northwesterly line of Permanent Parcel No. 116-28-03; thence southeasterly along said northeasterly line of said Permanent Parcel No. 116-28-03 to its intersection with the southwesterly line thereof; thence northwesterly along said southwesterly line of said Permanent Parcel No. 116-28-03 and continuing northwesterly along the southwesterly lines of Permanent Parcels Nos. 116-28-06 and 116-28-02 to its intersection with the easterly line of Permanent Parcel No. 116-26-23; thence southerly along said easterly line of said Permanent Parcel No. 116-26-23 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line of said Sublot No. 116-26-23 and along its southwesterly extension to the center line of East 176 Street; thence northwesterly along said center line of East 176 Street to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 238 in the Home Owners Allotment as recorded in Volume 58, Page 12 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 238 and continuing southwesterly along the northwesterly line of Sublot No. 232 in said Home Owners Allotment and along its southwesterly extension to the center line of East 175 Street; thence southeasterly along said center line of East 175 Street to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 191 in said Home Owners Allotment; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 191 to its intersection with the southwesterly line thereof; thence southeasterly along said southwesterly line of said Sublot No. 191 to its intersection with the northwesterly line of Sublot No. 184 in said Home Owners Allotment; thence southwesterly along said northwesterly line of said Sublot No. 184 and along its southwesterly extension to the center line of East 174 Street; thence southeasterly along said center line of East 174 Street to its intersection

with the northeasterly extension of the northwesterly line of Sublot No. 125 in said Home Owners Allotment; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 125 and continuing southwesterly along the northwesterly line of Sublot No. 120 in said Home Owners Allotment and along its southwesterly extension to the center line of East 173 Street; thence southeasterly along said center line of East 173 Street to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 44 in the Day Homestead Subdivision as recorded in Volume 53, Page 17 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 44 to its intersection with the southwesterly line thereof; thence southeasterly along said southwesterly line of said Sublot No. 44 to its intersection with the northwesterly line of Sublot No. 39 in said Day Homestead Subdivision; thence southwesterly along said northwesterly line of said Sublot No. 39 and along its southwesterly extension to the center line of East 172 Street; thence southeasterly along said center line of East 172 Street to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 4 in said Day Homestead Subdivision; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 4 to its intersection with a line located one hundred fifteen (115) feet southwest of the southwesterly line of East 172 Street; thence northwesterly along said line which is parallel to and one hundred fifteen (115) feet southwest of said southwesterly line of East 172 Street and along its northwesterly extension to the center line of St. Clair Avenue, N.E.; thence southwesterly along said center line of St. Clair Avenue, N.E. to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 1 in the St. Clair Homestead (A. H. Bramson) Subdivision as recorded in Volume 51, Page 25 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 1 to its intersection with the southeasterly line of Sublot No. 4 in said St. Clair Homestead (A.H. Bramson) Subdivision; thence northeasterly along said southwesterly line of said Sublot No. 4 and along its northeasterly extension to the center line of East 170 Street; thence southeasterly along said center line of East 170 Street to its intersection with the southwesterly extension of the southeasterly line of Permanent Parcel No. 116-15-21; thence northeasterly along said southeasterly line of said Permanent Parcel No. 116-15-21 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 116-15-21 to its intersection with the southeasterly line of Permanent Parcel No. 116-15-22; thence northeasterly along said southeasterly line of said Permanent Parcel No. 116-15-22 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 116-15-22 to its intersection with the southeasterly line of Permanent Parcel No. 116-15-

50; thence northeasterly along said southeasterly line of said Permanent Parcel No. 116-15-50 to its intersection with the southwesterly line of Permanent Parcel No. 116-15-80; thence southeasterly along the southwesterly line of Permanent Parcel No. 116-15-80 to its intersection with the southeasterly line thereof; thence northeasterly along said southeasterly line of said Permanent Parcel No. 116-15-80 and along its northeasterly extension to the center line of East 171 Street; thence northwesterly along said center line of East 171 Street to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 65 in said St. Clair Homestead (A.H. Bramson) Subdivision; thence northeasterly along said southwesterly extension and along said southeasterly line of said Sublot No. 65 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 65 and continuing northwesterly along the northeasterly lines of Sublot Nos. 64, 63, 62, 61, 60, 59, 58, 57, 56, 55, and 54 in said St. Clair Homestead (A.H. Bramson) Subdivision to its intersection with the northwesterly line of Permanent Parcel No. 116-16-01; thence northeasterly along said northwesterly line of said Permanent Parcel No. 116-16-01 and along its northeasterly extension to its intersection with the southwesterly line of Permanent Parcel No. 116-16-02; thence northeasterly along said southwesterly line of said Permanent Parcel No. 116-16-02 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Permanent Parcel No. 116-16-02 and continuing northwesterly along the northwesterly lines of Permanent Parcel Nos. 116-16-03, 116-16-05 and 116-16-06; thence continuing easterly along the northerly lines of said Permanent Parcel No. 116-16-06, 116-17-08, and 116-17-07, 116-17-06 to its intersection with the southwesterly line of Permanent Parcel No. 116-17-12; thence northwesterly along said southwesterly line of said Permanent Parcel No. 116-17-12 to its intersection with the westerly line of Permanent Parcel No. 116-17-09; thence northerly along said westerly line of said Permanent Parcel No. 116-17-09 and continuing northerly along the westerly line of Permanent Parcel No. 116-17-04 to its intersection with the northwesterly line thereof; thence northwesterly along said northwesterly line of said Permanent Parcel No. 116-17-04 and continuing northwesterly along the northwesterly lines of Permanent Parcel Nos. 116-17-10, 116-17-02, 116-17-01, and 116-18-09 and along its northeasterly extension to the center line of East 179 Street; thence southeasterly along said center line of East 179 Street to its intersection with the southwesterly extension of the northwesterly line of Sublot No. 15 in the in the Jos. S. M. Eddy & A. D. Walworth Subdivision as recorded in Volume 3 Page 22 of the Cuyahoga County Map Records; thence northeasterly along said southwesterly extension and along said northwesterly line of said Sublot No. 15 and continuing northwesterly along the northwesterly lines of said Sublot Nos. 14, 13, 12, 11, 10, 9 and 8 in said Jos. S. M. Eddy and A. D. Walworth Subdivision to its intersection with the northeasterly line

thereof; thence southeasterly for a distance of thirty (30) feet to its intersection with a line located thirty (30) feet southeast of the northwesterly line of Sublot No. 7 in said Jos. S. M. Eddy and A. D. Walworth Subdivision and along its northeasterly extension to the center line of Amsterdam Road, N.E.; thence northwesterly along said center line of Amsterdam Road, N.E. to its intersection with the southwesterly extension of the northwesterly line of Sublot No. 6 in said Jos. S.M. Eddy and A.D. Walworth Subdivision; thence northeasterly along said southwesterly extension and along said northwesterly line of said Sublot No. 6 and continuing northwesterly along the northwesterly lines of Sublot Nos. 5,4,3 in said Jos. S. M. Eddy and A. D. Walworth Subdivision to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Sublot No. 2 to its intersection with the southwesterly line of Permanent Parcel No. 116-19-40; thence southeasterly along said southwesterly line of said Permanent Parcel No. 116-19-40 to its intersection with the southeasterly line thereof; thence northeasterly along said southeasterly line of said Permanent Parcel No. 116-19-40 and along its northeasterly extension to the center line of Brussels Road, N.E.; thence northwesterly along said center line of Brussels Road, N.E. to its intersection with the southwesterly extension of the southeasterly line of Permanent Parcel No. 116-19-30; thence northeasterly along said southeasterly line of said Permanent Parcel No. 116-19-30 to its intersection with the northwesterly line thereof; thence northwesterly along said northwesterly line of said Permanent Parcel No. 116-19-30 to its intersection with the southeasterly line of Permanent Parcel No. 116-19-32; thence northeasterly along said southeasterly line of said Permanent Parcel No. 116-19-32 and continuing northwesterly along the southeasterly lines of Permanent Parcels Nos. 116-19-33, 116-19-34, 116-19-35, 116-19-36, and 116-19-37 to its intersection with the southwesterly line of Permanent Parcel No. 116-19-02; thence southeasterly along said southwesterly line of said Permanent Parcel No. 116-19-02 to its intersection with the southeasterly line thereof; thence northeasterly along said southeasterly line of said Permanent Parcel No. 116-19-02 and along its northeasterly extension to the center line of Nottingham Road, N.E.; thence northwesterly along said center line of Nottingham Road, N.E. to its intersection with the southwesterly extension of the northwesterly line of Permanent Parcel No. 114-26-03; thence northeasterly along said southwesterly extension and along said northwesterly line of said Permanent Parcel No. 114-26-03 to its intersection with the northwesterly line thereof; thence southeasterly along said northwesterly line of said Permanent Parcel No. 114-26-03 and along its southeasterly extension to the place of beginning.

**Section 4.** That the designation of the area set forth in Section 3 hereof as the East St. Clair Business Revitalization District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appro-

prate person designated for such purpose by the City Planning Commission.

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

Passed May 1, 2000.

Effective June 10, 2000.

**Ord. No. 109-2000.**

**By Councilmen Melena and Westbrook.**

**An ordinance establishing the Clifton Road / West Boulevard Historic Landmark District. (Map Change No. 2003, Sheet No. 1)**

Whereas, the Cleveland Landmarks Commission has determined that the Clifton Road / West Boulevard Historic Landmark District represents an important aspect of Cleveland's cultural, economic, social and historic heritage and in consideration of that history, its architecture and other features of the area, the Cleveland Landmarks Commission finds the proposed Clifton Road / West Boulevard Historic Landmark District meets the criteria for Landmark designation, and

Whereas, the owners of the properties within the boundaries of the proposed Clifton Road / West Boulevard Historic Landmark District have been properly notified in accordance with Section 161.04 of the Codified Ordinances of the City of Cleveland, Ohio 1976, therefore,

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

**Section 1.** That the following area outlined in red on the map hereto attached be and the same is hereby designated the Clifton Road / West Boulevard Historic Landmark District:

Beginning at the intersection of the center line of Lake Avenue, N.W. and the center line of Viking Road, N.W.; thence southwesterly along said center line of Viking Road, N.W. to its intersection with the center line of West 95 Street; thence northwesterly along said center line of West 95 Street to the center line of Baltic Road, N.W.; thence southwesterly along said center line of Baltic Road, N.W. to its intersection with the southeasterly extension of a line located twenty (20) feet northeast of the northeasterly line of Sublot No. 32 in the Edgewater Land Company Subdivision as recorded in Volume 109, Page 9 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said line which is parallel to and twenty (20) feet northeast of said northeasterly line of said Sublot No. 32 to its intersection with the northwesterly extension of the northwesterly line of said Sublot No. 32; thence southwesterly along said northeasterly extension of said northwesterly line of said Sublot No. 32 and continuing southwesterly along the northwesterly lines of Sublot Nos. 32, 33, 34, 35, 36, and 37 in said Edgewater Land Company Subdivision to its intersection with the northeasterly line of Sublot No. 38 C in said Edgewater Land Company Subdivision; thence southeasterly along said northeasterly line of said Sublot No. 38 C to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line of said Sublot No. 38 C to its intersection

with the northeasterly line of Sublot No. 38 B in said Edgewater Land Company Subdivision; thence southeasterly along said northeasterly line of said Sublot No. 38 B and continuing southeasterly along the northeasterly lines of Sublot Nos. 38 A and 38 in said Edgewater Land Company Subdivision to its intersection with a line located fifty (50) feet northwest of the northwesterly line of Baltic Road, N.W.; thence southwesterly along said line which is parallel to and fifty (50) feet northwest of said northwesterly line of Baltic Road, N.W. to its intersection with a northeasterly line of said Sublot No. 38 in said Edgewater Land Company Subdivision; thence southeasterly along said northeasterly line of said Sublot No. 38 and along its southeasterly extension to said center line of Baltic Road, N.W.; thence southwesterly along said center line of Baltic Road, N.W. to its intersection with the northwesterly extension of the southwesterly line of Sublot No. 29 in said Edgewater Land Company Subdivision; thence southeasterly along said northwesterly extension and along said southwesterly line of said Sublot No. 29 and along its southeasterly extension to the center line of the New York Central Railroad tracks; thence southwesterly along said center line of said New York Central Railroad tracks to its intersection with the northwesterly extension of the southwesterly line of Sublot No. 492 in the West Boulevard (Edgewater Land Co.) Subdivision as recorded in Volume 52, Page 26 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said southwesterly line of said Sublot No. 492 and continuing southeasterly along the southwesterly lines of Sublot Nos. 493, 494, 495, 496, 497, 498, 499, 500, 501 and 502 in said West Boulevard (Edgewater Land Co.) Subdivision to its intersection with the southeasterly line thereof; thence northeasterly along said southeasterly line of said Sublot No. 502 to its intersection with the southwesterly line of Sublot No. 503 in said West Boulevard (Edgewater Land Co.) Subdivision; thence southeasterly along said southwesterly line of said Sublot No. 503 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 503 to its intersection with the westerly line of Sublot No. 9 in the D. A. Robinson Subdivision as recorded in Volume 15, Page 18 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 9 and continuing southerly along the westerly line of Sublot No. 1 in said D. A. Robinson Subdivision and along its southerly extension to the center line of Detroit Avenue, N.W.; thence southwesterly along said center line of Detroit Avenue, N.W. to its intersection with the northerly prolongation of the center line of West 98 Street; thence southerly along said northerly prolongation of said center line of West 98 Street and along said center line of said West 98 Street to the center line of Madison Avenue, N.W.; thence westerly along said center line of Madison Avenue, N.W. to its intersection with the southerly extension of a line located approximately seventy nine and eleven hundredths (79.11) feet east of the easterly line of West 102

Street; thence northerly along said line which is parallel to and approximately seventy nine and eleven hundredths (79.11) feet east of said easterly line of West 102 Street to its intersection with a line located approximately one hundred eighty (180) feet north of the northerly line of Madison Avenue, N.W.; thence easterly along said line which is parallel to and one hundred eighty (180) feet north of said northerly line of Madison Avenue, N.W. to its intersection with a line located approximately one hundred fifteen and fifty five hundredths (115.55) feet east of said easterly line of West 102 Street; thence northerly along said line which is parallel to and approximately one hundred fifteen and fifty five hundredths (115.55) feet east of said easterly line of West 102 Street to its intersection with the easterly extension of the northerly line of Sublot No. 7 in the O.T. Lapham Subdivision as recorded in Volume 35, Page 19 of the Cuyahoga County Map Records; thence westerly along said easterly extension of said northerly line of said Sublot No. 7 to its intersection with a line located approximately one hundred ten and fifteen hundredths (110.15) feet east of said easterly line of West 102 Street; thence northerly along said line which is parallel to and approximately one hundred ten and fifteen hundredths (110.15) feet east of said easterly line of West 102 Street to its intersection with the westerly line of Sublot No. 31 in the Jennings, Wetmore Schilling, Et. Al. Allotment as recorded in Volume 3, Page 47 of the Cuyahoga County Map Records; thence northerly along said westerly line of said Sublot No. 31 and along its northerly extension to the center line of Detroit Avenue, N.W.; thence northwesterly along said center line of Detroit Avenue, N.W. to its intersection with said center line of New York Central Railroad tracks; thence northeasterly along said center line of said New York Central Railroad tracks to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 391 in the Edgewater and Company Allotment as recorded in Volume 55, Page 30 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said northeasterly line of said Sublot No. 391 and along its northwesterly extension to the center line of Baltic Road, N.W.; thence northeasterly along said center line of Baltic Road, N.W. to its intersection with the southeasterly extension of a line located approximately eighty nine and forty three hundredths (89.43) feet southwest of the southwesterly line of West Boulevard; thence northwesterly along said southeasterly extension and along said line which is parallel to and approximately eighty nine and forty three hundredths (89.43) feet southwest of said southwesterly line of West Boulevard to its intersection with a line located approximately ninety (90) feet northwest of the northwesterly line of Baltic Road, N.W.; thence southwesterly along said line which is parallel to and approximately ninety (90) feet northwest of said northwesterly line of Baltic Road, N.W. to its intersection with a line located one hundred five (105) feet northeast of the northeasterly line of Nanford Road, N.W.; thence northwesterly along said line which is

parallel to and one hundred five (105) feet northeast of said northeasterly line of Nanford Road, N.W. to its intersection with the northwesterly line of Sublot No. 376 in said Edgewater and Company Allotment; thence southwesterly along said northwesterly line of said Sublot No. 376 to its intersection with a line located approximately one hundred forty (140) feet southeast of the southeasterly line of West 102 Street; thence northeasterly along said line which is parallel to and approximately one hundred forty (140) feet southeast of said southeasterly line of West 102 Street to its intersection with a line located one hundred seventy five (175) feet southwest of the southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said line which is parallel to and one hundred seventy five (175) feet southwest of said southwesterly line of Clifton Boulevard, N.W. to its intersection with the northwesterly line of Sublot No. 357 in said Edgewater and Company Allotment; thence northeasterly along said northwesterly line of said Sublot No. 357 to its intersection with a line located approximately one hundred thirty and thirty hundredths (130.30) feet southwest of the southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said line which is parallel to and approximately one hundred thirty and thirty hundredths (130.30) feet southwest of said southwesterly line of Clifton Boulevard, N.W. and along its northwesterly extension to the center line of West 102 Street; thence northeasterly along said center line of West 102 Street to its intersection with the southeasterly extension of a line located approximately forty five (45) feet northeast of the northeasterly line of Sublot No. 317 in said Edgewater and Company Allotment; thence northwesterly along said southeasterly extension and along said line which is parallel to and approximately forty five (45) feet northeast of said northeasterly line of said Sublot No. 317 to its intersection with a line located approximately seventy four and forty three hundredths (74.43) feet southeast of the southeasterly line of West 103 Street; thence southwesterly along said line which is parallel to and approximately seventy four and forty three hundredths (74.43) feet southeast of said southeasterly line of West 103 Street to its intersection with a line located approximately one hundred seven (107) feet southwest of said southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said line which is parallel to and approximately one hundred seven (107) feet southwest of said southwesterly line of Clifton Boulevard, N.W. to its intersection with the southeasterly line of Sublot No. 292 in said Edgewater and Company Allotment; thence northeasterly along said southeasterly line of said Sublot No. 292 to its intersection with a line located approximately one hundred twenty five (125) feet southwest of said southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said line which is almost parallel with and approximately one hundred twenty five (125) feet southwest of said southwesterly line of Clifton Boulevard, N.W. and along its northwesterly extension to the center line of West 103 Street; thence southwesterly



along said center line of West 103 Street to its intersection with the southeasterly extension of a line located approximately forty five and seventy seven hundredths (45.77) feet northeast of the northeasterly line of Sublot No. 274 in said Edgewater and Company Allotment; thence northwesterly along said southeasterly extension and along said line which is almost parallel to and approximately forty five and seventy seven hundredths (45.77) feet northeast of said northeasterly line of said Sublot No. 274 to its intersection with a line located fifty (50) feet southeast of the southeasterly line of Sublot No. 254 in said Edgewater and Company Allotment; thence southeasterly along said line which is parallel to and fifty (50) feet southeast of said southeasterly line of said Sublot No. 254 to its intersection with the southeasterly prolongation of the southwesterly line of said Sublot No. 254; thence northwesterly along said southeasterly prolongation of said southwesterly line of said Sublot No. 254 and continuing northwesterly along the southwesterly line of said Sublot No. 254 and along its northwesterly extension to the center line of West 104 Street; thence northeasterly along said center line of West 104 Street to its intersection with the southeasterly extension of a line located approximately one hundred thirty five and fifty three hundredths (135.53) feet southwest of said southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said southeasterly extension and along said line which is almost parallel to and approximately one hundred thirty five and fifty three hundredths (135.53) feet southwest of said southwesterly line of Clifton Boulevard, N.W. to its intersection with the northeasterly line of Sublot No. 220 in the Edgewater Land Company Allotment as recorded in Volume 39, Page 25 of the Cuyahoga County Map Records; thence southeasterly along said northeasterly line of said Sublot No. 220 to its intersection with the southwesterly line thereof; thence northwesterly along said southwesterly line of said Sublot No. 220 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Sublot No. 220 to its intersection with a line located approximately one hundred twenty five and eighteen hundredths (125.18) feet southwest of said southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said line which is almost parallel to and approximately one hundred twenty five and eighteen hundredths (125.18) feet southwest of said southwesterly line of Clifton Boulevard, N.W. and along its northwesterly extension to the center line of West 105 Street; thence southwesterly along said center line of West 105 Street to its intersection with the southeasterly extension of a line located approximately one hundred thirty five and sixty eight hundredths (135.68) feet southwest of said southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said southeasterly extension and along said line which is almost parallel to and approximately one hundred thirty five and sixty eight hundredths (135.68) feet southwest of said southwesterly line of Clifton Boulevard, N.W. to its intersection with the southeasterly line of Sublot No.

