

# The City Record

Official Publication of the City of Cleveland

January the Twenty-Sixth, Two Thousand

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL—LEGISLATIVE

President of Council—Michael D. Polensek

Ward	Name	Residence	
1	Joseph T. Jones .....	15601 Lotus Drive	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 .....	1272 West Boulevard	44102
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  
 Diane Downing, Senior Executive Assistant for Health and Human Services  
 Barry Withers, Executive Assistant for Administration  
 Kenneth Silliman, Executive Assistant for Development  
 Reuben Sheperd, Executive Assistant for Services  
 Nina Turner, Executive Assistant for Legislative Affairs  
 Sharon Sobol Jordan, Interim 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 Brooks, Director, Room 104;  
 Frank Badalamenti, Manager, Internal Audit  
**DIVISIONS** – Accounts – Gayle Goodwin Smith, 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 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** – Susan E. Axelrod, Director, Room 122

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

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

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

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

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

**BOARD OF REVISION OF ASSESSMENTS** – Law Director Cornell P. Carter, President; Finance Director Martin L. Carmody, Jr., 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 Martin L. Carmody, Jr.; Council President Michael D. Polensek; Councilman Bill Patmon; Councilman Martin J. Sweeney.

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

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

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

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 87

WEDNESDAY, JANUARY 26, 2000

No. 4494

## CITY COUNCIL

MONDAY, JANUARY 24, 2000

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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, Zone.  
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, January 24, 2000.

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

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

Also present were Mayor White and Directors Carter, Brooks, Konicek, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Axelrod, Dove, and Morrison and Acting Directors Szabo and Williams.

Absent: Directors Sheffield-McClain, Guzman.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. James E. Link, Pastor of St. Paul's Community Church, United Church of Christ, located at 4427 Franklin Boulevard in Ward 14. Pledge of Allegiance.

#### MOTION

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

#### FROM THE DEPARTMENT OF LIQUOR CONTROL

##### File No. 80-2000.

Re: Transfer of Ownership Application 5326222 - Lu Lu II, Inc., d.b.a. Convenient Food Mart, 4709 Clark Avenue. (Ward 14). Received.

##### File No. 81-2000.

Re: New Application - 4155619 - Isa Sylvia, Inc., d.b.a. Saveway Food, 2623 Woodhill Road. (Ward 6). Received.

##### File No. 82-2000.

Re: New Application - 411896900525 - I.B.P.O.E. of W Lodge 0052 Spirit of Ohio, 15617 Waterloo Avenue. (Ward 11). Received.

##### File No. 83-2000.

Re: New Application - 1547275 - Cleveland Lorain CVS, Inc., d.b.a. CVS/Pharmacy #2503, 13027 Lorain Avenue. (Ward 20). Received.

##### File No. 84-2000.

Re: Transfer of Ownership Application 35648400010 - Hanada Corp., d.b.a. Dagwoods Food Mart, 11108 Primrose Avenue, first floor. (Ward 9). Received.

##### File No. 85-2000.

Re: Transfer of Ownership Application 0143826 - Alomari, Inc., d.b.a. Open Pantry, 5222 Fleet Avenue. (Ward 12). Received.

##### File No. 86-2000.

Re: Transfer of Ownership and Location Application - 00896700005 - Al Mansour, Inc., d.b.a. Dairy Mart 4817, 3892 West 130th Street. (Ward 20). Received.

##### File No. 87-2000.

Re: Stock Transfer Application - 5042072 Last Stop Bonanza, Inc., 2255 East 79th Street, first floor. (Ward 6). Received.

##### File No. 88-2000.

Re: Transfer of Ownership Application 0339298 - A & Z Food Mart, Inc., d.b.a. Dairy Mart 4801, 3510 Fulton Road. (Ward 15). Received.

##### File No. 89-2000.

Re: Transfer of Location Application 44202510001 - K. R. G., Inc., d.b.a. Back Door Beverage, 568 East 185th Street. (Ward 11). Received.

#### COMMUNICATIONS

##### File No. 90-2000.

January 21, 2000

The Honorable Michael D. Polensek  
Cleveland City Council  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Council President Polensek:

I am pleased to recommend Mr. Daniel J. Clark for reappointment to the Cleveland-Cuyahoga County Port Authority. This term will commence immediately upon the approval of Council and will expire on January 28, 2004.

I believe his background, experience and dedication to our city will enable him to be an effective Board member.

Thank your for your consideration.

Sincerely,  
MICHAEL R. WHITE,  
Mayor

Received. Referred to Committee on Mayor's Appointments.

**File No. 91-2000.**

January 21, 2000

The Honorable Michael D. Polensek  
Cleveland City Council  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Council President Polensek:

I am pleased to recommend Reverend Sterling E. Glover for appointment to the Cleveland-Cuyahoga County Port Authority. This term will commence immediately upon the approval of Council and will expire on January 28, 2003.

I believe his background, experience and dedication to our city will enable him to be an effective Board member.

Thank your for your consideration.

Sincerely,  
MICHAEL R. WHITE,  
Mayor

Received. Referred to Committee on Mayor's Appointments.

**CONDOLENCES RESOLUTIONS**

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

**Res. No. 92-2000**—Marvin S. Wyman.

**Res. No. 93-2000**—Jean Love.

**Res. No. 94-2000**—Alice Sanford.

**Res. No. 95-2000**—Regina Jackson.

**Res. No. 96-2000**—Clemon Banks, Jr.

**Res. No. 97-2000**—Robert Eugene Gully.

**Res. No. 98-2000**—Elizabeth Ann Perry.

**CONGRATULATIONS RESOLUTIONS**

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

**Res. No. 99-2000**—Frank Gordon.

**Res. No. 100-2000**—Mrs. Fannie Fleenon.

**RECOGNITIONS RESOLUTIONS**

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

**Res. No. 101-2000**—Sandy Alomar, Jr.

**Res. No. 102-2000**—Rev. Gregory Dwyer.

**APPRECIATION RESOLUTION**

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

**Res. No. 103-2000**—Commander Gregory M. Baeppler.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 104-2000.**

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

**An emergency ordinance determining the method of making the public improvement of replacing pavement at Halloran Park skating rink; demolishing the Luke Easter Tennis Shelter; replacing fencing at various swimming pools, authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; authorizing the purchase by contract of vehicles; and authorizing said director to enter into contracts without competitive bidding with Saf-Dek and Childsafe to replace and renovate safety surfaces at playgrounds and other safety surfaces, for the 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, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing pavement at Halloran Park skating rink, and demolishing the Luke Easter Tennis Shelter, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

**Section 3.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement replacing fencing at various swimming pools, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 4.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding 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 5.** 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: one (1) chipper and not to exceed eight (8) trucks, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

**Section 6.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Saf-Dek. Therefore, the Director of Parks, Recreation and Properties is hereby authorized to make a written contract with said Saf-Dek for repair and maintenance of Saf-Dek's safety surfaces at locations currently having Saf-Dek surfaces, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

**Section 7.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Childsafe. Therefore, the Director of Parks, Recreation and Properties is hereby authorized to make a written contract with said Childsafe for repair and maintenance of Childsafe's safety surfaces at locations currently having Childsafe surfaces, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

**Section 8.** That the cost of said improvements and purchases hereby authorized shall be paid from the fund or funds to which are credited the proceeds of the sale of property authorized by Ordinance No. 512-99, passed June 7, 1999, as described in Section 3 of that ordinance, Request No. 05042.

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

**Ord. No. 105-2000.**

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

**An emergency ordinance authorizing the procurement by requirement contract for the rental of golf carts for Highland and Seneca golf courses, Department of Parks, Recreation and Properties, for a period of three 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 three years for the necessary items of the rental of golf carts for Highland and Seneca golf

courses in the approximate amount as purchased during the preceding term, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, 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 three 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 procurement thereunder, which procurement, together with all subsequent procurements, 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 05041)

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

**Ord. No. 106-2000.**

**By Councilman Cimperman.**

**An emergency ordinance to vacate a portion of Columbus Rd. N.W. hereinafter described.**

Whereas, on the 13th day of December, 1999 the Council of the City of Cleveland adopted Resolution No. 2190-99 declaring its intention to vacate a portion of Columbus Rd. N.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2190-99 has been served upon the owners of all the property abutting Columbus Rd. N.W. affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 20th day of January 20, 2000, the Board of Revision of Assessments approved the vacation of Columbus Rd. N.W., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Columbus Rd. N.W., hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of:

COLUMBUS ROAD N.W. (54.39 feet wide) extending Southerly from the Westerly prolongation of the Southerly line of West Superior Avenue N.W. (132.00 feet wide) to the Northerly line of Canal Rd. N.W. (width varies), is hereby vacated.

And, to vacate, abandon, extinguish and release any rights the City of Cleveland may have in an easement granted to construct, maintain and operate an elevated roadway and bridge with necessary slopes known as COLUMBUS ROAD VIADUCT as shown in Volume 117, Page 6 of Cuyahoga County Map Records;

And, to vacate, abandon, extinguish and release any rights the City of Cleveland may have in a pedestrian easement as provided in Ordinance Number 47814, adopted by the Council of the City of Cleveland on January 6, 1919, and amended by Ordinance Number 67538-A, passed by the Council of the City of Cleveland on April 27, 1925.

**Section 2.** That there be and hereby is reserved to the City of Cleveland easements or payment of charges for relocation or abandonment to Cleveland Public Power, Ameritech, and the Division of Water for existing equipment.

The description of easement is as follows:

That portion of Beginning at the intersection of the southerly right of way line of Columbus Road N.W. (54.39 feet wide) extending Southerly from the Westerly prolongation of the Southerly line of West Superior Avenue N.W. (132.00 feet wide) to the Northerly line of Canal Rd. N.W. (width varies).

And, to vacate, abandon, extinguish and release any rights the City of Cleveland may have in an easement granted to construct, maintain and operate an elevated roadway and bridge with necessary slopes known as COLUMBUS ROAD VIADUCT as shown in Volume 117, Page 6 of Cuyahoga County Map Records;

And, to vacate, abandon, extinguish and release any rights the City of Cleveland may have in a pedestrian easement as provided in Ordinance Number 47814, adopted by the Council of the City of Cleveland on January 6, 1919, and amended by Ordinance Number 67538-A, passed by the Council of the City of Cleveland on April 27, 1925.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by Cleveland Public Power, the Commissioner of the Division of Water, and Ameritech of the City of Cleveland.

**Section 3.** That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Columbus Road N.W., herein provided by sending him a copy of this ordinance.

**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. 107-2000.**

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

**An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Personnel and Human Resources to employ one or more temporary employment agencies, to provide professional services to supply temporary and seasonal personnel for the Department of Parks, Recreation and Properties and Personnel and Human Resources for a period of one 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 Directors of Parks, Recreation and Properties and Personnel and Human Resources are hereby authorized to employ by contract one or more temporary employment agency or agencies 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 supply temporary and seasonal personnel for a period of one year for the Departments of Parks, Recreation and Properties and Personnel and Human Resources from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Directors of Parks, Recreation and Properties and Personnel and Human Resources 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 Directors of Parks, Recreation and Properties and Personnel and Human Resources, and certified by the Director of Finance.

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund Nos. 13 SF 708, 13 SF 800, 62 SF 001, 63 SF 001, 67 SF 500, 67 SF 001 and 01-701200-638000, Request No. 05038.

**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 Parks, Recreation and Properties, Personnel and Human Resources, Finance, Law; Committees on Public Parks, Property, and Recreation, Employment, Affirmative Action and Training, Finance.