183 in said Edgewater Land Company Allotment; thence southwesterly along said southeasterly line of said Sublot No. 183 to its intersection with the southwesterly line thereof; thence northwesterly along said southeasterly line of said Sublot No. 183 to its intersection with the northwesterly line thereof; thence northwesterly along said northwesterly line of said Sublot No. 183 to its intersection with the southwesterly line of Sublot No. 182 in said Edgewater Land Company Allotment; thence northwesterly along said southwesterly line of said Sublot No. 182 and continuing northwesterly along the southwesterly line of Sublot No. 181 in said Edgewater Land Company Allotment and along its northwesterly extension to the center line of West 106 Street; thence continuing northwesterly along the southeasterly extension of a line located approximately one hundred thirty and fifty one hundredths (130.51) feet southwest of said southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said southeasterly extension and along said line which is almost parallel to and approximately one hundred thirty and fifty one hundredths (130.51) feet southwest of said southwesterly line of Clifton Boulevard, N.W. to its intersection with a line located one hundred twenty five and sixty eight hundredths (125.68) feet southwest of said southwesterly line of Clifton Boulevard, N.W. at the southeasterly line of West 108 Street and along its northwesterly extension to the center line of West 108 Street; thence southwesterly along said center line of West 108 Street to its intersection with the southeasterly extension of a line located approximately one hundred thirty and fifty one hundredths (130.51) feet southwest of said southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said southeasterly extension and along said line which is almost parallel to and approximately one hundred thirty and fifty one hundredths (130.51) feet southwest of said southwesterly line of Clifton Boulevard, N.W. and along its northwesterly extension to the center line of West 110 Street; thence southwesterly along said center line of West 110 Street to its intersection with the southeasterly extension of the center line of Thornton Avenue, N.W.; thence northwesterly along said southeasterly extension and along said center line of Thornton Avenue, N.W. and along its northwesterly extension to the center line of West 112 Street; thence southwesterly along said center line of West 112 Street to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 16 in the W. A. Knowlton Subdivision as recorded in Volume 28, Page 11 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said northeasterly line of said Sublot No. 16 and continuing northwesterly along the northeasterly line of Sublot No. 40 in the Clifton Boulevard (Walton Realty Company) Subdivision as recorded in Volume 29, Page 17 of the Cuyahoga County Map Records to its intersection with the northwesterly line of Sublot No. 24 in said Clifton Boulevard (Walton Realty Company) Subdivision; thence northeasterly along said northwesterly line of said

Sublot No. 24 to its intersection with a line located forty (40) feet northeast of said northeasterly line of said Sublot No. 40; thence northwesterly along said line which is parallel to and forty (40) feet northeast of said northeasterly line of said Sublot No. 40 and along its northwesterly extension to the center line of West 114 Street; thence southwesterly along said center line of West 114 Street to its intersection with the southeasterly extension of a line located approximately one hundred thirty five and fifty four hundredths (135.54) feet southwest of said southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said southeasterly extension and along said line which is almost parallel to and approximately one hundred thirty five and fifty four hundredths (135.54) feet southwest of said southwesterly line of Clifton Boulevard, N.W. to its intersection with the southeasterly line of Sublot No. 30 in the O.C. Jones & C.E. Jupy Subdivision as recorded in Volume 40, Page 10 of the Cuyahoga County Map Records; thence southwesterly along said southeasterly line of said Sublot No. 30 to its intersection with a line located one hundred seventy five (175) feet southwest of said southwesterly line of Clifton Boulevard, N.W.; thence northwesterly along said line which is parallel to and one hundred seventy five (175) feet southwest of said southwesterly line of Clifton Boulevard, N.W. to its intersection with the southeasterly line of Sublot No. 38 in said O.C. Jones & C.E. Jupy Subdivision; thence northeasterly along said southeasterly line of said Sublot No. 38 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 38 and along its northwesterly extension to the center line of West 115 Street; thence northwesterly along said center line of West 115 Street to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 64 in the Charles A. Cook Subdivision as recorded in Volume 16, Page 6 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 64 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Sublot No. 64 to its intersection with the northeasterly line of Sublot No. 28 in said Charles A. Cook Subdivision; thence northwesterly along said northeasterly line of said Sublot No. 28 and along its northwesterly extension to the center line of West 116 Street; thence northwesterly along said center line of West 116 Street to its intersection with the easterly extension of the northerly line of Sublot No. 15 in said Charles A. Cook Subdivision; thence westerly along said easterly extension and along said northerly line of said Sublot No. 15 to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 15 to its intersection with a line located eighteen (18) feet north of the southerly line of Sublot No. 3 in the Marshall Subdivision as recorded in Volume 15, Page 34 of the Cuyahoga County Map Records; thence westerly along said line which is parallel to and eighteen (18) feet north of said southerly line of said Sublot No. 3 and along its westerly extension

to the center line of West 117 Street; thence northerly along said center line of West 117 Street to its intersection with the northwesterly extension of the northeasterly line of Sublot No. 9 in the Cook and Faerber Re-Subdivision as recorded in Volume 32, Page 18 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said northeasterly line of said Sublot No. 9 and continuing southeasterly along the northeasterly line of Sublot No. 10 in said Cook and Faerber Re-Subdivision and along its southeasterly extension to the center line of West 116 Street; thence southerly along said center line of West 116 Street to its intersection with the northwesterly extension of the northeasterly line of Sublot No. 21 in said Charles A. Cook Subdivision; thence southeasterly along said northwesterly extension and along said northeasterly line of said Sublot No. 21 and continuing southeasterly along the northeasterly line of Sublot No. 70 in said Charles A. Cook Subdivision and along its southeasterly extension to the center line of West 115 Street; thence northerly along said center line of West 115 Street to its intersection with the northwesterly extension of the southwesterly line of Sublot No. 37 in said Clifton Boulevard (Walton Realty Company) Allotment; thence southeasterly along said northwesterly extension and along said southwesterly line of said Sublot No. 37 to its intersection with the southeasterly line thereof; thence northeasterly along said southeasterly line of said Sublot No. 37 to its intersection with a line located one hundred seventy five (175) feet northeast of the northeasterly line of Clifton Boulevard; thence southeasterly along said line which is parallel to and one hundred seventy five (175) feet northeast of said northeasterly line of Clifton Boulevard, N.W. and along its southeasterly extension to the center line of West 112 Street; thence continuing southeasterly along the northwesterly extension of a line located approximately one hundred seventy five (175) feet northeast of said northeasterly line of Clifton Boulevard, N.W. and along said line which is parallel to and approximately one hundred seventy five (175) feet northeast of said northeasterly line of Clifton Boulevard, N.W. to its intersection with a line located approximately two hundred fifty (250) feet northwest of the northwesterly line of West 110 Street; thence southwesterly along said line which is parallel to and approximately two hundred fifty (250) feet northwest of said northwesterly line of West 110 Street to its intersection with a line located approximately one hundred fifty (150) feet northeast of said northeasterly line of Clifton Boulevard, N.W.; thence southeasterly along said line which is parallel to and approximately one hundred fifty (150) feet northeast of said northeasterly line of Clifton Boulevard, N.W. and along its southeasterly extension to the center line of West 110 Street; thence southwesterly along said center line of West 110 Street to its intersection with the northwesterly extension of a line located one hundred twenty eight and nineteen hundredths (128.19) feet northeast of said northeasterly line of Clifton Boulevard, N.W. at its intersection of the

southeasterly line of West 110 Street; thence southeasterly for a distance of approximately one hundred ten (110) feet to a point located approximately one hundred nineteen and forty one hundredths (119.41) feet northeast of said northeasterly line of Clifton Boulevard, N.W.; thence northeasterly from said point to its intersection with a line located approximately two hundred fifty (250) feet southwest of the southwesterly line of Lake Avenue, N.W.; thence southeasterly along said line which is almost parallel to and approximately two hundred fifty (250) feet southwest of said southwesterly line of Lake Avenue, N.W. to its intersection with a line located approximately two hundred and seventy eight hundredths (200.78) feet southeast of said southeasterly line of West 110 Street; thence northeasterly along said line which is almost parallel to and approximately two hundred and seventy eight hundredths (200.78) feet southeast of said southeasterly line of West 110 Street to its intersection with a line located approximately two hundred (200) feet southwest of said southwesterly line of Lake Avenue, N.W. and along its southeasterly extension to the center line of West 104 Street; thence continuing southeasterly along the northwesterly extension and along a line which is parallel to and two hundred (200) feet southwest of said southwesterly line of Lake Avenue, N.W. to its intersection with a line located approximately five hundred seventy three and forty eight hundredths (573.48) feet southeast of the southeasterly line of West 104 Street; thence southwesterly along said line which is parallel to and approximately five hundred seventy three and forty eight hundredths (573.48) feet southeast of the southeasterly line of West 104 Street to its intersection with a line located one hundred fifty (150) feet northeast of said northeasterly line of Clifton Boulevard, N.W.; thence southeasterly along said line which is parallel to and one hundred fifty (150) feet northeast of said northeasterly line of Clifton Boulevard, N.W. to its intersection with a line located approximately six hundred seventy three and forty eight hundredths (673.48) feet southeast of said southeasterly line of West 104 Street; thence northeasterly along said line which is parallel to and approximately six hundred seventy three and forty eight hundredths (673.48) feet to its intersection with a line located two hundred (200) feet southwest of said southwesterly line of Lake Avenue, N.W.; thence southeasterly along said line which is parallel to and two hundred (200) feet southwest of said southwesterly line of Lake Avenue, N.W. to its intersection with a line located approximately two hundred (200) feet northwest of the northwesterly line of West Boulevard; thence northeasterly along said line which is parallel to and approximately two hundred (200) feet northwest of said northwesterly line of West Boulevard and along its northeasterly extension to the center line of Lake Avenue, N.W.; thence southeasterly along said center line of Lake Avenue, N.W. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 66 in said Edgewater Land Company Allotment as recorded in Volume 109, Page 9 of the Cuyahoga Coun-

ty Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 66 to its intersection with a line located one hundred seventy five (175) feet northeast of said northeasterly line of Clifton Boulevard, N.W.; thence southeasterly along said line which is parallel to and one hundred seventy five (175) feet northeast of said northeasterly line of Clifton Boulevard, N.W. to its intersection with the westerly line of Sublot No. 52 in said Edgewater Land Company Allotment; thence northerly along said westerly line of said Sublot No. 52 to its intersection with the northwesterly line of Sublot No. 51 in said Edgewater Land Company Allotment; thence northeasterly along said northwesterly line of said Sublot No. 51 and continuing northeasterly along the northwesterly lines of Sublot Nos. 50, 49, 48, 47 and 46 in said Edgewater Land Company Allotment to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Sublot No. 46 and along its northeasterly extension to the center line of Lake Avenue, N.W.; thence southeasterly along said center line of Lake Avenue, N.W. to the place of beginning.

**Section 2.** That the designation of the area set forth in Section 1 hereof as the Clifton Road / West Boulevard Historic Landmark District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission. Further, a copy of map attached hereto shall be available for public inspection in the office of the Cleveland Landmarks Commission.

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

Passed May 1, 2000.

Effective June 10, 2000.

**Ord. No. 139-2000.**

**By Councilman Gordon.**

**An ordinance establishing the Old Brooklyn Business Revitalization District (BRD) (Map Change No. 2005, Sheet No. 2)**

Whereas, the Board of Trustees of Old Brooklyn Community Development Corporation have submitted a written request dated August 11, 1999 to the Planning Commission to establish a Business Revitalization District in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

Whereas, such request is accompanied by a map identifying the boundaries of the proposed district and;

Whereas, the City Planning Commission has determined that the proposed District meets the criteria for designation set forth in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio 1976; therefore,

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

**Section 1.** That the following area, further defined and outlined on the map hereto attached, be and the

same is hereby designated the Old Brooklyn Business Revitalization District (BRD).

Beginning at the intersection of the center line of Valley Road, S.W. and the northwesterly extension of the northeasterly line of Sublot No. 2 in the W. Rogers Nonrecorded Subdivision (said northeasterly line of said Sublot No. 2 being located approximately one hundred ninety (190) feet northeast of the northeasterly line of Broadview Road, S.W.); thence southeasterly along said northwesterly extension and along said northeasterly line of said Sublot No. 2 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Sublot No. 2 to its intersection with the westerly line of Sublot No. 4 in the H.G. Renker & Joseph Kronenberger Subdivision as recorded in Volume 46, Page 21 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 4 and along its southerly extension to the center line of Mayview Avenue, S.W.; thence westerly along said center line of Mayview Avenue, S.W. to the center line of Broadview Road, S.W.; thence southeasterly along said center line of Broadview Road, S.W. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 50 in the Brooklyn Heights Realty Company Allotment as recorded in Volume 45, Page 2 of the Cuyahoga County Map Records; thence southwestwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 50 to its intersection with the northeasterly line of Sublot No. 65 in said Brooklyn Heights Realty Company Allotment; thence northwesterly along said northeasterly line of said Sublot No. 65 and continuing northwesterly along the northeasterly line of Sublot No. 45 in said Brooklyn Heights Realty Company Allotment and along its northwesterly extension to the center line of Searsdale Avenue, S.W.; thence northeasterly along said center line of Searsdale Avenue, S.W. to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 17 in said Brooklyn Heights Realty Company Allotment; thence northwesterly along said southeasterly extension and along said northeasterly line of said Sublot No. 17 to its intersection with the northwesterly line thereof; thence southwestwesterly along said northwesterly line of said Sublot No. 17 to its intersection with the southeasterly line of Sublot No. 11 in said Brooklyn Heights Realty Company Allotment; thence southwestwesterly along said southeasterly line of said Sublot No. 11 to its intersection with the southwestwesterly line thereof; thence northwesterly along said southwestwesterly line thereof; thence northwesterly along said southwestwesterly line of said Sublot No. 11 and along its northwesterly extension to the center line of Colburn Avenue, S.W.; thence northeasterly along said center line of Colburn Avenue, S.W. to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 7 in the Brainard Nonrecorded Subdivision; thence northwesterly along said southeasterly extension and along northeasterly line of said Sublot No. 7 to its intersection with the southeasterly line of Sublot No. 16 in said Brainard Non recorded Subdivision; thence southwestwesterly along said

southeasterly line of said Sublot No. 16 to its intersection with the southwestwesterly line thereof; thence northwesterly along said southwestwesterly line of said Sublot No. 16 to its intersection with the northwesterly line of Sublot No. 12 in said Brainard Non recorded Subdivision; thence southwestwesterly along said northwesterly line of said Sublot No. 12 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 12 and continuing westerly along the northerly lines of Sublot Nos. 13, 14 and 15 in said Brainard Non recorded Subdivision to its intersection with the easterly line of Sublot No. 16 in the Residence Building Company Subdivision as recorded in Volume 69, Page 22 of the Cuyahoga County Map Records; thence northerly along said easterly line of said Sublot No. 16 and continuing northerly along the easterly lines of Sublot Nos. 17, 18, 19, 20, and 21 in said Residence Building Company Subdivision to its intersection with the southeasterly line of Sublot No. 22 in said Residence Building Company Subdivision; thence northeasterly along said southeasterly line of said Sublot No. 22 and continuing northeasterly along the southeasterly line of Sublot No. 23 in said Residence Building Company Subdivision to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 23 and along its northwesterly extension to the center line of West 28 Street; thence southwestwesterly along said center line of West 28 Street to its intersection with the southeasterly extension of a line located approximately two hundred thirty two and sixteen hundredths (232.16) feet southwest of the southwestwesterly line of Broadview Road, S.W.; thence northwesterly along said southeasterly extension and along said line which is parallel to and approximately two hundred thirty two and sixteen hundredths (232.16) feet southwest of said southwestwesterly line of Broadview Road, S.W. to its intersection with a line located one hundred (100) feet southeast of the southeasterly line of West 30 Street; thence northeasterly along said line which is parallel to and one hundred (100) feet southeast of said southeasterly line of West 30 Street to its intersection with a line located approximately one hundred thirty (130) feet southwest of said southwestwesterly line of Broadview Road, S.W.; thence northwesterly along said line which is parallel to and approximately one hundred thirty (130) feet southwest of said southwestwesterly line of Broadview Road, S.W. and along its northwesterly extension to the center line of West 30 Street; thence southwestwesterly along said center line of West 30 Street to its intersection with the center line of Devonshire Road, S.W.; thence northwesterly along said center line of Devonshire Road, S.W. to the center line of West 34 Street; thence southwestwesterly along said center line of West 34 Street to the center line of Altoona Road, S.W.; thence southeasterly along said center line of Altoona Road, S.W. to its intersection with the northeasterly extension of a line located approximately one hundred sixty one (161) feet southeast of the southeasterly line of Pearl Road, S.W.; thence southwestwesterly along said northeasterly extension and

along said line which is parallel to and approximately one hundred sixty one (161) feet southeast of said southeasterly line of Pearl Road, S.W. to its intersection with the southwestwesterly line of Permanent Parcel No. 14-17-53; thence southeasterly along said southwestwesterly line of said Permanent Parcel No. 14-17-53 to its intersection with the southwestwesterly line of Permanent Parcel No. 14-17-54; thence southeasterly along said southwestwesterly line of said Permanent Parcel No. 14-17-54 to its intersection with the northwesterly line of Permanent Parcel No. 14-17-55; thence southwestwesterly along said northwesterly line of said Permanent Parcel No. 14-17-55 to its intersection with the southwestwesterly line thereof; thence southeasterly along said southwestwesterly line of said Permanent Parcel No. 14-17-55 to its intersection with the northwesterly line of Permanent Parcel No. 14-17-56; thence southwestwesterly along said northwesterly line of Permanent Parcel No. 14-17-56 to its intersection with the northeasterly line of Permanent Parcel No. 14-17-51; thence northwesterly along said northeasterly line of said Permanent Parcel No. 14-17-51 and continuing northwesterly along the northeasterly line of Permanent Parcel No. 14-17-52 to its intersection with the westerly line thereof; thence southerly along said westerly line of said Permanent Parcel No. 14-17-52 and along its southerly extension to the center line of Colburn Avenue, S.W.; thence westerly along said center line of Colburn Avenue, S.W. to the center line of West 35 Street; thence northerly along said center line of West 35 Street to its intersection with the center line of Henritze Avenue, S.W.; thence westerly along said center line of Henritze Avenue, S.W. to its intersection with the southerly extension of the easterly line of Sublot No. 80 in the Charles and John Henritze Subdivision as recorded in Volume 19, Page 14 of the Cuyahoga County Map Records; thence northerly along said southerly extension and along said easterly line of said Sublot No. 80 and along its northerly extension to the center line of Stanford Avenue, S.W.; thence easterly along said center line of Stanford Avenue, S.W. to its intersection with the southerly extension of the easterly line of Sublot No. 6 in said Charles and John Henritze Subdivision; thence northerly along said southerly extension and along said easterly line of said Sublot No. 6 to its intersection with the northerly line of Sublot No. 5 in said Charles and John Henritze Subdivision; thence easterly along said northerly line of said Sublot No. 5 to its intersection with the southeasterly extension of the southwestwesterly line of Sublot No. 4 in the Charles Gates Subdivision as recorded in Volume 23, Page 7 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwestwesterly line of said Sublot No. 4 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Sublot No. 4 and continuing northeasterly along the northwesterly lines of Sublot Nos. 3 and 2 in said Charles Gates Subdivision to its intersection with a line located approximately forty five (45) feet northeast of the northeasterly line; thence north-

westerly along said line and along its northwesterly extension to the center line of Memphis Avenue, S.W.; thence southwesterly along said center line of Memphis Avenue, S.W. to its intersection with the southwesterly extension of a line located approximately two hundred four and sixty hundredths (204.60) feet northwest of the northwesterly line of Pearl Road, S.W.; thence northeasterly along said southwesterly extension and along said line which is parallel to and approximately two hundred four and sixty hundredths (204.60) feet northwest of said northwesterly line of Pearl Road, S.W. to its intersection with a line located approximately two hundred seventy one and forty six hundredths (271.46) feet southwest of the southwesterly line of Broadview Road, S.W.; thence southeasterly along said line which is parallel to and approximately two hundred seventy one and forty six hundredths (271.46) feet southwest of said southwesterly line of Broadview Road, S.W. to its intersection with a line located approximately two hundred thirty and sixty hundredths (230.60) feet northwest of the northwesterly line of Pearl Road, S.W.; thence northeasterly along said line which is parallel to and approximately two hundred thirty and sixty hundredths (230.60) feet northwest of said northwesterly line of Pearl Road, S.W. and along its northeasterly extension to the center line of Broadview Road, S.W.; thence northwesterly along said center line of Broadview Road, S.W. to its intersection with the southwesterly extension of a line located approximately two hundred ninety two and thirteen hundredths (292.13) feet northwest of said northwesterly line of Pearl Road, S.W.; thence northeasterly along said line which is almost parallel to and approximately two hundred ninety two and thirteen hundredths (292.13) feet northwest of said northwesterly line of Pearl Road, S.W. and along its northeasterly extension to the center line of Krather Road, S.W.; thence southeasterly along said center line of Krather Road, S.W. to its intersection with the southwesterly extension of the center line of a fourteen (14) foot unnamed alley; thence northeasterly along said southwesterly extension and along said center line of said fourteen (14) foot unnamed alley to its intersection with a line located approximately ninety one and thirty seven hundredths (91.37) feet northeast of the northeasterly line of Krather Road, S.W.; thence northwesterly along said line which is parallel to and ninety one and thirty seven hundredths (91.37) feet northeast of said northeasterly line of Krather Road, S.W. to its intersection with the southeasterly line of Sublot No. 4 in the C.H. Miller Subdivision as recorded in Volume 25, Page 15 of the Cuyahoga County Map Records; thence northeasterly along said southeasterly line of said Sublot No. 4 to its intersection with a line located approximately sixty six (66) feet southwest of the southwesterly line of Henninger Road, S.W.; thence southeasterly along said line which is parallel to and approximately sixty six (66) feet southwest of said southwesterly line of Henninger Road, S.W. to its intersection with a line located approximately one hundred ten and fifteen hundredths (110.15) feet northwest of said

northwesterly line of Pearl Road, S.W.; thence northeasterly along said line which is parallel to and approximately one hundred ten and fifteen hundredths (110.15) feet northwest of said northwesterly line of Pearl Road, S.W. and along its northeasterly extension to the center line of Henninger Road, S.W.; thence northwesterly along said center line of Henninger Road, S.W. to its intersection with the southwesterly extension of a line located approximately two hundred two (202) feet northwest of said northwesterly line of Pearl Road, S.W.; thence northeasterly along said southwesterly extension and along said line which is almost parallel to and approximately two hundred two (202) feet northwest of said northwesterly line of Pearl Road, S.W. to its intersection with a line located approximately one hundred eighty three and fifty one hundredths (183.51) feet northeast of the northeasterly line of Henninger Road, S.W.; thence southeasterly along said line which is almost parallel to and approximately one hundred eighty three and fifty one hundredths (183.51) feet northeast of said northeasterly line of Henninger Road, S.W. and along its southeasterly extension to the center line of Pearl Road, S.W.; thence northeasterly along said center line of Pearl Road, S.W. to its intersection with the northwesterly extension of the northeasterly line of Permanent Parcel No. 9-11-15 (said northeasterly line of said Permanent Parcel No. being located approximately three hundred twenty seven and eighty one hundredths (327.81) feet northeast of the northeasterly line of Henninger Road, S.W.); thence northeasterly along said northwesterly extension and along said northeasterly line of said Permanent Parcel No. 9-11-15 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line of said Permanent Parcel No. 9-11-15 to its intersection with the southwesterly line thereof; thence northwesterly along said southwesterly line of said Permanent Parcel No. 9-11-15 to its intersection with the southeasterly line of Permanent Parcel No. 9-11-3; thence southwesterly along said southeasterly line of said Permanent Parcel No. 9-11-3 to its intersection with a line located approximately one hundred eighty two and eighty seven hundredths (182.87) feet northeast of the northeasterly line of Henninger Road, S.W.; thence southeasterly along said line which is almost parallel to and approximately one hundred eighty two and eighty seven hundredths (182.87) feet northeast of said northeasterly line of Henninger Road, S.W. to its intersection with the southeasterly line of Sublot No. 6 in the J. Henninger Heirs Allotment as recorded in Volume 15, Page 17 of the Cuyahoga County Map Records; thence southwesterly along said southeasterly line of said Sublot No. 6 and along its southwesterly extension to the center line of Henninger Road, S.W.; thence northwesterly along said center line of Henninger Road, S.W. to its intersection with the northeasterly extension of the center line of an unnamed fourteen (14) foot alley; thence southwesterly along said northeasterly extension and along said center line of said unnamed fourteen (14) foot alley to its intersection with a line located

approximately one hundred twenty (120) feet southwest of the southwesterly line of Henninger Road, S.W.; thence southeasterly along said line which is almost parallel to and approximately one hundred twenty (120) feet southwest of said southwesterly line of Henninger Road, S.W. to its intersection with the northwesterly line of Permanent Parcel No. 9-10-53; thence southwesterly along said northwesterly line of said Permanent Parcel No. 9-10-53 to its intersection with a northeasterly line thereof; thence northwesterly along said northeasterly line of said Permanent Parcel No. 9-10-53 to its intersection with a northwesterly line thereof; thence southwesterly along said northwesterly line of said Permanent Parcel No. 9-10-53 to its intersection with the southwesterly line thereof; thence southeasterly along the southwesterly line of Permanent Parcel No. 9-10-53 to its intersection with the southwesterly line of Permanent Parcel No. 9-10-10; thence southeasterly along said southwesterly line of said Permanent Parcel No. 9-10-10 to its intersection with the southwesterly line of Permanent Parcel No. 9-10-11; thence southeasterly, northeasterly and southeasterly along said southwesterly line of said Permanent Parcel No. 9-10-11 and continuing southeasterly along the southwesterly lines of Permanent Parcel Nos. 9-10-12, 9-10-13, 9-10-50 and 9-10-14 to its intersection with the southeasterly line of Permanent Parcel No. 9-10-34; thence southwesterly along said southeasterly line of said Permanent Parcel No. 9-10-34 to its intersection with the southwesterly line of Permanent Parcel No. 9-10-33; thence southeasterly along said southwesterly line of said Permanent Parcel No. 9-10-33 to its intersection with the northwesterly line of Permanent Parcel No. 9-10-22; thence southwesterly along said northwesterly line of said Permanent Parcel No. 9-10-22 to its intersection with the southwesterly line thereof; thence southeasterly along said southwesterly line of said Permanent Parcel No. 22 and continuing southeasterly along the southwesterly lines of Permanent Parcel Nos. 9-10-23, 9-10-24 and 9-10-25 and along its southeasterly extension to the center line of West 24 Street; thence southerly along said center line of West 24 Street to its intersection with the westerly extension of the southerly line of Sublot No. 1 in the Broad Street Allotment as recorded in Volume 23, Page 30 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said southerly line of said Sublot No. 1 to its intersection with the northwesterly line of Sublot No. 4 in the Broadview (Boyer Construction Co.) Allotment as recorded in Volume 35, Page 14 of the Cuyahoga County Map Records; thence southwesterly along said northwesterly line of said Sublot No. 4 and continuing southwesterly along the northwesterly line of Sublot No. 3 in said Broadview (Boyer Construction Co.) Allotment to its intersection with a line located approximately one hundred ten (110) feet northeast of the northeasterly line of Broadview Road, S.W.; thence southeasterly along said line which is parallel to and approximately one hundred ten (110) feet northeast of said northeasterly line of Broadview Road, S.W. and along its southeasterly

extension to the centerline of West 23 Street; thence northeasterly along said center line of West 23 Street to its intersection with the northwesterly extension of a line located approximately one hundred twenty (120) feet northeast of said northeasterly line of Broadview Road, S.W.; thence southeasterly along said northwesterly extension and along said line which is almost parallel to and approximately one hundred twenty (120) feet northeast of said northeasterly line of Broadview Road, S.W. and along its southeasterly extension to the center line of West 22 Street and continuing southeasterly along the northwesterly extension of the northeasterly line of Sublot No. 117 in the West 21 Street Subdivision as recorded in Volume 55, Page 23 of the Cuyahoga County Map Records and along said northeasterly line of said Sublot No. 117 and continuing southeasterly along the northeasterly lines of Sublot Nos. 118 and 119 in said West 21 Street Subdivision and along its southeasterly extension to the center line of Valley Road, S.W.; thence northeasterly along said center line of Valley Road to the place of beginning.

**Section 2.** That the designation of the area set forth in Section 1 hereof as the Old Brooklyn Business Revitalization District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed May 1, 2000.

Effective June 10, 2000.

**Ord. No. 253-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of paper and envelopes, for the Division of Printing and Reproduction, Department of Finance.**

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 make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of paper and envelopes in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Printing and Reproduction, Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provi-

sion is made for the requirements for the entire year.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 15337)

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 254-2000.**

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

**An emergency ordinance authorizing the purchase by contract of one ECRM image setter package, for the Division of Printing and Reproduction, Department of Finance.**

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 make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) ECRM image setter package, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Printing and Reproduction, Department of Finance.

**Section 2.** That the cost of said contract hereby authorized shall not exceed \$36,500 and shall be paid from Fund No. 70-301, Request No. 15336.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 258-2000.**

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

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with U.S. Airways for the use of Bay 3 of the Primary Hangar at Cleveland Hopkins International Airport and for preferential use ramp area adjacent to the premises.**

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That the Director of Port Control ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with U.S. Airways ("Lessee") for approximately 27,300 square feet of space known as Bay 3 of the Primary Hangar (the "Premises") at Cleveland Hopkins International Airport for use as an aircraft maintenance facility and approximately 32,760 square feet of preferential use ramp area adjacent to the Premises. The term of said Lease shall be for three (3) years, with a City-option to renew for an additional three (3) years. The rent for the Premises shall be \$5.50 per square foot, the rent for the preferential use ramp area shall be \$0.40 per square foot. The City shall issue credits against rent, in an amount not to exceed \$360,000, for improvements made to the Premises, provided such improvements are first approved by the Director, in writing.

**Section 2.** That the Lease authorized herein shall be prepared by the Director of Law and shall contain such additional terms and conditions that said Director deems necessary to protect and benefit the public interest.

**Section 3.** That the Lease authorized herein shall not be amended or extended without City Council authorization.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 265-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of rebuilt or remanufactured automatic Allison transmissions, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of rebuilt or remanufactured automatic Allison transmissions, including installation if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehi-

cle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the immediately preceding year. (RL 17521)

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 266-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressor for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, and stationary air compressor, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alter-

nate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the preceding equivalent term. (RL 17522)

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 270-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of Chevrolet-GMC passenger car, police car, van, and truck parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of Chevrolet-GMC passenger car, police car, van and truck parts, including labor to install if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on

order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed ten percent (10%) over the amount purchased during the immediately preceding year. (RL 17519)

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 272-2000.**

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

**An emergency ordinance authorizing the Directors of Public Safety and Parks, Recreation and Properties to enter into a property adoption agreement with the Cleveland Fire Fighters' Memorial Fund for the construction and maintenance of the Cleveland Fire Fighters' Memorial.**

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

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

**Section 1.** That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 and Section 133.24 of the Codified Ordinances of Cleveland, Ohio, 1976, the Directors of Public Safety and Parks, Recreation and Properties are hereby authorized to enter into a property adoption agreement with the Cleveland Fire Fighters' Memorial Fund for the construction and maintenance of the Cleveland Fire Fighters' Memorial, on an area of the North Coast Harbor described as follows:

**PARCEL PROPOSED TO BE LEASED BY CLEVELAND FIREFIGHTERS MEMORIAL FUND**  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original Two Acre Lot Nos. 16, 17 and 18, together forming a parcel of land, bounded and described as follows:

Beginning at the Easterly end of a curved turn-out connecting the Northeasterly line of Relocated Erieside Avenue N.E., 70 feet in width, and the Northwesterly line thereof;

Course No. 1:

Thence Northwesterly along said curved turnout, being along the arc of a circle deflecting to the right, 62.69 feet to a point of tangency in said Northwesterly line of Relocated Erieside Avenue N.E., said curved line having a radius of 40.00 feet and a chord which bears North 79°-02'-42" West a distance of 56.47 feet;

Course No. 2:

Thence North 34°-08'-55" West along said Northwesterly line of Relocated Erieside Avenue N.E., 161.28 feet to a point on a curved

line of the Southeasterly line of an existing exit drive of the Science Center Museum;

**Course No. 3:**

Thence Northeasterly along the arc of a circle deflecting to the right, 7.67 feet to a point of in the original Northerly curved line of Erieside Avenue N.E., said curved line having a radius of 25.00 feet and a chord which bears North 27°-12'-55" East a distance of 7.64 feet;

**Course No. 4:**

Thence Southerly along the original Northerly curved line of Erieside Avenue N.E., along the arc of a circle deflecting to the left, 355.55 feet to a point of tangency in the Northwesterly line of said Original Erieside Avenue N.E., said curved line having a radius of 265.00 feet and a chord which bears South 85°-30'-17" East a distance of 329.48 feet;

**Course No. 5:**

Thence South 56°-03'-30" West along said Northwesterly line of Relocated Erieside Avenue N.E., 224.19 feet to the place of beginning, containing 14,461 square feet of land (0.3320 acres), as compiled from record data by Garrett and Associates, Inc., Registered Engineers and Surveyors, in March, 1999, be the same more or less, but subject to all legal highways.

The bearings used herein are based on an assumed meridian and are used only to denote angles.

**Section 2.** That this property adoption shall not be construed as a conveyance of any right, title, or interest in public property, but is the grant of a privilege revocable at the will of the Council.

**Section 3.** That the Director of Parks, Recreation and Properties is authorized to accept the gift of any improvements to the adopted property constructed by the Cleveland Fire Fighters' Memorial Fund.