**Ord. No. 108-2000.**

**By Councilman O'Malley.**

**An emergency ordinance to amend Section 177.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2886-87, passed December 21, 1987 relating to bond expenses, services and legal opinions.**

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 177.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2886-87, passed December 21, 1987 is hereby amended to read as follows:

**Section 177.10 Expenses, Services and Legal Opinion**

(a) The cost of advertising the sale of the cost of printing and signing of bonds and notes of the City and of an official statement and related documents, and the cost of the approving opinion herein provided for and the cost of such professional reports as the Director of Finance may deem necessary for the sale of the bonds or notes shall be paid from the proceeds of such bonds or notes, unless the payment of such costs is otherwise provided for. **Within sixty (60) days of the closing of bonds and notes, an itemized list of all costs, both paid and owing, shall be provided by the Director of Finance to the President of Council.**

(b) The Director of Finance shall have authority to procure the printing of bonds and notes of the City and of an official statement and related documents. Without competitive bidding, when in the judgment of the Board of Control, it is in the best interests of the City that such requirement be waived.

(c) **Following approval by City Council,** the Director of Finance shall procure the services of financial advisors and the preparation of professional reports, including but not limited to accounting, engineering, and other professional reports, as he may deem necessary or desirable for the sale of the bonds or other obligations.

(d) When bonds or other obligations of the City are to be sold, the Director of Law shall, **upon approval of City Council,** procure an opinion as to the validity of such bonds or other obligations from an attorney accustomed to passing upon such questions, for the use and benefit of the City and of any bidder on or purchaser of such bonds or notes.

(e) The provisions of this section apply to all bonds and notes of the City, including those issued under Sections 3, 10, and 11 of Article XVIII of the Ohio Constitution and other bonds or notes payable solely from earnings or revenues of a project or activity and for the payment of which the full faith and credit of the City are not pledged.

**Section 2.** That existing Section 177.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2886-87, passed December 21, 1987, 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 Finance, Law; Committees on Legislation, Finance.

**FIRST READING  
ORDINANCE REFERRED**

**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 northeasterly 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

erly 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 northerly 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 northwest-

erly 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 County 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 sev-

enty 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.

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

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

##### Ord. No. 110-2000.

By Councilman Britt.

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Shaker Square Area Development Corporation to manage a home repair program for single and two-family homes in Southwest Fairwood through the use of Workers' Compensation Neighborhood Capital Project Funds in Ward 6.**

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 Shaker Square Area Development Corporation to manage a home repair program for the repair and maintenance of the exteriors of single and two-family homes in Southwest Fairwood through the use of Workers' Compensation Neighborhood Capital Project Funds in Ward 6.

**Section 2.** That the cost of said contract to be paid from Ward 6 Worker's Compensation Neighborhood Capital Project Funds shall be in an amount not to exceed Forty-Five Thousand Dollars (\$45,000.00) 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

##### Ord. No. 111-2000.

By Councilman Cimperman.

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Cleveland Tenants Organization to create, develop or offer continued support to tenant organizations at Carter Manor; St. Clair Place; St. Andrew's Tower; and Parkview Apartments through the use of Workers' Compensation Neighborhood Capital Project Funds in Ward 13.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with the Cleveland Tenants Organization to create, develop or offer continued support to tenant organizations at Carter Manor (1012 Prospect); St. Clair Place (1280 St. Clair); St. Andrew's Tower (5205 Superior); and Parkview Apartments (1802 East 13th) through the use of Workers' Compensation Neighborhood Capital Project Funds in Ward 13.

**Section 2.** That the cost of said contract to be paid from Ward 13 Worker's Compensation Neighborhood Capital Project Funds shall be in an amount not to exceed Thirteen Thousand Two Hundred Dollars (\$13,200.00) 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 112-2000.****By Councilman Jackson.****An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (LaVell Acoff)**

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

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

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

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

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

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

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

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 113-2000.****By Councilman Patmon.****An emergency ordinance authorizing the Director of Community Development to enter into an agreement with FAMICOS to acquire and rehabilitate homes in the Glenville neighborhood through the use of Workers' Compensation Neighborhood Capital Project Funds in Ward 8.**

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 to acquire and rehabilitate up to 10 homes in the Glenville neighborhood through the use of Workers' Compensation Neighborhood Capital Project Funds in Ward 8.

**Section 2.** That the cost of said contract to be paid from Ward 8 Worker's Compensation Neighborhood Capital Project Funds shall be in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 114-2000.****By Councilman Patmon.****An emergency ordinance authorizing the Director of Community Development to enter into an agreement with FAMICOS to assist with the relocation and renovation of its offices through the use of Workers' Compensation Neighborhood Capital Project Funds in Ward 8.**

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 to assist with the relocation and renovation of its offices through the use of Workers' Compensation Neighborhood Capital Project Funds in Ward 8.

**Section 2.** That the cost of said contract to be paid from Ward 8 Worker's Compensation Neighborhood Capital Project Funds shall be in an amount not to exceed Twenty-Five Thousand Dollars (\$25,000.00) 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 115-2000.****By Councilman Westbrook.****An emergency ordinance determining the method of making the public improvement of rehabilitating and improving the baseball diamonds located at Jasper Field through the use of Workers' Compensation Neighborhood Capital Project Funds in Ward 18.**

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 and improving the baseball diamonds located at Jasper Field in Ward 18 of the City of Cleveland for the Department of Parks, Recreation and Properties, by the direct employment of the necessary labor and the purchase or rental of the necessary supplies and materials for the making of such improvement, with a separate accounting as to each improvement so made.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio for each or all of the items comprising the supplies and materials for said improvement, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

**Section 3.** That an amount not to exceed Two Hundred Twenty-Five Thousand Dollars (\$225,000.00) for said improvement hereby authorized shall be certified from Fund No. 10 SF 166, with such other costs, if any, to be paid by such funds as identified by the Department of Parks, Recreation and Properties.