**Section 4.** That the property adoption agreement hereby authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said Director deems necessary to protect and benefit the public interest.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 322-2000.  
By Councilmen Dolan and Patmon  
(by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide network administration, including software assistance and required materials for Cisco computer products.**

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 Port Control is hereby authorized to employ by contract one or more computer consultants or one or more firms of computer consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to network administration, including software assistance and required materials for Cisco computer products.

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

**Section 2.** That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

**Section 3.** That the costs of the contract authorized herein shall not exceed \$20,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8262.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 323-2000.  
By Councilmen Dolan and Patmon  
(by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide client and server administration, including software, maintenance and support of Microsoft computer products.**

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 Port Control is hereby authorized to employ by contract one or more computer consultants or one or more firms of computer consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide client and server administration, including software; maintenance and support of Microsoft computer products.

The selection of said consultants for such services shall be made by the Board of Control upon the nom-

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

**Section 2.** That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

**Section 3.** That the costs of the contract authorized herein shall not exceed \$40,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8260.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 324-2000.  
By Councilmen Dolan and Patmon  
(by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide programming, materials, software development and design for existing and new computer applications.**

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 Port Control is hereby authorized to employ by contract one or more computer consultants or one or more firms of computer consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for programming, materials, software development and design for existing and new computer applications.

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

**Section 2.** That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

**Section 3.** That the costs of the contract authorized herein shall not exceed \$40,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8258.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 325-2000.**  
**By Councilmen Dolan and Patmon**  
**(by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide web site development and implementation, including software and other required materials.**

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 Port Control is hereby authorized to employ by contract one or more web site developers or one or more firms of web site developers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to web site development and implementation, including software and other required materials.

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

**Section 2.** That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

**Section 3.** That the costs of the contract authorized herein shall not exceed \$15,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8263.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 326-2000.**  
**By Councilmen Dolan and Patmon**  
**(by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide support services, installations, upgrades, programming administration, including software and materials required for Oracle computer products.**

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 Port Control is hereby authorized to employ by contract one or more computer consultants or one or more firms of computer consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to support services, installations, upgrades, programming administration, including software and materials required for Oracle computer products.

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

**Section 2.** That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

**Section 3.** That the costs of the contract authorized herein shall not exceed \$25,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8261.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 329-2000.**  
**By Councilmen Dolan and Patmon**  
**(by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide maintenance and administrative services for telephone equipment.**

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 Port Control is hereby authorized to employ by contract one or more telecommunication consultants or one or more firms of telecommunication consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide maintenance and administrative services for telephone equipment.

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

**Section 2.** That the contract authorized herein shall be for a term of one (1) year or less and shall not be amended or extended without City Council authorization.

**Section 3.** That the costs of the contract authorized herein shall not exceed \$15,000.00 and shall be paid from Fund No. 60 SF 001, Request No. 8264.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 330-2000.**  
**By Councilmen Dolan and Patmon**  
**(by departmental request).**

**An emergency ordinance authorizing the purchase by contract of one trash compactor, for the Division of Cleveland Hopkins International Airport, Department of Port Control.**

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 Port Control is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) trash compactor for Concourse D, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 8267.

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



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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 366-2000.**

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

**An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to clean the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to clean the West Side Market, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. All expenditures under the contract authorized herein shall not exceed \$320,000.00. (RL 134)

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 475-2000.**

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

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the 2000 Urban Parks and Recreation Recovery Program for the rehabilitation of Flora Park.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the amount of \$70,000, from the 2000 Urban Parks and Recreation Recovery Program for the rehabilitation of Flora Park, for the purposes set forth in the application and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 475-2000-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$30,000, from Fund No. 20 SF 323, is hereby approved in all respects.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 476-2000.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said Director to enter into contracts for the purchase of service and equipment necessary to implement the program.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$2,053,271 from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment in accordance with the purposes set forth in the respective application; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to apply for and receive the

funds under said grants; and that said funds be appropriated for the purposes set forth in the application for said grants.

**Section 2.** That the application for said grant, File No. 476-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the sum of \$392,993, from the Division of Environment's General Fund budget in order to receive the grant from the U.S. Environmental Protection Agency.

**Section 3.** That the Director of Public Health is hereby authorized to enter into contracts for the purchase of equipment and services necessary to implement the Program, and that said contracts are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to this ordinance.

**Section 4.** That the chairperson of the Public Health Committee shall be copied on all memorandum and correspondence between the Department of Public Health and the Ohio Environmental Protection Agency.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 523-2000.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2000-2001 Federal Child Lead Poison Prevention Program.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$312,000, from the Ohio Department of Health, to conduct the 2000-2001 Federal Child Lead Poison Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said grant funds shall not be expended until first authorized by ordinance or resolution of this Council.

**Section 2.** That the application for said grant, File No. 523-2000-A, made a part hereof as if fully rewritten herein, including the obligation to devote program income from first and third party billings, estimated at \$95,645, is hereby approved in all respects.

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

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 524-2000.**

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

**An emergency ordinance authorizing the purchase by contract of labor and materials necessary to remove and replace tube bundles for not to exceed two Bell & Gossett heat exchangers, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to remove and replace tube bundles for not to exceed two Bell & Gossett heat exchangers, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 67 SF 001, Request No. 14382.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 525-2000.**

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

**An emergency ordinance authorizing the Director of Personnel and Human Resources to apply for and accept a grant from the Ohio Department of Human Services for the Temporary Assistance to Needy Families Program.**

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

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

**Section 1.** That the Director of Personnel and Human Resources is hereby authorized to apply for and accept a grant in the amount of \$8,391,886, from the Ohio Department of Human Services, to conduct the Temporary Assistance to Needy Families Program, for the purposes set forth in the application and

according thereto; that the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 525-2000-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 526-2000.**

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

**An emergency ordinance authorizing the Director of Personnel and Human Resources to accept additional allocations from the State of Ohio Bureau of Employment Services Power OHIO under Titles II and III of the Job Training Partnership Act and the Governor's Reserve Grant; and to enter into an amendment to Contract No. 55656 with the United Labor Agency for additional services.**

Whereas, pursuant to Ordinance No. 522-99, passed March 29, 1999, this Council authorized the Director of Personnel and Human Resources to accept allocations of grants from the State of Ohio Bureau of Employment Services under Title II and III of the Job Training Partnership Act and to appropriate such funds to provide for administration of the JTPA program; and

Whereas, additional allocations have become available to the City of Cleveland from the State of Ohio Bureau of Employment Services which will provide additional services under the grant accepted by Ordinance No. 522-99; and

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

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

**Section 1.** That the Director of Personnel and Human Resources is hereby authorized to accept additional allocations from the State of Ohio Bureau of Employment Services Power OHIO under Titles II and III of the Job Training Partnership Act and the Governor's Reserve Grant in an aggregate amount of \$76,000, for the purposes set forth in the application contained in File No. 522-99-A and according thereto. That the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to receive the funds authorized above; and that said additional allocations are hereby appropriated for the purposes set forth in File No 522-99-A.

**Section 2.** That the Director of Personnel and Human Resources is hereby authorized to enter into an

amendment to Contract No. 55656 with United Labor Agency to provide for additional services under this agreement, and shall increase the amount of the contract by \$77,988.00. Said increase shall be paid from Fund Nos. 15 SF 093 and 15 SF 200.

**Section 3.** That this amendment to Contract to. 55656 shall be prepared and approved by the Director of law and shall contain such provisions as he deems necessary to protect the public interest.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 660-2000.**

**By Councilman Britt.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Shaker Square of Ohio LLC to encroach into the public right-of-way of Cormere Avenue, Williams Avenue and East 128th Street for grading, paving, fencing, parking and other construction related activities in order that this project be allowed to continue pending the vacation and/or relocation of the aforesaid streets for the purpose of completing the Shaker Square Redevelopment Project.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Shaker Square of Ohio LLC, 23625 Commerce Park Road, Suite 202, Beachwood, Ohio 44122, its successors and assigns, for grading, paving, fencing, parking and other construction related activities in order that this project be allowed to continue pending the vacation and/or relocation of the aforementioned streets for the purpose of completing the Shaker Square Redevelopment Project at the locations more fully described as follows:

**PROPOSED ENCROACHMENT INTO PUBLIC RIGHT-OF-WAY FOR GRADING, PAVING, FENCING, PARKING AND OTHER CONSTRUCTION RELATED ACTIVITIES PENDING THE VACATION AND/OR RELOCATION OF THE FOLLOWING STREETS IN THE SHAKER SQUARE REDEVELOPMENT PROJECT:**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and described as follows:

1.) CORMERE AVENUE (60.00 feet wide), beginning at a point 245.00 feet Easterly from its intersection with the centerline of North Moreland Boulevard (140.00 feet

wide), Easterly approximately 65.00 feet to its Easterly terminus.

2.) WILLIAMS AVENUE (50.00 feet wide), beginning at a point 108.50 feet Easterly from its intersection with the centerline of East 127th Street (44.00 feet wide) to its intersection with East 128th Street (45.00 feet wide).

3.) EAST 128TH STREET (45.00 feet wide), beginning at its intersection with the Northerly line of Drexmore Road (60.00 feet wide) Northerly to its intersection with Williams Avenue (50.00 feet wide).

**Section 2.** That said grading, paving, fencing, parking and other construction related activities pending the vacation and/or relocation of Cormere Avenue, Williams Avenue and East 128th Street, will be placed within the public right-of-way as aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction. That all other required permits, including a Building Permit, shall be obtained before any of the aforesaid construction activities commence.

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

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 661-2000.**

**By Councilman Cintron.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Clark Metro Development Corporation for capital improvements for their leasehold agreement for the FL Thompson Building, 3401 West 25th Street 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 an agreement with Clark Metro Development Corporation for capital improvements for their leasehold agreement for the FL Thompson Building, 3401 West 25th Street.

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$200,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 662-2000.**

**By Councilman Cintron.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Lutheran Metropolitan Ministries for their After School Prevention Resources Baseball Team Project, 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 an agreement with Lutheran Metropolitan Ministries for their After School Prevention Resources Baseball Team Project.

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 663-2000.**

**By Councilmen Cintron and Melena.**

**An emergency ordinance consenting and approving the issuance of a permit for a Kids 5K Walk, on Saturday, May 20, 2000, sponsored by the West Side Ecumenical Ministry.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a Kids 5K Walk sponsored by the West Side Ecumenical Ministry, on Saturday, May 20, 2000, with the participants in the 5K Walk leaving the WSEM Administrative Building located at 5209 Detroit Avenue, turn right onto

West 52nd Street and will head south on West 52nd Street until they reach Bridge Avenue, then turn left onto Bridge Avenue from West 52nd Street and will head east on Bridge Avenue, then turn left onto Fulton Avenue from Bridge Avenue and will head north on Fulton Avenue, then turn left onto Franklin Avenue from Fulton Avenue and will head west on Franklin Avenue, then follow Franklin Avenue all the way to West 65th Street, at West 65th Street, participants will turn right and head north on West 65th Street to West Clinton Avenue, then turn right onto West Clinton Avenue from West 65th Street and will head east on West Clinton Avenue, then turn left onto West 58th Street from West Clinton Avenue and will head north on West 58th Street then turn right onto Detroit Avenue from West 58 Street and will head east on Detroit Avenue, then turn right on West 52nd Street from Detroit Avenue and will head south on West 52nd Street to the finish line located at the WSEM Administration Building off of West 52nd Street, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 664-2000.**

**By Councilman Dolan.**

**An emergency ordinance to amend the Title and Section 1 of Ordinance No. 430-2000, passed March 20, 2000, relating to installation of playground equipment at Valley View Elementary School in Ward 21.**

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

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

**Section 1.** That the Title and Section 1 of Ordinance No. 430-2000, passed March 20, 2000, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Cleveland Municipal School District on behalf of the Valley View Parent Teacher Co-op School to install playground equipment at Valley View Elementary School through the use of Ward 21 Workers' Compensation Neighborhood Development Funds.

**Section 1.** That the Director of Community Development is autho-

alized to enter into an agreement with the Cleveland Municipal School District on behalf of the Valley View Parent Teacher Co-op School to install playground equipment at Valley View Elementary School, located at 17200 Valleyview Avenue, through the use of Ward 21 Workers' Compensation Neighborhood Development Funds.

**Section 2.** That the existing Title and Section 1 of Ordinance No. 430-2000, passed March 20, 2000, are hereby repealed.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 665-2000.**

**By Councilman Jackson.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Citizens of Cuyahoga County Ombudsman Office for the Juvenile Justice Diversion Mediation Pilot Project (JJDMPP) through the use of Ward 5 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with the Citizens of Cuyahoga County Ombudsman Office for their Juvenile Justice Diversion Mediation Pilot Project (JJDMPP).

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 166.

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

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 666-2000.**

**By Councilman Lewis.**

**An emergency ordinance consenting and approving the issuance of a permit for the New Day in Hough Race and Parade on May 13, 2000, sponsored by a New Day In Hough Committee.**

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a Race and Parade, on May 13, 2000, sponsored by a New Day in Hough Committee with the Race assembling at Thurgood Marshall Recreation Center, go west on Hough Avenue to East 79 Street, north on East 79th to Lexington, west on Lexington to East 66th Street, south on East 66th Street to Hough, east on Hough to Thurgood Marshall and the Parade route also assembling at Thurgood Marshall Recreation Center, from Thurgood Marshall, west on Hough Avenue to East 71st Street, north on East 71st Street to Linwood, east on Linwood to East 79th Street, south on East 79th Street to Hough Avenue, east on Hough Avenue to Thurgood Marshall, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 667-2000.**

**By Councilman Patmon.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with FAMICOS Foundation for their Senior Home Repair Program through the use of Ward 8 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with FAMICOS Foundation for their Senior Home Repair Program.

**Section 2.** That the costs of said contract shall be in an amount not to exceed \$150,000 and shall be paid from Fund No. 10 SF 166.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions

as he deems necessary to protect the City's interest.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 668-2000.**

**By Councilman Westbrook.**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with the Cudell Improvement/Madison Merchants Organization to landscape and maintain a parcel located at the intersection of Madison Avenue and West Boulevard in Ward 18.**

Whereas, the Cudell Improvement/Madison Merchants Organization would like to landscape and maintain a parcel located at the intersection of Madison Avenue and West Boulevard for purposes of beautifying the neighborhood; and

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into an agreement or to issue a permit to the Cudell Improvement/Madison Merchants Organization to allow for the landscaping and maintenance of a parcel located at the intersection of Madison Avenue and West Boulevard for purposes of beautifying the neighborhood.

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

Passed May 1, 2000.

Awaiting the approval or disapproval of the Mayor.

**COUNCIL COMMITTEE MEETINGS**

**Monday, May 8, 2000**

**Employment, Affirmative Action and Training Committee: 11:00 a.m.**—Present: White, Chairman; Lewis, Vice Chairman; Cintron, Coats, Gordon, Jones. Excused: Johnson.

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

# Index

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
 Bold type in sections indicates amendments

**Accounts Division**

Henderson, Marilyn — Commissioner, Division of Accounts (F 697-2000)..... 892

**Aging Department**

Alexander, Dolores — Director Department of Aging (F 693-2000) ..... 892  
 Senior Homeowners Assistance Program (SHAP) — CHORE Program — Community Development  
 Block Grant funds (O 755-2000) ..... 907

**Agreements**

Madison Avenue and West Boulevard in Ward 18 — landscape and maintain a parcel — Cudell  
 Improvement/Madison Merchants Organization (O 668-2000)..... 948

**Baldwin Water Purification Plant**

Baldwin and Nottingham Water Treatment Plants — Garrett A. Morgan Water Treatment Plant  
 — filter rehabilitation, water treatment and monitoring improvements — Division  
 of Water (O 711-2000)..... 892

**Banners**

10th Anniversary of ADA Day - a Celebration — banner—permit —Disability Coalition  
 Movement of Cleveland — Ward 13 (O 772-2000) ..... 912  
 Archwood/Denison Concerned Citizens — 13th Annual Archwood Street Sale  
 (O 776-2000) ..... 914  
 Blessed Sacrament School — special event — banner — permit — Ward 14  
 (O 774-2000) ..... 913  
 Children First Learning & Enrichment Center, Our Children are #1 — banner — Ministerial  
 Day Care?Headstart Association (O 770-2000) ..... 912  
 Disability Coalition Movement of Cleveland — 10th Anniversary of ADA - a Celebration.  
 (O 772-2000) ..... 912  
 Grace Hospital — health fair — banners — permits (O 771-2000) ..... 912  
 Parade the Circle Celebration — banners — University Circle Incorporated  
 (O 779-2000) ..... 914  
 Senior Citizens Resources, Inc. — Annual Garage Sale (O 777-2000) ..... 914

**Block Grants**

Fair housing services — Community Development block Grant funds — Community Relations  
 Board (O 756-2000) ..... 907  
 Senior Homeowners Assistance Program (SHAP) — CHORE Program — Community Development  
 Block Grant funds (O 755-2000) ..... 907  
 Storefront Renovation Program — Community Development Block Grant funds  
 (O 750-2000) ..... 906

**Board of Control - Artha Woods Park**

Artha Woods Park, Humphrey Park and Thames Park site improvements - amend BOC Res. 288-00  
 - Division of Research, Planning and Development, Dept. of Parks, Recreation  
 and Properties (BOC Res. 321-00) ..... 925

**Board of Control - Burke Lakefront Airport Division**

Landing fees and other fees - pursuant to C.O. Sec. 139.051 - Division of Burke Lakefront  
 Airport, Dept. of Port Control (BOC Res. 308-00) ..... 922  
 Testing and construction inspection services - amend Contract #52553 pursuant to BOC Res.  
 882-97 - Divisions of Burke Lakefront Airport and Cleveland Hopkins International  
 Airport, Dept. of Port Control (BOC Res. 309-00) ..... 923

**Board of Control - Cleveland Hopkins International Airport Division**

Landing fees - pursuant to C.O. Sec. 139.041 - rescind BOC Res. 193-99 - Division  
 of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 307-00)..... 922  
 Testing and construction inspection services - amend Contract #52553 pursuant to BOC Res.  
 882-97 - Divisions of Burke Lakefront Airport and Cleveland Hopkins International  
 Airport, Dept. of Port Control (BOC Res. 309-00) ..... 923

**Board of Control - Cleveland Public Power Division**

Debris, disposal at landfill - contract pursuant to Ord. 946-99 to Bradley Road, Inc. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 301-00) .....	921
FRE conduit and fittings - contract pursuant to C.O. Sec. 129.26 to WESCO Distribution - Akron - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 304-00) .....	921
Manholes, castings and grating - contract pursuant to Ord. 1630-92 to Leader Electric Supply Co. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 300-00) .....	921
Manholes, castings and grating - contract pursuant to Ord. 1630-92 to East Jordan Iron Works, Inc. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 302-00) .....	921

**Board of Control - Community Development Department**

Alpine Street, 2921 (Ward 4) - PPN 126-36-102 - to Laura M. Little pursuant to Ord. 1750-99 (BOC Res. 317-00) .....	924
East 86th Street, 1805, 1811-15, 1817 (Ward 7) - PPN 119-05-101/102/103 - to Milton Allen and Crystal Allen pursuant to Ord. 370-2000. (BOC Res. 315-00).....	924
Lexington Avenue, 7307-11 (Ward 7) - PPN 106-16-027 - to Beverly Butler pursuant to Ord. 217-2000. (BOC Res. 314-00) .....	924
West 96th Street, 2138 (Ward 18) - PPN 005-26-032 - to Cecily Annettee Lewis pursuant to Ord. 1847-99 (BOC Res. 316-00) .....	924

**Board of Control - Finance Department**

Computer Aided Dispatch and Records Management system Y2K compliance, project management and implementation - contract pursuant to Ord. 1744-97 and 521-99 to Carrera-MAXIMUS, Inc. - Dept. of Finance (BOC Res. 318-00) .....	925
--	-----

**Board of Control - Humphrey Park**

Artha Woods Park, Humphrey Park and Thames Park site improvements - amend BOC Res. 288-00 - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 321-00) .....	925
---	-----

**Board of Control - Land Reutilization Program**

Alpine Street, 2921 (Ward 4) - PPN 126-36-102 - to Laura M. Little pursuant to Ord. 1750-99 (BOC Res. 317-00) .....	924
East 86th Street, 1805, 1811-15, 1817 (Ward 7) - PPN 119-05-101/102/103 - to Milton Allen and Crystal Allen pursuant to Ord. 370-2000. (BOC Res. 315-00).....	924
Lexington Avenue, 7307-11 (Ward 7) - PPN 106-16-027 - to Beverly Butler pursuant to Ord. 217-2000. (BOC Res. 314-00) .....	924
West 96th Street, 2138 (Ward 18) - PPN 005-26-032 - to Cecily Annettee Lewis pursuant to Ord. 1847-99 (BOC Res. 316-00) .....	924

**Board of Control - Land Reutilization Program (Ward 4)**

Alpine Street, 2921 (Ward 4) - PPN 126-36-102 - to Laura M. Little pursuant to Ord. 1750-99 (BOC Res. 317-00) .....	924
--	-----

**Board of Control - Land Reutilization Program (Ward 7)**

East 86th Street, 1805, 1811-15, 1817 (Ward 7) - PPN 119-05-101/102/103 - to Milton Allen and Crystal Allen pursuant to Ord. 370-2000. (BOC Res. 315-00).....	924
Lexington Avenue, 7307-11 (Ward 7) - PPN 106-16-027 - to Beverly Butler pursuant to Ord. 217-2000. (BOC Res. 314-00) .....	924

**Board of Control - Land Reutilization Program (Ward 18)**

West 96th Street, 2138 (Ward 18) - PPN 005-26-032 - to Cecily Annettee Lewis pursuant to Ord. 1847-99 (BOC Res. 316-00) .....	924
--	-----

**Board of Control - Parks, Recreation and Properties Department**

Artha Woods Park, Humphrey Park and Thames Park site improvements - amend BOC Res. 288-00 - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 321-00) .....	925
---	-----

**Board of Control - Port Control Department**

Landing fees and other fees - pursuant to C.O. Sec. 139.051 - Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 308-00) ..... 922

Landing fees - pursuant to C.O. Sec. 139.041 - rescind BOC Res. 193-99 - Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 307-00)..... 922

Testing and construction inspection services - amend Contract #52553 pursuant to BOC Res. 882-97 - Divisions of Burke Lakefront Airport and Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 309-00) ..... 923

**Board of Control - Professional Service Contracts**

Building renovation and design services - amend Contract #48173 pursuant to BOC Res. 789-94 and 190-98 - Dept. of Public Utilities (BOC Res. 299-00) ..... 920

Computer Aided Dispatch and Records Management system Y2K compliance, project management and implementation - contract pursuant to Ord. 1744-97 and 521-99 to Carrera-MAXIMUS, Inc. - Dept. of Finance (BOC Res. 318-00) ..... 925

Testing and construction inspection services - amend Contract #52553 pursuant to BOC Res. 882-97 - Divisions of Burke Lakefront Airport and Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 309-00) ..... 923

West 77th Street Bridge rehabilitation, engineering services - contract pursuant to Ord. 2118-99 to The Osborn Engineering Company - Dept. of Public Service (BOC Res. 310-00)..... 923

**Board of Control - Public Improvement Contracts**

Artha Woods Park, Humphrey Park and Thames Park site improvements - amend BOC Res. 288-00 - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 321-00) ..... 925

Police Headquarters garage and plaza renovations - rescind BOC Res. 285-00 - reject all bids - Dept. of Public Safety (BOC Res. 320-00)..... 925

**Board of Control - Public Safety Department**

Police Headquarters garage and plaza renovations - rescind BOC Res. 285-00 - reject all bids - Dept. of Public Safety (BOC Res. 320-00)..... 925

**Board of Control - Public Service Department**

Guard rail elements - contract pursuant to Ord. 1835-99 to Able Contracting Group, Inc. - Division of Streets, Dept. of Public Service (BOC Res. 312-00) ..... 924

Gutter broom sets and Coreless tube brooms - contract pursuant to Ord. 1829-99 to Jack Doheny Supplies, Inc. - Division of Streets, Dept. of Public Service (BOC Res. 311-00)..... 923

Plow blades and curb bumpers - contract pursuant to Ord. 1834-99 to Valk Manufacturing Company - Division of Streets, Dept. of Public Service (BOC Res. 313-00)..... 924

Trucks, heavy duty, with operators, rental of - contract pursuant to Ord. 504-99 to Granger Trucking, Inc. - Division of Streets, Dept. of Public Service (BOC Res. 319-00) ..... 925

West 77th Street Bridge rehabilitation, engineering services - contract pursuant to Ord. 2118-99 to The Osborn Engineering Company - Dept. of Public Service (BOC Res. 310-00)..... 923

**Board of Control - Public Utilities Department**

Biological testing media and appurtenances - contract pursuant to C.O. Sec. 129.28 to IDEXX Distribution Corporation - Division of Water, Dept. of Public Utilities (BOC Res. 305-00) ..... 922

Building renovation and design services - amend Contract #48173 pursuant to BOC Res. 789-94 and 190-98 - Dept. of Public Utilities (BOC Res. 299-00) ..... 920

Catch basin debris disposal - contract pursuant to Ord. 2115-99 to Granger Trucking, Inc. - Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 303-00) ..... 921

Debris, disposal at landfill - contract pursuant to Ord. 946-99 to Bradley Road, Inc. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 301-00) ..... 921

Diving and underwater inspection services - contract pursuant to Ord. 509-99 to Underwater Marine Contractors, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 306-00)..... 922

FRE conduit and fittings - contract pursuant to C.O. Sec. 129.26 to WESCO Distribution - Akron - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 304-00) ..... 921

Manholes, castings and grating - contract pursuant to Ord. 1630-92 to Leader Electric Supply Co. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 300-00) ..... 921

Manholes, castings and grating - contract pursuant to Ord. 1630-92 to East Jordan Iron Works, Inc. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 302-00) ..... 921

**Board of Control - Requirement Contracts**

Biological testing media and appurtenances - contract pursuant to C.O. Sec. 129.28 to IDEXX Distribution Corporation - Division of Water, Dept. of Public Utilities (BOC Res. 305-00) .....	922
Catch basin debris disposal - contract pursuant to Ord. 2115-99 to Granger Trucking, Inc. - Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 303-00) .....	921
Debris, disposal at landfill - contract pursuant to Ord. 946-99 to Bradley Road, Inc. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 301-00) .....	921
Diving and underwater inspection services - contract pursuant to Ord. 509-99 to Underwater Marine Contractors, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 306-00) .....	922
FRE conduit and fittings - contract pursuant to C.O. Sec. 129.26 to WESCO Distribution - Akron - Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 304-00) .....	921
Guard rail elements - contract pursuant to Ord. 1835-99 to Able Contracting Group, Inc. - Division of Streets, Dept. of Public Service (BOC Res. 312-00) .....	924
Gutter broom sets and Coreless tube brooms - contract pursuant to Ord. 1829-99 to Jack Doheny Supplies, Inc. - Division of Streets, Dept. of Public Service (BOC Res. 311-00).....	923
Manholes, castings and grating - contract pursuant to Ord. 1630-92 to Leader Electric Supply Co. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 300-00) .....	921
Manholes, castings and grating - contract pursuant to Ord. 1630-92 to East Jordan Iron Works, Inc. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 302-00) .....	921
Plow blades and curb bumpers - contract pursuant to Ord. 1834-99 to Valk Manufacturing Company - Division of Streets, Dept. of Public Service (BOC Res. 313-00).....	924
Trucks, heavy duty, with operators, rental of - contract pursuant to Ord. 504-99 to Granger Trucking, Inc. - Division of Streets, Dept. of Public Service (BOC Res. 319-00) .....	925

**Board of Control - Research, Planning and Development Division**

Artha Woods Park, Humphrey Park and Thames Park site improvements - amend BOC Res. 288-00 - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 321-00) .....	925
---	-----

**Board of Control - Streets Division**

Guard rail elements - contract pursuant to Ord. 1835-99 to Able Contracting Group, Inc. - Division of Streets, Dept. of Public Service (BOC Res. 312-00) .....	924
Gutter broom sets and Coreless tube brooms - contract pursuant to Ord. 1829-99 to Jack Doheny Supplies, Inc. - Division of Streets, Dept. of Public Service (BOC Res. 311-00).....	923
Plow blades and curb bumpers - contract pursuant to Ord. 1834-99 to Valk Manufacturing Company - Division of Streets, Dept. of Public Service (BOC Res. 313-00).....	924
Trucks, heavy duty, with operators, rental of - contract pursuant to Ord. 504-99 to Granger Trucking, Inc. - Division of Streets, Dept. of Public Service (BOC Res. 319-00) .....	925

**Board of Control - Thames Park**

Artha Woods Park, Humphrey Park and Thames Park site improvements - amend BOC Res. 288-00 - Division of Research, Planning and Development, Dept. of Parks, Recreation and Properties (BOC Res. 321-00) .....	925
---	-----

**Board of Control - Water Division**

Biological testing media and appurtenances - contract pursuant to C.O. Sec. 129.28 to IDEXX Distribution Corporation - Division of Water, Dept. of Public Utilities (BOC Res. 305-00) .....	922
Debris, disposal at landfill - contract pursuant to Ord. 946-99 to Bradley Road, Inc. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 301-00) .....	921
Diving and underwater inspection services - contract pursuant to Ord. 509-99 to Underwater Marine Contractors, Inc. - Division of Water, Dept. of Public Utilities (BOC Res. 306-00) .....	922
Manholes, castings and grating - contract pursuant to Ord. 1630-92 to Leader Electric Supply Co. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 300-00) .....	921
Manholes, castings and grating - contract pursuant to Ord. 1630-92 to East Jordan Iron Works, Inc. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 302-00) .....	921



**Board of Control - Water Pollution Control Division**

Catch basin debris disposal - contract pursuant to Ord. 2115-99 to Granger Trucking, Inc. - Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 303-00) ..... 921

Debris, disposal at landfill - contract pursuant to Ord. 946-99 to Bradley Road, Inc. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 301-00) ..... 921

Manholes, castings and grating - contract pursuant to Ord. 1630-92 to Leader Electric Supply Co. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 300-00) ..... 921

Manholes, castings and grating - contract pursuant to Ord. 1630-92 to East Jordan Iron Works, Inc. - Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 302-00) ..... 921

**Board of Zoning Appeals - Report**

Amber Drive, 17115, (Ward 21) - David McGuirk - appeal postponed to 5/22/00 on 5/8/00 (Cal. 00-84) ..... 792

Bridge Avenue, 2901, (Ward 14) - Patricia M. Williams, owner - appeal heard on 5/8/00 (Cal. 00-83)..... 927

Broadway Avenue, 5301-5307, (Ward 13) - Donald Bram, owner, and Leland S. Freedman, attorney - appeal denied and adopted on 5/8/00 (Cal. 00-75) ..... 928

Carnegie Avenue, 8225, (Ward 6) - J.T. Bailey & Company, d.b.a. Carter Howell LLC, owners - appeal heard on 5/08/00 (Cal. 00-82)..... 927

Central Viaduct, 308, (Ward 13) - Norfolk and Southern Corporation, owners, and Gateway Economic Development Corporation, tenant - appeal granted and adopted on 5/8/00 (Cal. 00-77)..... 927

Donald Avenue, 7508, (Ward 7) - Ruthie Mae Owens, owner - appeal postponed to 5/22/00 on 5/08/00 (Cal. 00-78)..... 927

Franklin Boulevard, 4211, (Ward 14) - Vickie and John Popa, owners - appeal granted and adopted on 5/8/00 (Cal. 00-67) ..... 927

Franklin Boulevard, 4305, (Ward 14) - Richard Shucofsky, owner, and Vickie and John Popa, prospective purchasers - appeal granted and adopted on 5/8/00 (Cal. 00-68) ..... 927

Madison Avenue, 9215, (Ward 18) - John Nyerges, owner - appeal postponed to 5/22/00 on 5/8/00 (Cal. 00-45)..... 927

Shaker Boulevard, 10250, (Ward 6) - Morning Star Baptist Church, owner c/o Reverend Preston - appeal heard on 5/8/00 (Cal. 00-72) ..... 927

West 11th Street, 2129, (Ward 13) - Don Mural, owner and Parkhill Associates, prospective purchaser, c/o Brian McCreary - appeal withdrawn on 5/22/00 (Cal. 00-32) ..... 927

West 45th Street, 1898, (Ward 14) - David L. Gelzer, owner - appeal denied and adopted on 5/1/00 (Cal. 00-74) ..... 928

West 58th Street, 3150, (Ward 17) - The West 58th Street Church of God, owner c/o Reverend Howard Black - appeal granted and adopted on 5/1/00 (Cal. 00-69)..... 928

West 65th Street, 3300, (Ward 17) - White Elephant Development Corporation, owner - appeal postponed to 6/5/00 on 5/8/00 (Cal. 00-46) ..... 927

West 6th Street, 2188, (Ward 13) - Tremont Ridge Phase I Limited Partnership, owner - appeal granted and adopted on 5/8/00 (Cal. 00-76) ..... 927

**Board of Zoning Appeals - Schedule**

Cedar Avenue, 8937, (Ward 6) - Charles Scott, owner, and Lou's Diner, tenant - appeal to be heard on 5/22/00 (Cal. 00-96)..... 927

Clifford Avenue, 14213, (Ward 21) - Jeffery Sommer, owner - appeal to be heard on 5/22/00 (Cal. 00-86)..... 927

East 130th Street, 2860, (Ward 6) - Amos Norwood, owner and Thresa Whitt, tenant - appeal to be heard on 5/22/00 (Cal. 00-87) ..... 927

Lorain Avenue, 16700, (Ward 21) - Kamcor Realty Company, owner c/o Daniel Lovinger, and Carom, Inc., dba BJ Diamond Mine, tenant, and Dan Marguillies, agent - appeal to be heard on 5/22/00 (Cal. 00-90) ..... 927

West Boulevard, 3381, (Ward 18) - Craig Brown, owner - appeal to be heard on 5/22/00 (Cal. 00-88)..... 927

**Bridges**

West 44th Street Bridge - rehabilitating or reconstructing - causing the payment - State of Ohio - amend Section 1 of Ordinance No. 137-96 (O 731-2000) ..... 900

**Burke Lakefront Airport**

T & G Flying Club, Inc. - Lease By Way of Concession - Burke Lakefront Airport - flight training facility and related services (O 743-2000) ..... 904

**City Council**

Bob Jones University— denouncing discriminatory practices and polices (R 783-2000) .....	915
Inquire and investigation — Civil Service Commission — Council (R 788-2000) .....	917
Notification to Councilmembers — closures to public right of ways for maintenance or repair — Public Service Department (R 782-2000).....	915

**City of Cleveland Bids**

Automatic batch sampling particle counter system - Department of Public Utilities - Division of Water - per C.O. Sec. 129.28 - bid due May 31, 2000 (advertised 5/10/2000 and 5/17/2000).....	929
Boilers, labor and materials to maintain and repair - Department of Port Control - per Ord. 2053-99 - bid due May 31, 2000 (advertised 5/3/2000 and 5/10/2000) .....	928
Cab / chassis with aerial bucket / tree trimming body - Department of Public Service - per Ord. 1058-99 - bid due May 26, 2000 (advertised 5/3/2000 and 5/10/2000) .....	928
Construction equipment parts and labor - Department of Public Service - Division of Motor Vehicle Maintenance - per Ord. 1837-99 - bid due May 26, 2000 (advertised 5/10/2000 and 5/17/2000).....	929
Curbing, aprons, ramps for handicapped and other concrete work - Department of Port Control - per Ord. 2116-99 - bid due June 15, 2000 (advertised 5/10/2000 and 5/17/2000).....	929
Electronic traffic signal equipment - Department of Public Service - Division of Traffic Engineering and Parking - per Ord. 2165-99 - bid due May 17, 2000 (advertised 5/3/2000 and 5/10/2000).....	928
Modular mobile office - Department of Public Health - Division of Environment - per Ord. 1060-99 - bid due May 26, 2000 (advertised 5/10/2000 and 5/17/2000) .....	928
Pavement grinding - Department of Public Service - Division of Streets - per Ord. 1838-99 - bid due May 26, 2000 (advertised 5/10/2000 and 5/17/2000).....	929
Printers, high speed - Department of Finance - bid due May 31, 2000 (advertised 5/10/2000 and 5/17/2000).....	929
Pumps for swimming pools - Department of Parks, Recreation and Properties - Division of Property Management - per Ord. 2172-99 - bid due May 25, 2000 (advertised 5/3/2000 and 5/10/2000).....	928
Quicklime - Department of Public Utilities - Division of Water - per C.O. Sec. 129.24 - bid due May 24, 2000 (advertised 5/3/2000 and 5/10/2000).....	928
Security guard services, unarmed, uniformed - Department of Finance - per Ord. 363-2000 - bid due June 1, 2000 (advertised 5/10/2000 and 5/17/2000) .....	929
Sewer maintenance appurtenances - slabs - Department of Public Utilities - Division of Water Pollution Control - per C.O. Sec. 129.27 - bid due May 17, 2000 (advertised 5/3/2000 and 5/10/2000).....	928
Sidewalks, curbs, curb ramps and driveway aprons, repair and construction of - Department of Public Service - Division of Engineering and Construction - per Ord. 593-2000 - bid due May 18, 2000 (advertised 5/3/2000 and 5/10/2000) .....	928
Transformers, 13.8 Kv - Department of Public Utilities - Division of Cleveland Public Power - per C.O. Sec. 129.26 - bid due June 1, 2000 (advertised 5/10/2000 and 5/17/2000).....	929
Wire, standard - Department of Finance - per Ord. 291-98 - bid due May 31, 2000 (advertised 5/10/2000 and 5/17/2000) .....	929