**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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 116-2000.****By Councilman Westbrook.****An emergency ordinance determining the method of making the public improvement of repairing and rehabilitating the Cudell Clock Towers through the use of Workers' Compensation Neighborhood Capital Project Funds in Ward 18.**

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 and improving the Cudell Clock Towers in Ward 18 of the City of Cleveland for the Department of Parks, Recreation and Properties, by the direct employment of the necessary labor and the purchase or rental of the necessary supplies and materials for the making of such improvement, with a separate accounting as to each improvement so made.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio for each or all of the items comprising the supplies and materials for said improvement, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

dance with the Charter and the Codified Ordinances of Cleveland, Ohio for each or all of the items comprising the supplies and materials for said improvement, including the rental of necessary equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

**Section 3.** That an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for said improvement hereby authorized shall be certified from Fund No. 10 SF 166, with such other costs, if any, to be paid by such funds as identified by the Department of Parks, Recreation and Properties.

**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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

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

**Res. No. 117-2000.**

**By Councilman Cimperman.**

**An emergency resolution urging Governor Taft to examine the application and review procedures for the Healthy Start/Medicaid program to determine a more streamlined and efficient way to ensure that the children of Ohio are provided with the proper health care insurance coverage.**

Whereas, this Council of the City of Cleveland believes that comprehensive health care insurance coverage should be available to every resident of the City of Cleveland, particularly children; and

Whereas, this Council recognizes that, in order to provide proper health care coverage to children, it is necessary for the federal, state and local governments to provide and support such programs with public funds, and that such expenditures are necessary and appropriate; and

Whereas, of the 88 counties in the State of Ohio, Cuyahoga County is the leader in enrolling children in the Healthy Start/Medicaid Program; and

Whereas, despite the success in enrolling children in the Healthy Start/Medicaid Program, many children are being denied health care insurance coverage because of burdensome paperwork required at the State level; and

Whereas, there may be as many as 375,000 children that are uninsured as a result of cumbersome application and review requirements; and

Whereas, parents are required to reapply for the Healthy Start/Medicaid program every six months and may be required to submit up to six payroll stubs for income verification; and

Whereas, while this Council recognizes the State's need to preserve the integrity of the program by

requiring certain paperwork, this Council believes that many of the burdensome requirements can be minimized or streamlined so that the interests of the children that need proper health care coverage can be more readily served; now, therefore

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

**Section 1.** That the Council of the City of Cleveland urges Governor Taft to examine the application and review procedures for the Healthy Start/Medicaid program to determine a more streamlined and efficient way to ensure that the children of Ohio are provided with the proper health care insurance coverage.

**Section 2.** That the Clerk is hereby requested to forward a copy of this resolution to Governor Robert Taft.

**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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 118-2000.**

**By Councilman Cintron.**

**An emergency resolution supporting the development and construction of affordable housing for the elderly by Catholic Charities Facilities Corporation at the corner of Meyer and Fulton Avenues in Ward 14.**

Whereas, Catholic Charities Facilities Corporation intends to develop and construct a 40 unit apartment complex for the elderly at the southwest corner of Meyer and Fulton Avenues in Ward 14; and

Whereas, the project will be of great benefit to the residents of the City of Cleveland, and particularly the residents of Ward 14, by providing affordable housing for its senior citizens; and

Whereas, this project is part of the comprehensive plan developed by Catholic Charities Facilities Corporation to locate and develop affordable housing for those in need throughout the area; now, therefore

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

**Section 1.** That the Council of the City of Cleveland supports, applauds and greatly appreciates the efforts of Catholic Charities Facilities Corporation to provide affordable housing for senior citizens of the City of Cleveland.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to Bishop Anthony Pilla and the Director of Catholic Charities Facilities Corporation.

**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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 119-2000.**

**By Councilman Lewis.**

**An emergency resolution objecting to the transfer of ownership and location of a C2 and C2X Liquor Permit to 1905 East 55th Street.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C2 and C2X and Liquor Permit from Permit No. 61572420002, Richard Morgan, DBA Morgans Grocery, 12415 St. Clair Avenue, 1st Fl., P. O. Box 608752 Cleveland, Ohio 44108, to Permit No. 00239900005; Abeco Ayad Inc., DBA Grandpas Kitchen, 1905 East 55th Street, 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, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 61572420002, Richard Morgan, DBA Morgans Grocery, 12415 St. Clair Avenue, 1st Fl., P. O. Box 608752 Cleveland, Ohio 44108, to Permit No. 00239900005; Abeco Ayad Inc., DBA Grandpas Kitchen, 1905 East 55th Street, 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 is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two

copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 120-2000.**

**By Councilman Polensek.**

**An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 15518 St. Clair Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 and Liquor Permit from Permit No. 1701026, Contenders Inc., DBA Dinos II, 15518 St. Clair Avenue, Cleveland, Ohio 44110, to Permit No. 7026913; Popular Demand Inc., DBA Dinos, 15518 St. Clair Avenue, 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, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 1701026, Contenders Inc., DBA Permit No. Dinos II, 15518 St. Clair Avenue, Cleveland, Ohio 44110 to Permit No. 7026913, Popular Demand Inc., DBA Dinos, 15518 St.

Clair Avenue, 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 is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**SECOND READING  
EMERGENCY ORDINANCES**

**Ord. No. 1705-99.**

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair building automation computer systems and associated equipment, 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. Insert new Section 2 to read as follows:

**"Section 2. That the MBE participation goal for the contractor or contractors shall be thirty percent (30%) and the FBE participation goal shall be ten percent (10%)."**

2. Renumber existing Sections 2 and 3, respectively to new **"Section 3"** and **"Section 4"**.

Amendments agreed to.

**Ord. No. 1820-99.**

By Councilman Jackson. An emergency ordinance to vacate a portion of East 32nd Place hereinafter described.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Relieved of Committees on Public Service, City Planning; Recommended by Committee on Finance.