**City Planning Commission**

Clifton Road / West Boulevard Historic Landmark District — Establishing (O 109-2000) .....	935
Establishing the East St. Clair Business Revitalization District. (BRD).— Ward 13 (O 63-2000) .....	931
Euclid Avenue Church of God — Designating — Cleveland Landmark (O 2178-99) .....	931
Grayton Road, S.W. south of I-480 — change the Use District (O 178-2000) .....	928
Memphis Avenue, S. W. northerly side between Ridgeview Drive and West 59th Street — Map Change No. 1986, Sheet No. 2 — change use and area district of lands. (O 2059-98) .....	928
Old Brooklyn Business Revitalization District (BRD) — Establishing (O 139-2000) .....	938
Spring Road, S.W., Hinckley Industrial Parkway, Jennings Township and easterly extension of the Brooklyn Heights Village boundary — Changing the Use and Area Districts (O 177-2000) .....	928

**City Planning Committee—Public Hearings—Zoning**

Grayton Road, S.W. south of I-480 — change the Use District (O 178-2000) .....	928
Memphis Avenue, S. W. northerly side between Ridgeview Drive and West 59th Street — Map Change No. 1986, Sheet No. 2 — change use and area district of lands. (O 2059-98) .....	928
Spring Road, S.W., Hinckley Industrial Parkway, Jennings Township and easterly extension of the Brooklyn Heights Village boundary — Changing the Use and Area Districts (O 177-2000) .....	928

**Clark Metro Development Corporation**

FL Thompson Building — capital improvements — Clark Metro Development Corporation —  
Ward 14 Neighborhood Development Funds (O 661-2000)..... 947

**Cleveland Hopkins International Airport**

American Airlines, Inc. — amendment City Contract — deletion of certain space from the  
Lease (O 321-2000) ..... 918-919  
One trash compactor — Cleveland Hopkins International Airport (O 330-2000)..... 944  
Primary Hangar (Bay 3) and adjacent ramp area — Lease By Way of Concession — U.  
S. Airways — Cleveland Hopkins International Airport (O 258-2000) ..... 941

**Cleveland Housing Network**

Cleveland Housing Network — contract — purchase, rehabilitation or construction of low  
income rental housing — Community Development (O 754-2000) ..... 906  
Home Insulation Program to mitigate railroad noise — funds — Cudell Improvement,  
Lutheran Housing Corporation and C (O 1852-99) ..... 918  
Low income housing units — acquisition, rehabilitation, or construction — Cleveland  
Housing Network (O 757-2000)..... 907

**Cleveland Industrial Park**

Block C-1 — Cleveland Industrial Park — amend the title, the first whereas clause and  
Section 2 of Ordinance No.1569-99 (O 478-2000) ..... 919

**Cleveland Municipal Court**

Criminal and civil filing system — Cleveland Municipal Court (O 514-2000) ..... 919

**Cleveland Public Power**

Replace or repaid concrete or asphalt areas — Cleveland Public Power (O 747-2000) ..... 905  
Streetlighting bases and pull boxes — Cleveland Public Power (O 746-2000)..... 904  
Tree trimming — Cleveland Public Power (O 745-2000) ..... 904

**Codified Ordinances**

Exempted Special Events — new Section 133.04 (O 768-2000) ..... 911  
Section 133.34 enact new Section of Codified Ordinances relating to greenhouse fees  
(O 324-99) ..... 930  
Section 341.07 — amend, as enacted by Ord.No. 527-2000 relating to pedestrian retail  
area restrictions (O 773-2000)..... 912  
Service providers at the airport — new Section 571.021 (O 744-2000)..... 904  
Surface parking lots in designated downtown districts — amend Section 349.14  
(O 767-2000) ..... 911

**Communications**

City of North Royalton, Ohio — Resolution 2000-80 — Opposing the proposed increase in  
water rates by the City of Cleveland (F 691-2000) ..... 892  
City of Parma, Ohio - Resolution No. 113-00, objecting to the water rate increase proposed  
by the City of Cleveland and the Cleveland Water Department (F 690-2000)..... 892  
City of Strongsville, Ohio — certified copy of Resolution No. 2000-70 — Opposing the  
proposed increase in water rates by the City of Cleveland (F 692-2000) ..... 892

**Community Development**

After School Prevention Resources Baseball Team Project — Lutheran Metropolitan  
Ministries — agreement — Ward 14 Neighborhood Development Funds (O 662-2000) ..... 947  
Alta House Recreation Center (Ward 6) —repair or replace boiler — Neighborhood Equity  
Funds — Community Development (O 769-2000) ..... 911  
Citywide Community Support agencies — contract — housing, commercial, industrial and  
real estate development activities — Community Development (O 749-2000) ..... 905  
Cityworks Program — grants to small, neighborhood-based street clubs, block clubs and  
other community improvement groups — contract — Community Development  
(O 752-2000) ..... 906  
Cleveland Housing Network — contract — purchase, rehabilitation or construction of low  
income rental housing — Community Development (O 754-2000) ..... 906  
East 115th Street, 805, 807, 811-15 — Land Reutilization Program — Strowder's Funeral  
Chapel, Inc. (O 758-2000) ..... 907  
Fair housing services — Community Development block Grant funds — Community Relations  
Board (O 756-2000) ..... 907  
FL Thompson Building — capital improvements — Clark Metro Development Corporation —  
Ward 14 Neighborhood Development Funds (O 661-2000)..... 947

Glenville Development Corporation — youth program and Ward 8 home improvement programs — Workers' Compensation Neighborhood Development Funds —Community Development (O 780-2000) .....	915
Housing rehabilitation, new housing construction and commercial redevelopment loan programs — Cleveland Action to Support Housing (CASH) — contract — Community Development (O 753-2000) .....	906
Housing Trust Fund Program — contracts — Community Development — housing activities (O 751-2000) .....	906
Juvenile Justice Diversion Mediation Pilot Project (JJDMPP) — Citizens of Cuyahoga County Ombudsman Office — agreement — Ward 5 Neighborhood Development Funds (O 665-2000) .....	948
Low income housing units — acquisition, rehabilitation, or construction — Cleveland Housing Network (O 757-2000) .....	907
Orleans Avenue, 9810 — Land Reutilization Program — Annie Gray (O 759-2000) .....	908
Playground equipment at Valley View Elementary School in Ward 21 — amend the title and Section 1 of Ordinance No. 430-2000 (O 664-2000) .....	947
Project Afford — construction and rehabilitation of homes in Ward 14 — Neighborhood Equity Funds — Community Development (O 775-2000) .....	913
Senior Home Repair Program — FAMICOS Foundation — agreement (O 667-2000) .....	948
Senior Homeowners Assistance Program (SHAP) — CHORE Program — Community Development Block Grant funds (O 755-2000) .....	907
Storefront Renovation Program — Community Development Block Grant funds (O 750-2000) .....	906
Various social service agencies, community development — memorandums of understanding — Community Development (O 748-2000) .....	905

#### Community Relations Board

Fair housing services — Community Development block Grant funds — Community Relations Board (O 756-2000) .....	907
--	-----

#### Condolences

Carr, Nora B. (R 702-2000) .....	892
McClain, Jerome G. (R 704-2000) .....	892
Zollicoffer, James (R 703-2000) .....	892

#### Congratulations

Acierno, Feliz (R 705-2000) .....	892
Adrine, Russell T. (R 707-2000) .....	892
Johnson, Almeta A. (R 706-2000) .....	892

#### Contracts

Acquisition of furniture and fixtures — 18013 Cleveland Parkway — Shiloh Industries, Inc. — contract — Economic Development (O 764-2000) .....	910
Acquisition of machinery and equipment — 1230 West 58th Street — Rex-Buckeye Company, Inc. — Economic Development (O 761-2000) .....	909
Broadway Avenue, 7100 — ACH Properties, Inc. — acquisition of real property — Economic Development (O 762-2000) .....	909
Citywide Community Support agencies — contract — housing, commercial, industrial and real estate development activities — Community Development (O 749-2000) .....	905
Cityworks Program — grants to small, neighborhood-based street clubs, block clubs and other community improvement groups — contract — Community Development (O 752-2000) .....	906
Cleveland Housing Network — contract — purchase, rehabilitation or construction of low income rental housing — Community Development (O 754-2000) .....	906
ECRM image setter package — purchase by contract — Division of Printing and Reproduction (O 254-2000) .....	941
Four bronze impellers — one pattern — eight impeller rings — eight case rings — Division of Water (O 591-2000) .....	918-920
Housing rehabilitation, new housing construction and commercial redevelopment loan programs — Cleveland Action to Support Housing (CASH) — contract — Community Development (O 753-2000) .....	906
Housing Trust Fund Program — contracts — Community Development — housing activities (O 751-2000) .....	906
L.T.I. fire apparatus parts — Maltese Fire Equipment Co. — Division of Motor Vehicle Maintenance (O 720-2000) .....	897
Low income housing units — acquisition, rehabilitation, or construction — Cleveland Housing Network (O 757-2000) .....	907
Movable doors and walls, security shutters, electric gates and other means of access — Division of Property Management (O 367-2000) .....	919

One trash compactor — Cleveland Hopkins International Airport (O 330-2000)..... 944  
Oshkosh broom trucks — purchase — Port Control (O 411-2000) ..... 918-919  
Paper and envelopes — purchase by contract — Division of Printing and Reproduction  
(O 253-2000) ..... 941  
Pierce fire apparatus parts — Finley Fire Equipment — Division of Motor Vehicle  
Maintenance (O 721-2000) ..... 897  
Safety and environmental monitoring — various divisions of Port Control  
(O 517-2000) ..... 918-920  
Seating for the terminal areas — new or refurbished — Port Control (O 413-2000)..... 918-919  
Sewer and catch basin cleaners — Division of Water Pollution Control (O 414-2000) ..... 918-920  
Sutphen fire apparatus parts — Division of Motor Vehicle Maintenance (O 722-2000) ..... 897  
Tube bundles — remove and replace — Bell & Gossett heat exchangers — Division of  
Convention Center and Stadium (O 524-2000) ..... 946  
Uninterrupted power supply unit — Sun computer equipment — Division of Taxation  
(O 589-2000) ..... 919

**Convention Center**

Tube bundles — remove and replace — Bell & Gossett heat exchangers — Division of  
Convention Center and Stadium (O 524-2000) ..... 946

**Cudell Improvement**

Home Insulation Program to mitigate railroad noise — funds — Cudell Improvement,  
Lutheran Housing Corporation and C (O 1852-99) ..... 918  
Madison Avenue and West Boulevard in Ward 18 — landscape and maintain a parcel — Cudell  
Improvement/Madison Merchants Organization (O 668-2000)..... 948

**Cuyahoga County**

Phases II and III the Harvard Avenue — cause payment — Cuyahoga County Commissioners  
(O 717-2000) ..... 895  
Solid Waste Management Plan — Approving the final draft — Cuyahoga County Solid Waste  
Management District (O 713-2000) ..... 893

**Downtown**

Surface parking lots in designated downtown districts — amend Section 349.14  
(O 767-2000) ..... 911

**Economic Development Department**

Acquisition of furniture and fixtures — 18013 Cleveland Parkway — Shiloh Industries,  
Inc. — contract — Economic Development (O 764-2000) ..... 910  
Acquisition of machinery and equipment — 1230 West 58th Street — Rex-Buckeye Company,  
Inc. — Economic Development (O 761-2000) ..... 909  
Block C-1 — Cleveland Industrial Park — amend the title, the first whereas clause and  
Section 2 of Ordinance No.1569-99 (O 478-2000) ..... 919  
Broadway Avenue, 7100 — ACH Properties, Inc. — acquisition of real property — Economic  
Development (O 762-2000) ..... 909  
Cleveland Parkway, 18013 — acquisition of furniture and fixtures — Shiloh Industries,  
Inc. — Enterprise Zone Agreement — Economic Development (O 763-2000) ..... 909  
East 55th Street, 1787 — capital improvements — Aletha Gambrell dba Operation Hair —  
amend Sections 2 and 3 of Ordinance No. 739-99 (O 760-2000) ..... 909  
Home Insulation Program to mitigate railroad noise — funds — Cudell Improvement,  
Lutheran Housing Corporation and C (O 1852-99) ..... 918  
Madison Avenue, 10615 — Enterprise Zone Agreement — Midland Steel Products Holding  
Company (O 765-2000) ..... 910  
Madison Avenue, 10615 — acquisition of machinery and equipment — property improvements  
— Midland Steel Products Holding Company — contract — Economic Development  
(O 766-2000) ..... 911  
MBE/FBE participation information — Requesting — LTV Steel Company, the Department of  
Economic Development and the Office of Equal Opportunity (R 669-2000) ..... 929

**Empowerment Zone**

East 55th Street, 1787 — capital improvements — Aletha Gambrell dba Operation Hair —  
amend Sections 2 and 3 of Ordinance No. 739-99 (O 760-2000) ..... 909

**Enterprise Zone Agreement**

Cleveland Parkway, 18013 — acquisition of furniture and fixtures — Shiloh Industries, Inc. — Enterprise Zone Agreement — Economic Development (O 763-2000) .....	909
Madison Avenue, 10615 — Enterprise Zone Agreement — — Midland Steel Products Holding Company (O 765-2000) .....	910
Madison Avenue, 10615 — acquisition of machinery and equipment — property improvements — Midland Steel Products Holding Company — contract — Economic Development (O 766-2000) .....	911

**Environmental Protection Agency**

Environment Division operation — grant — implement the program — Ohio Environmental Protection Agency (O 476-2000) .....	945
--	-----

**Famicos Foundation**

Senior Home Repair Program — FAMICOS Foundation — agreement (O 667-2000) .....	948
--	-----

**Fees**

Section 133.34 enact new Section of Codified Ordinances relating to greenhouse fees (O 324-99) .....	930
--	-----

**Female Business Enterprise**

MBE/FBE participation information — Requesting — LTV Steel Company, the Department of Economic Development and the Office of Equal Opportunity (R 669-2000) .....	929
---	-----

**Finance Department**

Brooks, Ronald E. — Director, Department of Finance (F 695-2000) .....	892
Criminal and civil filing system — Cleveland Municipal Court (O 514-2000) .....	919
ECRM image setter package — purchase by contract — Division of Printing and Reproduction (O 254-2000) .....	941
Paper and envelopes — purchase by contract — Division of Printing and Reproduction (O 253-2000) .....	941
Uninterrupted power supply unit — Sun computer equipment — Division of Taxation (O 589-2000) .....	919

**Funds**

After School Prevention Resources Baseball Team Project — Lutheran Metropolitan Ministries — agreement — Ward 14 Neighborhood Development Funds (O 662-2000) .....	947
Alta House Recreation Center (Ward 6) —repair or replace boiler — Neighborhood Equity Funds — Community Development (O 769-2000) .....	911
FL Thompson Building — capital improvements — Clark Metro Development Corporation — Ward 14 Neighborhood Development Funds (O 661-2000) .....	947
Home Insulation Program to mitigate railroad noise — funds — Cudell Improvement, Lutheran Housing Corporation and C (O 1852-99) .....	918
Juvenile Justice Diversion Mediation Pilot Project (JJDMPP) — Citizens of Cuyahoga County Ombudsman Office — agreement — Ward 5 Neighborhood Development Funds (O 665-2000) .....	948
Project Afford — construction and rehabilitation of homes in Ward 14 — Neighborhood Equity Funds — Community Development (O 775-2000) .....	913
Senior Home Repair Program — FAMICOS Foundation — agreement (O 667-2000) .....	948

**Grants**

2000-2001 Federal Child Lead Poison Prevention Program — grant — Ohio Department of Health (O 523-2000) .....	945
2001-2003 Lead-Based Paint Hazard Control Program — grant — U.S. Department of Housing and Urban Development — Public Health (O 733-2000) .....	900
Cityworks Program — grants to small, neighborhood-based street clubs, block clubs and other community improvement groups — contract — Community Development (O 752-2000) .....	906
Environment Division operation — grant — implement the program — Ohio Environmental Protection Agency (O 476-2000) .....	945
Flora Park rehabilitation — grant — Urban Parks and Recreation Recovery Program (O 475-2000) .....	945
Temporary Assistance to Needy Families Program — grant — Ohio Department of Human Services (O 525-2000) .....	946

**Health Centers**

MetroHealth — leases by way of concession — provide medical services and clinical physician services — Public Health (O 734-2000)..... 901

**Health Department**

2000-2001 Federal Child Lead Poison Prevention Program — grant — Ohio Department of Health (O 523-2000) ..... 945  
2001-2003 Lead-Based Paint Hazard Control Program — grant — U.S. Department of Housing and Urban Development — Public Health (O 733-2000) ..... 900  
Environment Division operation — grant — implement the program — Ohio Environmental Protection Agency (O 476-2000)..... 945  
MetroHealth — leases by way of concession — provide medical services and clinical physician services — Public Health (O 734-2000)..... 901  
Whitlow, Michele C. — Director, Department of Health (F 701-2000)..... 892

**Hearings**

Inquire and investigation — Civil Service Commission — Council (R 788-2000) ..... 917

**Housing**

Housing Trust Fund Program — contracts — Community Development — housing activities (O 751-2000) ..... 906

**JTPA Title II-A**

Additional allocations — State of Ohio Bureau of Employment Services Power OHIO — Titles II and III of the Job Training Partnership Act — governor’s Reserve Grant (O 526-2000) ..... 946

**Land Reutilization Program**

East 115th Street, 805, 807, 811-15 — Land Reutilization Program — Strowder’s Funeral Chapel, Inc. (O 758-2000) ..... 907  
Orleans Avenue, 9810 — Land Reutilization Program — Annie Gray (O 759-2000) ..... 908

**Lease by Way of Concession**

Primary Hangar (Bay 3) and adjacent ramp area — Lease By Way of Concession — U. S. Airways — Cleveland Hopkins International Airport (O 258-2000) ..... 941  
MetroHealth — leases by way of concession — provide medical services and clinical physician services — Public Health (O 734-2000)..... 901  
T & G Flying Club, Inc. — Lease By Way of Concession — Burke Lakefront Airport — flight training facility and related services (O 743-2000) ..... 904

**Leases**

St. Augustine Manor — lease property — southeast corner of Detroit Avenue and West 80th Street — Public Service (O 732-2000) ..... 900

**Liquor Permits**

14025 Puritas Avenue, 14025 — Transfer of Location Application — (Ward 20) (F 681-2000) ..... 891  
Broadway Avenue, 5400 — Transfer of Ownership and Location Application — (Ward 13) (F 682-2000) ..... 891  
Central Avenue, 7109 — New Application — (Ward 5) (F 674-2000) ..... 891  
Central, 7109 - objecting to the issuance of a C1 - (Ward 05) (R 784-2000) ..... 916  
Clifton Boulevard, 10423-27 — first floor, basement and patio — Transfer of Ownership Application — (Ward 18) (F 680-2000)..... 891  
Cooley Avenue, 12417 — first floor — Transfer of Ownership Application — (Ward 19) (F 688-2000)..... 892  
Detroit Avenue, 4204 — first floor, basement and patio — Transfer of Ownership Application — (Ward 14) (F 678-2000)..... 891  
Detroit Avenue, 8002, withdrawing objection to the renewal of a C2 and C2X - (Ward 17) (R 671-2000)..... 930  
East 185th Street, 837 — first floor — Stock Transfer Application — (Ward 11) (F 685-2000)..... 891  
Lakeshore Blvd, 15428 - Objecting to the transfer of ownership of a C1, C2 and D6 - (Ward 11) (R 672-2000)..... 930

Lakeview Rd. Front, 1st Fl. & Bsmt., 970 - objecting to the transfer of ownership of a C2 and C2X - (Ward 08) (R 786-2000) .....	916
Lakeview Road, 970 — front first floor and basement — Transfer of Ownership Application — (Ward 8) (F 676-2000) .....	891
Lee Road, 4501-03-05, withdrawing objection to the transfer of ownership of a C1, C2 and D6 - (Ward 01) (R 670-2000) .....	930
Mt. Auburn Rd., 1st Fl. & Bsmt., 9621 - objecting to the transfer of ownership of a C2 and C2X - (Ward 04) (R 785-2000) .....	916
Mt. Auburn Road, 9621 — first floor and basement — Transfer of Ownership Application — (Ward 4) (F 675-2000) .....	891
O. Main Avenue, 11 — Unit A — Transfer of Ownership and Location Application — (Ward 14) (F 689-2000) .....	892
Sackett Avenue, 2909 — first floor and basement — Transfer of Ownership Application — (Ward 14) (F 679-2000) .....	891
St. Clair Avenue 1st Fl. & Bsmt., 7901 - objecting to the transfer of ownership of a D2, D2X, D3 and D3A - (Ward 08) (R 787-2000) .....	917
St. Clair Avenue, 15521 — Stock Transfer Application — (Ward 11) (F 684-2000) .....	891
St. Clair Avenue, 7901 — first floor and basement — Transfer of Ownership Application — (Ward 8) (F 687-2000) .....	892
West 25th Street, 2700 — Transfer of Ownership Application — (Ward 14) (F 677-2000) .....	891
West Ninth Street, 1360 — basement level — Transfer of Exempt - Transfer of Ownership and Location Application — (Ward 13) (F 686-2000) .....	892
West Third Street, 1515 — basement, first, sixth through twelfth and fourteenth floors — Stock Transfer Application — (ward 13) (F 683-2000) .....	891
<b>LTV Steel Company</b>	
MBE/FBE participation information — Requesting — LTV Steel Company, the Department of Economic Development and the Office of Equal Opportunity (R 669-2000) .....	929
<b>Lutheran Housing Corporation</b>	
Home Insulation Program to mitigate railroad noise — funds — Cudell Improvement, Lutheran Housing Corporation and C (O 1852-99) .....	918
<b>Memoranda of Understanding</b>	
Various social service agencies, community development — memorandums of understanding — Community Development (O 748-2000) .....	905
<b>Metro Health Medical Center</b>	
MetroHealth — leases by way of concession — provide medical services and clinical physician services — Public Health (O 734-2000) .....	901
<b>Minority Business Enterprises</b>	
MBE/FBE participation information — Requesting — LTV Steel Company, the Department of Economic Development and the Office of Equal Opportunity (R 669-2000) .....	929
<b>Motor Vehicle Maintenance Division (MVM)</b>	
Allison rebuilt or remanufactured automatic transmissions, including installation — purchase by contract — Motor Vehicle Maintenance Division (O 265-2000) .....	941
Chevrolet - GMC passenger car, police car, van and truck parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 270-2000) .....	942
Duplex cab and chassis fire apparatus parts — Maltese Fire Equipment Co. — Division of Motor Vehicle Maintenance (O 723-2000) .....	897
E-one fire apparatus parts — American Fire Equipment Co. — Division of Motor Vehicle Maintenance (O 724-2000) .....	898
EZ pack parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 269-2000) .....	918
Ford passenger and police car parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 268-2000) .....	918
Fuel dispensing pumps and systems, labor and materials to repair or replace — underground storage tanks and systems, labor and materials to cleanup and replace — purchase by contract — Motor Vehicle Maintenance Division (O 266-2000) .....	942
International truck parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 267-2000) .....	918



L.T.I. fire apparatus parts — Maltese Fire Equipment Co. — Division of Motor Vehicle Maintenance (O 720-2000) ..... 897

Pierce fire apparatus parts — Finley Fire Equipment — Division of Motor Vehicle Maintenance (O 721-2000) ..... 897

Sutphen fire apparatus parts — Division of Motor Vehicle Maintenance (O 722-2000) ..... 897

**Oath of Office**

Ambroz, Lucille — Director, Office of Equal Opportunity (F 694-2000) ..... 892

Alexander, Dolores — Director Department of Aging (F 693-2000) ..... 892

Brooks, Ronald E. — Director, Department of Finance (F 695-2000) ..... 892

Guzman, Henry — Director, Department of Public Safety (F 696-2000)..... 892

Henderson, Marilyn — Commissioner, Division of Accounts (F 697-2000)..... 892

Ricchiuto, Mark W. — Director, Department of Public Service (F 699-2000)..... 892

Sheffield-McClain, LaVonne — Director, Department of Port Control (F 698-2000)..... 892

Walker, Algeron A. — City Treasurer, Division of Treasury (F 700-2000) ..... 892

Whitlow, Michele C. — Director, Department of Health (F 701-2000)..... 892

**Ohio Bureau of Employment Services**

Additional allocations — State of Ohio Bureau of Employment Services Power OHIO — Titles II and III of the Job Training Partnership Act — governor’s Reserve Grant (O 526-2000) ..... 946

**Ohio Department of Public Health**

2000-2001 Federal Child Lead Poison Prevention Program — grant — Ohio Department of Health (O 523-2000) ..... 945

**Ohio Department of Transportation (ODOT)**

Stokes Boulevard Bridge — cause payment — rehabilitation — Ohio Department of Transportation (O 718-2000) ..... 896

**Old Brooklyn Area**

Old Brooklyn Business Revitalization District (BRD) — Establishing (O 139-2000) ..... 938

**Parking**

Surface parking lots in designated downtown districts — amend Section 349.14 (O 767-2000) ..... 911

**Parks, Recreation and Properties Department**

Cleveland Fire Fighters’ Memorial — property adoption agreement for construction and maintenance — Safety Department — Parks, Recreation and Properties Department (O 272-2000) ..... 942

East 200th Street — sell City-owned property — Richard J. and Rita M. Case (O 742-2000) ..... 903

Exempted Special Events — new Section 133.04 (O 768-2000) ..... 911

Flora Park rehabilitation — grant — Urban Parks and Recreation Recovery Program (O 475-2000) ..... 945

Madison Avenue and West Boulevard in Ward 18 — landscape and maintain a parcel — Cudell Improvement/Madison Merchants Organization (O 668-2000)..... 948

Movable doors and walls, security shutters, electric gates and other means of access — Division of Property Management (O 367-2000) ..... 919

Section 133.34 enact new Section of Codified Ordinances relating to greenhouse fees (O 324-99) ..... 930

Tube bundles — remove and replace — Bell & Gossett heat exchangers — Division of Convention Center and Stadium (O 524-2000) ..... 946

West Side Market — clean — Division of Convention Center and Stadium (O 366-2000) ..... 945

**Permits**

10th Anniversary of ADA Day - a Celebration —banner—permit —Disability Coalition Movement of Cleveland — Ward 13 (O 772-2000) ..... 912

11th Annual Miles Standish Miler Fun Run — permit — Miles Standish Elementary School (O 781-2000) ..... 915

1222 Prospect, Inc., an Ohio Corporation dba Bottoms Up of Cleveland — permit — outdoor seasonal sidewalk cafe, bollards, planter and associated equipment (O 728-2000) ..... 899

Archwood/Denison Concerned Citizens — 13th Annual Archwood Street Sale (O 776-2000) .....	914
Blessed Sacrament School — special event — banner — permit — Ward 14 (O 774-2000) .....	913
Children First Learning & Enrichment Center, Our Children are #1 — banner — Ministerial Day Care?Headstart Association (O 770-2000) .....	912
Cormere Avenue, Williams Avenue and East 128th Street — grading, paving, fencing, parking and other construction — permit — Shaker Square of Ohio LLC (O 660-2000) .....	946
Disability Coalition Movement of Cleveland — 10th Anniversary of ADA - a Celebration. (O 772-2000) .....	912
Fairview Hospital Parking Facility — right-of-way — construction of a walk, driveway and landscaping (O 729-2000).....	899
Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge — permit — outdoor seasonal cafe restaurant with a sidewalk barrier (O 727-2000) .....	898
Grace Hospital — health fair — banners — permits (O 771-2000) .....	912
Kids 5K Walk — permit — West Side Ecumenical Ministry (O 663-2000) .....	947
New Day in Hough Race and Parade — permit — New Day in Hough Committee (O 666-2000) .....	948
Senior Citizens Resources, Inc. — Annual Garage Sale (O 777-2000) .....	914
STAVSERV, Inc. — permit — outdoor seasonal sidewalk cafe, a fencing enclosure and associated equipment (O 712-2000) .....	893
Straight Eight Productions Second Annual Cabaret — banner (O 778-2000).....	914
West 29th Street and Vermont Avenue — right-of-way — parking lot, security fencing, gates and an outdoor seasonal pa (O 2160-99).....	931

#### Personnel Department

Additional allocations — State of Ohio Bureau of Employment Services Power OHIO — Titles II and III of the Job Training Partnership Act — governor's Reserve Grant (O 526-2000) .....	946
Temporary Assistance to Needy Families Program — grant — Ohio Department of Human Services (O 525-2000) .....	946

#### Playgrounds

Playground equipment at Valley View Elementary School in Ward 21 — amend the title and Section 1 of Ordinance No. 430-2000 (O 664-2000).....	947
---	-----

#### Police Division

Aviation fuel and hangar space for aircraft — Division of Police (O 738-2000) .....	902
Care and feeding of horses — Division of Police (O 737-2000) .....	902
Citation forms — Division of Police (O 740-2000) .....	903
Maintain police aircraft — Division of Police (O 736-2000) .....	902
Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor — extend the retirement dates — Division of Police (O 735-2000).....	901
Photo lab materials and supplies — Division of Police (O 741-2000) .....	903
Prisoner meals — Division of Police (O 739-2000) .....	902

#### Port Control Department

American Airlines, Inc. — amendment City Contract — deletion of certain space from the Lease (O 321-2000) .....	918-919
Cisco computer products — provide network administration, including software assistance — Port Control (O 322-2000) .....	943
CMMS work order system — evaluation, implementation and maintenance — Port Control (O 331-2000).....	918-919
Existing and new computer applications — programming, materials, software development and design — Port Control (O 324-2000) .....	943
MicroSoft computer products — client and server administration, including software, maintenance and support — Port Control (O 323-2000) .....	943
One trash compactor — Cleveland Hopkins International Airport (O 330-2000).....	944
Oracle computer products — support services, installations, upgrades, programming administration — Port Control (O 326-2000) .....	944
Oshkosh broom trucks — purchase — Port Control (O 411-2000) .....	918-919
Primary Hangar (Bay 3) and adjacent ramp area — Lease By Way of Concession — U. S. Airways — Cleveland Hopkins International Airport (O 258-2000) .....	941
Safety and environmental monitoring — various divisions of Port Control (O 517-2000).....	918-920
Seating for the terminal areas — new or refurbished — Port Control (O 413-2000).....	918-919
Service providers at the airport — new Section 571.021 (O 744-2000).....	904

Sheffield-McClain, LaVonne — Director, Department of Port Control (F 698-2000)..... 892  
T & G Flying Club, Inc. — Lease By Way of Concession — Burke Lakefront Airport — flight  
training facility and related services (O 743-2000) ..... 904  
Telephone equipment. — Port Control (O 329-2000) ..... 944  
Web site development and implementation — Port Control (O 325-2000) ..... 944

**Printing and Reproduction Division**

ECRM image setter package — purchase by contract — Division of Printing and Reproduction  
(O 254-2000) ..... 941  
Paper and envelopes — purchase by contract — Division of Printing and Reproduction  
(O 253-2000) ..... 941

**Public Hearings (Notices)**

Establishing the East St. Clair Business Revitalization District. (BRD).— Ward 13  
(O 63-2000) ..... **931**  
Grayton Road, S.W. south of I-480 — change the Use District (O 178-2000) ..... 928  
Memphis Avenue, S. W. northerly side between Ridgeview Drive and West 59th Street — Map  
Change No. 1986, Sheet No. 2 — change use and area district of lands. (O 2059-98) ..... 928  
Spring Road, S.W., Hinckley Industrial Parkway, Jennings Township and easterly extension  
of the Brooklyn Heights Village boundary — Changing the Use and Area Districts  
(O 177-2000) ..... 928

**Purchases**

ECRM image setter package — purchase by contract — Division of Printing and Reproduction  
(O 254-2000) ..... 941  
Paper and envelopes — purchase by contract — Division of Printing and Reproduction  
(O 253-2000) ..... 941

**Purchases and Supplies Division**

East 200th Street — sell City-owned property — Richard J. and Rita M. Case  
(O 742-2000) ..... 903

**Recognition**

Capito, Doris (R 710-2000) ..... 892  
Ferguson, Josh (R 708-2000) ..... 892  
Welsh, Robert J. Rev. (R 709-2000) ..... 892

**Resolutions - Miscellaneous**

Bob Jones University— denouncing discriminatory practices and polices  
(R 783-2000) ..... 915  
MBE/FBE participation information — Requesting — LTV Steel Company, the Department of  
Economic Development and the Office of Equal Opportunity (R 669-2000) ..... 929  
United Parcel Service — permit cargo business in China. — Urging the President and  
United States Secretary of Transportation Rodney Slater (R 276-2000) ..... 929

**Retirement**

Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective  
Arssie Taylor — extend the retirement dates — Division of Police (O 735-2000)..... 901

**Right-of-Way**

1222 Prospect, Inc., an Ohio Corporation dba Bottoms Up of Cleveland — permit — outdoor  
seasonal sidewalk cafe, bollards, planter and associated equipment (O 728-2000) ..... 899  
Cormere Avenue, Williams Avenue and East 128th Street — grading, paving, fencing, parking  
and other construction — permit — Shaker Square of Ohio LLC (O 660-2000) ..... 946  
Fairview Hospital Parking Facility — right-of-way — construction of a walk, driveway  
and landscaping (O 729-2000)..... 899  
Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge — permit — outdoor seasonal cafe  
restaurant with a sidewalk barrier (O 727-2000) ..... 898  
West 29th Street and Vermont Avenue — right-of-way — parking lot, security fencing,  
gates and an outdoor seasonal pa (O 2160-99)..... 931

**Safety Department**

Aviation fuel and hangar space for aircraft — Division of Police (O 738-2000) .....	902
Care and feeding of horses — Division of Police (O 737-2000) .....	902
Citation forms — Division of Police (O 740-2000) .....	903
Cleveland Fire Fighters' Memorial — property adoption agreement for construction and maintenance — Safety Department — Parks, Recreation and Properties Department (O 272-2000).....	942
Guzman, Henry — Director, Department of Public Safety (F 696-2000).....	892
Maintain police aircraft — Division of Police (O 736-2000) .....	902
Officer Emil Cielec, Lieutenant Michael O'Malley, Lieutenant Edward Lentz and Detective Arssie Taylor — extend the retirement dates — Division of Police (O 735-2000).....	901
Photo lab materials and supplies — Division of Police (O 741-2000) .....	903
Prisoner meals — Division of Police (O 739-2000) .....	902