**Ord. No. 2048-99.**

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

An emergency ordinance authorizing the purchase by requirement contract of various equipment and appurtenances for vac-all catch basin cleaners, for the Division of Water Pollution Control, Department of Public Utilities.

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

**Ord. No. 2058-99.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of uniforms, for the various divisions of the Department of Community Development.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. In the title, line 3 and in Section 1, line 4, after "uniforms" insert **"and spring and winter jackets"**.

Amendment agreed to.

**Ord. No. 2119-99.**

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 STD Control Program.

Approved by Directors of Public Health, Finance, Law; Recommended by Committees on Public Health, Finance.

**Ord. No. 2177-99.**

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

An emergency ordinance authorizing the Directors of Economic Development and Personnel and Human Resources to enter into contracts with various agencies for the implementation of the Empowerment Zone Labor Force Development Program.

Approved by Directors of Economic Development, Personnel and Human Resources, Finance, Law; Relieved of Committees on Community and Economic Development, Employment, Affirmative Action and Training; Recommended by Committee on Finance.

**SECOND READING EMERGENCY  
ORDINANCE PASSED**

**Ord. No. 2175-99.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into agreements with Shaker Square of Ohio, LLC, the Board of Education of the Shaker Heights City School District, and the Board of Commissioners of Cuyahoga County to provide tax increment financing to partially finance certain improvements as part of the Shaker Square Commercial District redevelopment project and to provide for payments to the Shaker Heights City School District, and to declare certain improvements to real property to be a public purpose.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance; when amended as follows:

1. Insert new Section 4a to read as follows:

**"Section 4a. That pursuant to Section 5709.43 of the Ohio Revised Code there is hereby established a Shaker Square Urban Redevelopment Tax Increment Equivalent Fund."**

2. Insert new Section 7 to read as follows:

**"Section 7. That the balance of the service payments collected pursuant to Section 3 hereof shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the City of Cleveland and deposited in the Shaker Square Urban**

**Redevelopment Tax Increment Equivalent Fund created by Section 4 hereof to pay the principal (whether at maturity or by prior redemption) of, and interest on revenue bonds issued by the City, pursuant to additional appropriate legislation of this Council, or other appropriate governmental issuer to finance a portion of the costs of the Improvements, and the costs attributable to the sale of the Bonds, inclusive of attorneys' fees, appraisals and other similar fees."**

3. Renumber existing Sections 7 and 8, respectively, to new "Section 8" and "Section 9".

Amendments agreed to.  
The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. Nays 0.

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

**MOTION**

By Councilman Sweeney, seconded by Councilman Westbrook and unanimously carried that the absence of Councilman Roosevelt Coats and Councilman Kenneth L. Johnson, be and is hereby authorized.

The Council adjourned at 8:20 p.m. to meet on Monday, January 31, 2000, at 7:00 p.m.



Clerk of Council

**THE CALENDAR**

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

**ORDINANCES**

**Ord. No. 1705-99.**

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair building automation computer systems and associated equipment, for the various divisions of the Department of Port Control, 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 Port Control is hereby authorized to make a written 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 maintain and repair building automation computer systems and associated equipment, 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 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 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 MBE participation goal for the contractor or contractors shall be thirty percent (30%) and the FBE participation goal shall be ten percent (10%).

**Section 3.** 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 8227)

**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. 1820-99.**

By Councilman Jackson.  
An emergency ordinance to vacate a portion of East 32nd Place herein-after described.

**Ord. No. 2048-99.**

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

An emergency ordinance authorizing the purchase by requirement contract of various equipment and appurtenances for vac-all catch basin cleaners, for the Division of Water Pollution Control, Department of Public Utilities.

**Ord. No. 2058-99.**

By Councilmen Melena and Patmon (by departmental request).

An emergency ordinance authorizing the purchase by contract of uniforms and spring and winter jackets, for the various divisions of the Department of Community Development.

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 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: uniforms and spring and winter jackets for field employees, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Community Development.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund Nos. 01-800501-644000 and 14 SF 025, Request No. 1298.

**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.

**Ord. No. 2119-99.**

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 STD Control Program.

**Ord. No. 2177-99.**

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

An emergency ordinance authorizing the Directors of Economic Development and Personnel and Human Resources to enter into contracts with various agencies for the implementation of the Empowerment Zone Labor Force Development Program.

**BOARD OF CONTROL**

January 19, 2000

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 19, 2000, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.  
Absent: Director Guzman.

Others: Myrna Branche, Commissioner, Purchases and Supplies, Sharon Sobel Jordan, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

**Resolution No. 20-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of De-Ko Inc. (all items) for the public improvement of rehabilitating Chlorine Handling Systems at Various Waterworks Plants and a \$26,850.00 contingency allowance for the Division of Water, Department of Public Utilities, received on September 15, 1999, pursuant to the authority of Ordinance No. 510-99, passed May 17, 1999, for a gross price basis for the improvement in the aggregate amount of Two Hundred Ninety-Five Thousand Three Hundred Fifty and No/100 Dollars (\$295,350.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

**Resolution No. 21-00.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Ken's Landscaping & Snow Plowing Service for an estimated quantity of Landscaping & Snow Removal, item no. 2, 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 con-

tract, received on November 11, 1999, pursuant to the authority of Ordinance No. 1260-99, passed August 11, 1999 on the basis of the estimated quantity would amount to Seventy Five Thousand and no/100 Dollars (\$75,000.00), (Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 15534**

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, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

**Resolution No. 22-00.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on November 11, 1999, for Landscaping and Snow Removal for item no. 1, for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority Ordinance No. 1260-99, passed by the Council of the City of Cleveland on August 11, 1999, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

**Resolution No. 23-00.**

By Director Sheffield-McClain.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on September 10, 1999 for the purchase by requirement contract of the rental of heavy duty equipment and operators for the various divisions of the Department of Port Control pursuant to the authority of Ordinance No. 1065-99, passed by the Council of the City of Cleveland on June 14, 1999 be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

**Resolution No. 24-00.**

By Director Sheffield-McClain.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Montgomery-Kone, Inc. for the labor and materials necessary to maintain and repair elevators, escalators and moving walkways for the various divisions of the Department of Port Control for the period of two (2) years beginning with the date of execution of a con-

tract, received on December 17, 1999, pursuant to the authority of Ordinance No 574-99, passed June 7, 1999, which on the basis of the estimated quantity would amount to approximately One Million, Seven Hundred and Twenty Five Thousand, Seven Hundred and Fifty Five Dollars and 00/100 (\$1,725,755.00), is hereby affirmed and approved as the lowest and best bid; and the Director of Port Control is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 16053**

which shall be certified against such contract in the sum of Two Hundred and Fifty Thousand and 00/100 Dollars (\$250,000.00).