**Service Department**

1222 Prospect, Inc., an Ohio Corporation dba Bottoms Up of Cleveland — permit — outdoor seasonal sidewalk cafe, bollards, planter and associated equipment (O 728-2000) .....	899
Allison rebuilt or remanufactured automatic transmissions, including installation — purchase by contract — Motor Vehicle Maintenance Division (O 265-2000).....	941
Bulk waste disposal services — Division of Waste Collection and Disposal — Public Service (O 716-2000) .....	894
Chevrolet - GMC passenger car, police car, van and truck parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 270-2000).....	942
Construction and debris disposal services — Division of Waste Collection and Disposal — Public Service (O 719-2000) .....	896
Contingency services for the disposal of municipal solid waste — Division of Waste Collection and Disposal — Public Service (O 715-2000).....	894
Cormere Avenue, Williams Avenue and East 128th Street — grading, paving, fencing, parking and other construction — permit — Shaker Square of Ohio LLC (O 660-2000) .....	946
Duplex cab and chassis fire apparatus parts — Maltese Fire Equipment Co. — Division of Motor Vehicle Maintenance (O 723-2000) .....	897
E-one fire apparatus parts — American Fire Equipment Co. — Division of Motor Vehicle Maintenance (O 724-2000) .....	898
EZ pack parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 269-2000).....	918
Fairview Hospital Parking Facility — right-of-way — construction of a walk, driveway and landscaping (O 729-2000).....	899
Ford passenger and police car parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 268-2000) .....	918
Fuel dispensing pumps and systems, labor and materials to repair or replace — underground storage tanks and systems, labor and materials to cleanup and replace — purchase by contract — Motor Vehicle Maintenance Division (O 266-2000).....	942
Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge — permit — outdoor seasonal cafe restaurant with a sidewalk barrier (O 727-2000) .....	898
Geotechnical testing services — employ — professional consultants — Public Service (O 726-2000) .....	898
Grayton Road access and Spine Road — rehabilitation — amend Section 7 of Ordinance No. 1786-97 (O 594-2000) .....	919
International truck parts, including labor to install — purchase by contract — Motor Vehicle Maintenance Division (O 267-2000).....	918
L.T.I. fire apparatus parts — Maltese Fire Equipment Co. — Division of Motor Vehicle Maintenance (O 720-2000) .....	897
Notification to Councilmembers — closures to public right of ways for maintenance or repair — Public Service Department (R 782-2000).....	915
Parade the Circle Celebration — banners — University Circle Incorporated (O 779-2000).....	914
Phases II and III the Harvard Avenue — cause payment — Cuyahoga County Commissioners (O 717-2000) .....	895
Pierce fire apparatus parts — Finley Fire Equipment — Division of Motor Vehicle Maintenance (O 721-2000) .....	897
Refurbish front-end loaders and roll off dumpsters — Division of Waste Collection and Disposal (O 725-2000).....	898
Ricchiuto, Mark W. — Director, Department of Public Service (F 699-2000).....	892
Solid Waste Management Plan — Approving the final draft — Cuyahoga County Solid Waste Management District (O 713-2000) .....	893
St. Augustine Manor — lease property — southeast corner of Detroit Avenue and West 80th Street — Public Service (O 732-2000) .....	900
State Road from Brookpark Road to Pearl Road — rehabilitating — Public Service (O 730-2000).....	900
STAVSERV, Inc. — permit — outdoor seasonal sidewalk cafe, a fencing enclosure and associated equipment (O 712-2000) .....	893
Steel lid refurbishment — Division of Waste Collection and Disposal (O 714-2000) .....	893
Stokes Boulevard Bridge — cause payment — rehabilitation — Ohio Department of Transportation (O 718-2000) .....	896
Straight Eight Productions Second Annual Cabaret — banner (O 778-2000).....	914
Sutphen fire apparatus parts — Division of Motor Vehicle Maintenance (O 722-2000) .....	897
West 29th Street and Vermont Avenue — right-of-way — parking lot, security fencing, gates and an outdoor seasonal pa (O 2160-99).....	931
West 44th Street Bridge — rehabilitating or reconstructing — causing the payment — State of Ohio — amend Section 1 of Ordinance No. 137-96 (O 731-2000) .....	900

**Sewers**

Sewer and catch basin cleaners — Division of Water Pollution Control (O 414-2000) ..... 918-920

**Stadium**

Tube bundles — remove and replace — Bell & Gossett heat exchangers — Division of Convention Center and Stadium (O 524-2000) ..... 946

**Statement of Work Acceptance**

Cleaning & Lining Truck Mains Area 98-T2 — Contract No. 53929 — Public Utilities (F 673-2000) ..... 891

**Taxation Division**

Uninterrupted power supply unit — Sun computer equipment — Division of Taxation (O 589-2000) ..... 919

**Tree Trimming**

Tree trimming — Cleveland Public Power (O 745-2000) ..... 904

**Utilities Department**

Baldwin and Nottingham Water Treatment Plants — Garrett A. Morgan Water Treatment Plant — filter rehabilitation, water treatment and monitoring improvements — Division of Water (O 711-2000) ..... 892  
Cleaning & Lining Truck Mains Area 98-T2 — Contract No. 53929 — Public Utilities (F 673-2000) ..... 891  
Four bronze impellers — one pattern — eight impeller rings — eight case rings — Division of Water (O 591-2000) ..... 918-920  
Replace or repaid concrete or asphalt areas — Cleveland Public Power (O 747-2000) ..... 905  
Sewer and catch basin cleaners — Division of Water Pollution Control (O 414-2000) ..... 918-920  
Streetlighting bases and pull boxes — Cleveland Public Power (O 746-2000)..... 904  
Tree trimming — Cleveland Public Power (O 745-2000) ..... 904

**Ward 01**

Lee Road, 4501-03-05, withdrawing objection to the transfer of ownership of a C1, C2 and D6 - (Ward 01) (R 670-2000) ..... 930  
Zollicoffer, James (R 703-2000) ..... 892

**Ward 02**

Orleans Avenue, 9810 — Land Reutilization Program — Annie Gray (O 759-2000) ..... 908  
Straight Eight Productions Second Annual Cabaret — banner (O 778-2000)..... 914

**Ward 04**

Mt. Auburn Rd., 1st Fl. & Bsmt., 9621 - objecting to the transfer of ownership of a C2 and C2X - (Ward 04) (R 785-2000) ..... 916  
Mt. Auburn Road, 9621 — first floor and basement — Transfer of Ownership Application — (Ward 4) (F 675-2000) ..... 891

**Ward 05**

Central, 7109 - objecting to the issuance of a C1 - (Ward 05) (R 784-2000) ..... 916  
Central Avenue, 7109 — New Application — (Ward 5) (F 674-2000) ..... 891  
Juvenile Justice Diversion Mediation Pilot Project (JJDMPP) — Citizens of Cuyahoga County Ombudsman Office — agreement — Ward 5 Neighborhood Development Funds (O 665-2000) ..... 948

**Ward 06**

Alta House Recreation Center (Ward 6) —repair or replace boiler — Neighborhood Equity Funds — Community Development (O 769-2000) ..... 911  
Children First Learning & Enrichment Center, Our Children are #1 — banner — Ministerial Day Care?Headstart Association (O 770-2000) ..... 912  
Cormere Avenue, Williams Avenue and East 128th Street — grading, paving, fencing, parking and other construction — permit — Shaker Square of Ohio LLC (O 660-2000) ..... 946  
Euclid Avenue Church of God — Designating — Cleveland Landmark (O 2178-99) ..... 931  
Parade the Circle Celebration — banners — University Circle Incorporated (O 779-2000)..... 914

**Ward 07**

New Day in Hough Race and Parade — permit — New Day in Hough Committee (O 666-2000) ..... 948

**Ward 08**

11th Annual Miles Standish Miler Fun Run — permit — Miles Standish Elementary School (O 781-2000) .....	915
East 115th Street, 805, 807, 811-15 — Land Reutilization Program — Strowder's Funeral Chapel, Inc. (O 758-2000) .....	907
Glenville Development Corporation — youth program and Ward 8 home improvement programs — Workers' Compensation Neighborhood Development Funds —Community Development (O 780-2000) .....	915
Lakeview Rd. Front, 1st Fl. & Bsmt., 970 - objecting to the transfer of ownership of a C2 and C2X - (Ward 08) (R 786-2000) .....	916
Lakeview Road, 970 — front first floor and basement — Transfer of Ownership Application — (Ward 8) (F 676-2000).....	891
Senior Home Repair Program — FAMICOS Foundation — agreement (O 667-2000) .....	948
St. Clair Avenue 1st Fl. & Bsmt., 7901 - objecting to the transfer of ownership of a D2, D2X, D3 and D3A - (Ward 08) (R 787-2000) .....	917
St. Clair Avenue, 7901 — first floor and basement — Transfer of Ownership Application — (Ward 8) (F 687-2000).....	892

**Ward 09**

Adrine, Russell T. (R 707-2000) .....	892
Johnson, Almeta A. (R 706-2000) .....	892
Parade the Circle Celebration — banners — University Circle Incorporated (O 779-2000) .....	914

**Ward 11**

East 185th Street, 837 — first floor — Stock Transfer Application — (Ward 11) (F 685-2000).....	891
East 200th Street — sell City-owned property — Richard J. and Rita M. Case (O 742-2000) .....	903
Establishing the East St. Clair Business Revitalization District. (BRD).— Ward 13 (O 63-2000) .....	931
Lakeshore Blvd, 15428 - Objecting to the transfer of ownership of a C1, C2 and D6 - (Ward 11) (R 672-2000).....	930
McClain, Jerome G. (R 704-2000) .....	892
St. Clair Avenue, 15521 — Stock Transfer Application — (Ward 11) (F 684-2000) .....	891

**Ward 12**

Broadway Avenue, 7100 — ACH Properties, Inc. — acquisition of real property — Economic Development (O 762-2000).....	909
---	-----

**Ward 13**

10th Anniversary of ADA Day - a Celebration —banner—permit —Disability Coalition Movement of Cleveland — Ward 13 (O 772-2000) .....	912
1222 Prospect, Inc., an Ohio Corporation dba Bottoms Up of Cleveland — permit — outdoor seasonal sidewalk cafe, bollards, planter and associated equipment (O 728-2000) .....	899
Broadway Avenue, 5400 — Transfer of Ownership and Location Application — (Ward 13) (F 682-2000) .....	891
Capito, Doris (R 710-2000) .....	892
Disability Coalition Movement of Cleveland — 10th Anniversary of ADA - a Celebration. (O 772-2000) .....	912
Gene Marco Co. LLC, dba Circo/Zibibbo Restaurant/Lounge — permit — outdoor seasonal cafe restaurant with a sidewalk barrier (O 727-2000) .....	898
STAVSERV, Inc. — permit — outdoor seasonal sidewalk cafe, a fencing enclosure and associated equipment (O 712-2000) .....	893
Welsh, Robert J. Rev. (R 709-2000) .....	892
West Ninth Street, 1360 — basement level — Transfer of Exempt - Transfer of Ownership and Location Application — (Ward 13) (F 686-2000).....	892
West Third Street, 1515 — basement, first, sixth through twelveth and fourteenth floors — Stock Transfer Application — (ward 13) (F 683-2000).....	891

**Ward 14**

After School Prevention Resources Baseball Team Project — Lutheran Metropolitan Ministries — agreement — Ward 14 Neighborhood Development Funds (O 662-2000) .....	947
Blessed Sacrament School — special event — banner — permit — Ward 14 (O 774-2000) .....	913
Detroit Avenue, 4204 — first floor, basement and patio — Transfer of Ownership Application — (Ward 14) (F 678-2000).....	891
Ferguson, Josh (R 708-2000).....	892
FL Thompson Building — capital improvements — Clark Metro Development Corporation — Ward 14 Neighborhood Development Funds (O 661-2000).....	947
Grace Hospital — health fair — banners — permits (O 771-2000) .....	912
Kids 5K Walk — permit — West Side Ecumenical Ministry (O 663-2000) .....	947

O. Main Avenue, 11 — Unit A — Transfer of Ownership and Location Application — (Ward 14) (F 689-2000)..... 892  
 Project Afford — construction and rehabilitation of homes in Ward 14 — Neighborhood Equity Funds — Community Development (O 775-2000)..... 913  
 Sackett Avenue, 2909 — first floor and basement — Transfer of Ownership Application — (Ward 14) (F 679-2000) ..... 891  
 Welsh, Robert J. Rev. (R 709-2000) ..... 892  
 West 25th Street, 2700 — Transfer of Ownership Application — (Ward 14) (F 677-2000)..... 891  
 West 29th Street and Vermont Avenue — right-of-way — parking lot, security fencing, gates and an outdoor seasonal pa (O 2160-99)..... 931  
 West Side Market — clean — Division of Convention Center and Stadium (O 366-2000) ..... 945

**Ward 15**

Archwood/Denison Concerned Citizens — 13th Annual Archwood Street Sale (O 776-2000) ..... 914  
 Old Brooklyn Business Revitalization District (BRD) — Establishing (O 139-2000) ..... **938**  
 Senior Citizens Resources, Inc. — Annual Garage Sale (O 777-2000) ..... 914  
 Spring Road, S.W., Hinckley Industrial Parkway, Jennings Township and easterly extension of the Brooklyn Heights Village boundary — Changing the Use and Area Districts (O 177-2000)..... 928  
 State Road from Brookpark Road to Pearl Road — rehabilitating — Public Service (O 730-2000) ..... 900

**Ward 16**

State Road from Brookpark Road to Pearl Road — rehabilitating — Public Service (O 730-2000) ..... 900

**Ward 17**

Clifton Road / West Boulevard Historic Landmark District — Establishing (O 109-2000) ..... **935**  
 Detroit Avenue, 8002, withdrawing objection to the renewal of a C2 and C2X (Ward 17) (R 671-2000)..... 930  
 Kids 5K Walk — permit — West Side Ecumenical Ministry (O 663-2000) ..... 947  
 St. Augustine Manor — lease property — southeast corner of Detroit Avenue and West 80th Street — Public Service (O 732-2000) ..... 900  
 Welsh, Robert J. Rev. (R 709-2000) ..... 892  
 West 44th Street Bridge — rehabilitating or reconstructing — causing the payment — State of Ohio — amend Section 1 of Ordinance No. 137-96 (O 731-2000) ..... 900

**Ward 18**

Clifton Boulevard, 10423-27 — first floor, basement and patio — Transfer of Ownership Application — (Ward 18) (F 680-2000)..... 891  
 Clifton Road / West Boulevard Historic Landmark District — Establishing (O 109-2000) ..... **935**  
 Madison Avenue and West Boulevard in Ward 18 — landscape and maintain a parcel — Cudell Improvement/Madison Merchants Organization (O 668-2000)..... 948  
 Madison Avenue, 10615 — Enterprise Zone Agreement — — Midland Steel Products Holding Company (O 765-2000) ..... 910  
 Madison Avenue, 10615 — acquisition of machinery and equipment — property improvements — Midland Steel Products Holding Company — contract — Economic Development (O 766-2000) ..... 911

**Ward 19**

Cooley Avenue, 12417 — first floor — Transfer of Ownership Application — (Ward 19) (F 688-2000)..... 892  
 Memphis Avenue, S. W. northerly side between Ridgeview Drive and West 59th Street — Map Change No. 1986, Sheet No. 2 — change use and area district of lands. (O 2059-98) ..... 928

**Ward 20**

14025 Puritas Avenue, 14025 — Transfer of Location Application — (Ward 20) (F 681-2000) ..... 891  
 Acquisition of furniture and fixtures — 18013 Cleveland Parkway — Shiloh Industries, Inc. — contract — Economic Development (O 764-2000)..... 910  
 Carr, Nora B. (R 702-2000) ..... 892  
 Cleveland Parkway, 18013 — acquisition of furniture and fixtures — Shiloh Industries, Inc. — Enterprise Zone Agreement — Economic Development (O 763-2000) ..... 909  
 Grayton Road, S.W. south of I-480 — change the Use District (O 178-2000) ..... 928  
 Welsh, Robert J. Rev. (R 709-2000) ..... 892

**Ward 21**

Acierno, Feliz (R 705-2000) .....	892
Fairview Hospital Parking Facility — right-of-way — construction of a walk, driveway and landscaping (O 729-2000) .....	899
Playground equipment at Valley View Elementary School in Ward 21 — amend the title and Section 1 of Ordinance No. 430-2000 (O 664-2000) .....	947

**Waste Collection and Disposal Division**

Bulk waste disposal services — Division of Waste Collection and Disposal — Public Service (O 716-2000) .....	894
Construction and debris disposal services — Division of Waste Collection and Disposal — Public Service (O 719-2000) .....	896
Contingency services for the disposal of municipal solid waste — Division of Waste Collection and Disposal — Public Service (O 715-2000) .....	894
Refurbish front-end loaders and roll off dumpsters — Division of Waste Collection and Disposal (O 725-2000) .....	898
Steel lid refurbishment — Division of Waste Collection and Disposal (O 714-2000) .....	893

**Water Division**

Baldwin and Nottingham Water Treatment Plants — Garrett A. Morgan Water Treatment Plant — filter rehabilitation, water treatment and monitoring improvements — Division of Water (O 711-2000) .....	892
Four bronze impellers — one pattern — eight impeller rings — eight case rings — Division of Water (O 591-2000) .....	918-920

**Water Pollution Control Division**

Sewer and catch basin cleaners — Division of Water Pollution Control (O 414-2000) .....	918-920
---	---------

**Water Rates**

City of North Royalton, Ohio — Resolution 2000-80 — Opposing the proposed increase in water rates by the City of Cleveland (F 691-2000) .....	892
City of Parma, Ohio - Resolution No. 113-00, objecting to the water rate increase proposed by the City of Cleveland and the Cleveland Water Department (F 690-2000) .....	892
City of Strongsville, Ohio — certified copy of Resolution No. 2000-70 — Opposing the proposed increase in water rates by the City of Cleveland (F 692-2000) .....	892

**West Side Ecumenical Ministry**

Kids 5K Walk — permit — West Side Ecumenical Ministry (O 663-2000) .....	947
--	-----

**West Side Market**

West Side Market — clean — Division of Convention Center and Stadium (O 366-2000) .....	945
--	-----

**Worker's Compensation Neighborhood Fund**

Glenville Development Corporation — youth program and Ward 8 home improvement programs — Workers' Compensation Neighborhood Development Funds —Community Development (O 780-2000) .....	915
---	-----

**Zoning**

Grayton Road, S.W. south of I-480 — change the Use District (O 178-2000) .....	928
Memphis Avenue, S. W. northerly side between Ridgeview Drive and West 59th Street — Map Change No. 1986, Sheet No. 2 — change use and area district of lands. (O 2059-98) .....	928
Spring Road, S.W., Hinckley Industrial Parkway, Jennings Township and easterly extension of the Brooklyn Heights Village boundary — Changing the Use and Area Districts (O 177-2000) .....	928