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

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

**Resolution No. 25-00.**

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland, that all bids received on October 29, 1999, for one (1) tub grinder for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 1058-99, passed by the Council of the City of Cleveland on June 14, 1999, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

**Resolution No. 26-00.**

By Director Jackson.

Whereas, pursuant to the authority of Ordinance No. 1055-99, passed July 14, 1999 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies was authorized, for and on behalf of the City of Cleveland, to sell certain property described therein to the Ohio Department of Transportation; and

Whereas, said Ordinance No. 1055-99 provided that the consideration to be paid for the property shall be at a price not less than the fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland pursuant to Ordinance No. 1055-99, passed by the Council of the City of Cleveland on July 14, 1999, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property, no longer needed for public use, located on Engle Road in the City of Middleburg Heights, Ohio, being Parcel 65WD as described therein, to the Ohio Department of Transportation. The consideration to be paid for said property is hereby fixed at Five Thousand One Hundred Dollars (\$5,100.00), which amount is deter-

mined to be not less than the fair market value.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

**Resolution No. 27-00.**

By Director Jackson.

Whereas, pursuant to the authority of Ordinance No. 1816-98, passed December 13, 1999, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to sell certain City-owned property, no longer needed for public use, described therein and located on the north side of Branch Avenue between West 11th and West 14th Streets, a.k.a. Permanent Parcel Numbers 004-21-031, 004-21-032 & 004-21-033 to Triple Crown Investment; and

Whereas, said Ordinance No. 1816-98, provided that the consideration to be paid for the property shall be at a price not less than the fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1816-98, passed by the Council of the City of Cleveland on December 13, 1999, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property, no longer needed for public use, described therein and located on the north side of Branch Avenue between West 11th and West 14th Streets, a.k.a. Permanent Parcel Numbers 004-21-031, 004-21-032 & 004-21-033, to Triple Crown Investment. The consideration to be paid for said property is hereby fixed at One Thousand Two Hundred SeventyFive Dollars (\$1,275.00), which amount is determined to be not less than the fair market value.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

**Resolution No. 28-00.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. DiLillo & Company LLC for the public improvement of Luke Easter Park Sidewalk Improvements, for Base Bid Items L1 - L16 and Add Alternate Items #1AA, #2AA, #3AA and #4AA, including the adjusted 5% contingency, for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on November 24, 1999, pursuant to the authority of Ordinance No. 1605-98, passed October 19, 1998, upon a unit basis for the improvement in the aggregate amount of one hundred thousand, one hundred eighty four and 18/100 dollars (\$100,184.18), is hereby affirmed and approved as the lowest

responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

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

#### SUBCONTRACTORS

##### RESPONSIBILITY

United Ready Mix (MBE)	Concrete
Alexa Trucking (MBE)	Trucking
Barrow Sign (FBE)	Signage

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

#### **Resolution No. 29-00.**

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 123-21-040 and 123-21-042 under said Land Reutilization Program; and

Whereas, Ordinance No. 1291-99 passed July 14, 1999, 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, Cuyahoga County Board of Commissioners or designee 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. 1291-99, passed July 14, 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 Cuyahoga County Board of Commissioners or designee for the sale and development of Permanent Parcel Nos. 123-21-040 and 123-21-042, 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 \$47,300.00, 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: None.

Nays: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Absent: Director Guzman.

#### **Resolution No. 30-00.**

By Director Hudecek.

Whereas, pursuant to Resolution No. 226-99, adopted April 21, 1999, the Board of Control of the City of Cleveland directed the Commissioner of Purchases and Supplies to sell Permanent Parcel Number 004-21-144, located at 1203 Auburn Avenue (rear), to Triple

Crown Investments Incorporated in accordance with the City's Land Reutilization Program; and

Whereas, the consideration to be paid for said Parcel Number 004-21-144 was incorrectly stated as \$1,050.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 226-99, adopted April 21, 1999, is hereby amended by deleting \$1,050.00 and substituting \$225.00 where appearing.

Be it further resolved that all other provisions of said Resolution No. 226-99 not expressly amended hereby, shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

#### **Resolution No. 31-00.**

By Director Warren.

Whereas, pursuant to Ordinance No. 2176-99, passed January 10, 2000 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized to acquire title to the properties commonly known as the Shaker Square Commercial District, and to reconvey such property to Shaker Square of Ohio, LLC, consistent with Section 5709.41(B)(1) of the Ohio Revised Code, provided that the consideration for such conveyances is nominal as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to the authority of Ordinance No. 2176-99, passed January 10, 2000 by the Council of the City of Cleveland, the Board hereby determines the nominal consideration for purposes of acquisition and reconveyance of the Project property as same is described in Council File 2176-99-A to be Ten Dollars (\$10.00) for each such conveyance.

Be it further resolved, that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official quitclaim deed of the City of Cleveland conveying said real property; said deed shall contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

#### **Resolution No. 32-00.**

By Director Warren.

Whereas, pursuant to Ordinance No. 1850-99, passed December 15, 1999 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies was authorized, to purchase land described therein for the Department of Economic Development and, by and at the direction of the Board of Control, is authorized to convey said property to Felder Properties, Ltd. for the purpose of private redevelopment; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to the authorization of Ordinance No. 1850-99, passed December 15, 1999, the consideration to be paid by the City of Cleveland for the property the Commissioner of Purchase and Supplies was authorized to purchase is hereby fixed at \$13,500,

which amount is determined to be not less than fair market value.

Be it further resolved by the Board of Control of the City of Cleveland that, pursuant to said Ordinance, the Commissioner of Purchases and Supplies is hereby directed to sell said land to Felder Properties, Ltd. The consideration to be paid by Felder Properties, Ltd. for said property is hereby fixed at \$13,500, which amount is determined to be not less than fair market value when taking into account all restrictions and encumbrances placed by the City in the deed of Conveyance. The deed from the City to Felder Properties, Ltd. shall contain such terms and conditions as the Director of Economic Development and the Director of Law deem appropriate and necessary to protect the interest of the City of Cleveland.

Be it further resolved by the Board of Control of the City of Cleveland, that the Mayor, the Director of Economic Development, and the Commissioner of Purchases and Supplies are hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

#### **Resolution No. 33-00.**

By Director Warren.

Whereas, pursuant to the authority of Ordinance No. 1569-99, passed December 13, 1999 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to sell certain City-owned property no longer needed for public use, described therein and also known as being a portion of Block "C-1" of the Lee-Seville/Cleveland Outerbelt Industrial Park to Jaylin Group, Inc., and

Whereas, said Ordinance No. 1569-99 provided that the consideration to be paid for the property shall be at a price not less than fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Ordinance No. 1569-99, passed December 13, 1999 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property, no longer needed for public use, described therein and also known as being a portion of Block "C-1" of the Lee-Seville/Cleveland Outerbelt Industrial Park, to Jaylin Group, Inc. for a price of Sixty-Five Thousand and Three Hundred and Fifty-Five Dollars (\$65,355.00), which amount is hereby determined to be not less than fair market value.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property, as aforesaid.

Yeas: Mayor White, Directors Carter, Brooks, Konicek, Sheffield-McClain, Ricchiuto, Whitlow, Jackson, Hudecek, Patterson, Warren, Acting Director Alexander.

Nays: None.

Absent: Director Guzman.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES****General Information**

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

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

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

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

ANNE BLOOMBERG,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS****MONDAY, FEBRUARY 7, 2000****9:30 A.M.**

**Calendar No. 99-558:** 3627 Payne Avenue (Ward 13)

Dino Konstantinou, owner, appeals to combine the use of an existing 35' x 86' two-story, wood frame storage building situated on a 32' x 119' parcel for the storage of hot dog vendor carts and living space for tenants in the existing three dwelling units, one unit on the first floor and two of them on the second floor, and all in a Local Retail Business District on the north side of Payne Avenue at 3627 Payne Avenue; said use being contrary to the Business District Requirements where storage of hot dog vendor carts is not permitted in a Local Retail Business District as stated in Section 343.01 of the Codified Ordinances.

**Calendar No. 00-1:** 12325 Lorain Avenue (Ward 19)

Joseph S. Quirino, owner, and Eugene Zimmerman, tenant, appeal to expand an existing legal, non-conforming 60' x 80' one-story irregular shaped masonry automobile repair shop by adding more parking spaces on the 70' x 150' irregular shaped corner parcel located in a General Retail Business District on the southwest corner of West 123rd Street and Lorain Avenue at 12325 Lorain Avenue; said expansion being contrary to the General Retail District Regulations of Section 343.11 where auto repair is not permitted in a General Retail District but first permitted in a Semi-Industry District as stated in Section 345.03(c)(2) and contrary to the Area Requirement Regulations of

Section 355.07 and the Yards and Courts Requirements of Section 357.14 where portions of the proposed parking are within 15' of the specific setback area and contrary to the Enforcement and Penalty Requirements of Section 327.02 where an adequate scaled site plan is required and contrary to the expansion of non-conforming use limitations of Section 359.01 of the Codified Ordinances.

**Calendar No. 00-2:** 4400 Warner Road (Ward 12)

Dennis Daquila, owner, appeals to convert a 59'-6" x 20'-6" single family, one-story masonry dwelling into a two family house situated on a 25' x 98' irregular shaped corner parcel on the northwest corner of Maryland Avenue and Warner Road at 4400 Warner Road; said conversion being contrary to the Area Requirement Regulations of Section 355.04 where the required minimum lot width is 50' and 24' are proposed and contrary to the Yards and Courts Requirements of Section 357.05(a) where the distance of the building line back from the side street line along the side street line of a corner lot in a Residential District shall not be less than 10% of the average width of such lot or 5' whichever is less and Section 357.09(b)(2)(A)(B) where the aggregate width of interior side yards shall not be less than 10' and 3'-6" are provided and contrary to the substitution of non-conforming use limitations of Section 359.01 of the Codified Ordinances.

**Calendar No. 00-3:** 16700 St. Clair Avenue (Ward 11)

World Resources Recovery System, owner, and Clean CEMP Engineering, agent c/o Berthold Klein, appeal to change the use of an existing factory and warehouse into a recycling operation situated on an acreage parcel and located in a Semi-Industry District on the southeast corner of East 166th Street and St. Clair Avenue at 16700 St. Clair Avenue, said change of use being contrary to the Industrial District Requirements where there shall be no storage or salvaged or other used articles or materials either in the building or on the premises as stated in Section 345.03(33) of the Codified Ordinances.

**Calendar No. 00-4:** 5422 Fleet Avenue (Ward 12)

Charles T. Henley, owner, appeals under the authority of Sections 329.02(a) and 367.09, where appellant has the right to appeal to the Board of Zoning Appeals, and Section 327.99(a) where the appellant is subject to prosecution and penalties, and under the Charter of the City of Cleveland from the issuance of a Violation Notice on July 7, 1999 by the Commissioner of the Division of Building and Housing, Department of Community Development, where the appellant has been cited for operating a motor vehicle repair shop at 5422 Fleet Avenue and motor vehicle repair shops are not permitted in a Local Retail Business District as stated in Section 343.01 of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

**REPORT OF THE BOARD OF ZONING APPEALS****MONDAY, JANUARY 24, 2000**

At the meeting of the Board of Zoning Appeals on Monday, January 24, 2000, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 99-564:** 3874 West 15th Street

Luis A. Fontanez, owner, appealed to construct a 17' x 20' one-story frame, gable private garage to the southeast corner of a 72' x 153' triangular shaped parcel in a Two-Family District.

**Calendar No. 99-574:** 3565 West 105th Street

John Gedeon, Jr., owner, d.b.a. Amber Investments, appealed to change the use of an existing 29' x 39' one-story garage into storage for commercial vehicles and add an 18' x 29' one-story frame addition to the existing garage for storage of commercial vehicles on an 86' x 135' parcel in a Local Retail District.

**Calendar No. 99-517:** 9300-9412 St. Clair Avenue

NRP Group, owner, and Chris Auvil, agent, appealed to construct a 245' x 78' three-story, 33 unit elderly housing residential building with 12 accessory parking spaces on a corner parcel in Two-Family, Multi-Family, Local Retail and General Retail Business Districts; approval subject to submission of a modified parking plan, a description of the proposed project security detail and input from the Council representative in writing.

The following appeals were **Denied:**

**Calendar No. 99-575:** 4476 West 136th Street

Terry and Sandy Spooner, owners, appealed to install 82 linear feet of 1'-6" high wood topper lattice fencing to the top of an existing 6' high wood fence on the north and south sides of a 40' x 110' parcel in a One-Family District.

**Calendar No. 99-579:** 11418-20 Durant Avenue

Michael D. Audrick, owner, and Edna Shropshire, prospective purchaser, appealed to change the use of an existing 2 dwelling unit house to 3 units on a 38' x 100' parcel in a Two-Family District.

The following appeals were **Postponed:**

**Calendar No. 99-563:** 16017 Chatfield Avenue postponed to February 28, 2000.

**Calendar No. 99-272:** 11601 Shaker Boulevard postponed to February 14, 2000.

**Calendar No. 99-522:** 4247 Fulton Road postponed to February 14, 2000.

**On Monday, January 24, 2000, in Executive Session:**

The following appeals were heard on Tuesday, January 18, 2000 and said decisions were approved and adopted by the Board on January 24, 2000.

The following appeals were **Approved**:

**Calendar No. 99-559:** Appeal of

Glenville Homes II LP  
Glenville Homes II LP, owner c/o David Budge, agent, appealed under Section 329.01(e) and 329.02(d) from the refusal to approve a lot split for a 95.34' x 107.75' parcel on the southwest corner of Lakeview and Greenview Roads in a Multi-Family District.

**Calendar No. 99-525:** 13510-13514 Harvard Avenue

Art Perkins, owner, and Jackie Debosc, tenant c/o Little Darlings Day Care, appealed to expand the first floor of an existing 30' x 63' two-story masonry building to accommodate 8 additional children for day care situated on a 35' x 125' parcel in a General Retail Business District.

The following appeal was **Denied**:

**Calendar No. 99-572:** 1259-1273 Addison Road

Famicos Foundation c/o Jim Williams, Lessee, and David Collier, agent, appealed to construct a 20 car off-street parking lot on an approximate 160' x 117' parcel in a Multi-Family District.

EUGENE CRANFORD, JR.,  
Secretary

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

Re: Report of the Meeting of  
January 19, 2000

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

\* \* \*

**Docket L-1-00.**

RE: Appeal of Peter Renuart, appeals from a LETTER OF DENIAL FOR RENEWAL OF MASTER PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated January 6, 2000, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Renuart to renew his MASTER PLUMBER LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-45-99.**

RE: Appeal of Harold J. Harry, Owner of the One Dwelling Unit/Tavern Property located on the premises known as 2401-05 Scranton Road (a.k.a. 1535-39 Kenilworth Avenue) from a NOTICE OF VIOLATION/ILLEGAL USE of the Commissioner of the Division of Building and Housing dated February 22, 1999, requiring compliance with the

Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's appeal request and to find that the use had changed from the authorized tavern and two (2) suites to other uses. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Williams, Bowes, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-122-99.**

RE: Appeal of George Coleman, Owner of the Parking Lot located on the premises known as 14235 Lorain Avenue from a NOTICE OF VIOLATION/STOP WORK of the Commissioner of the Division of Building and Housing dated May 25, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-122-99 has been WITHDRAWN at the request of the Appellant January 13, 2000.

\* \* \*

**Docket A-152-99.**

RE: Appeal of James Kaspar & Anthony Schilero, Owners of the Adult Cabaret located on the premises known as 19600 South Waterloo Road from a NOTICE OF VIOLATION/HVAC of the Commissioner of the Division of Building and Housing dated July 23, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-152-99 has been POSTPONED; to be rescheduled for a later date, noting that the case is in Common Pleas Court from a Board of Zoning Appeals hearing.

\* \* \*

**Docket A-304-99.**

RE: Appeal of E. J. Tavern Inc., Owner of the Adult Cabaret located on the premises known as 4310-14 Clark Avenue from a NOTICE OF VIOLATION/COMMERCIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated June 11, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action will be taken by the Board on Docket A-304-99 at this time; the docket will remain open if there is anything to appeal after Building and Housing reviews the drawings.

\* \* \*

**Docket A-307-99.**

RE: Appeal of William Rowan, Owner of the Residential Property located on the premises known as 1380 West 59th Street from a GARAGE CONDEMNATION of the Commissioner of the Division of Building and Housing dated October 19, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1380 West 59th Street to the Division of Building and Housing for further action, noting that

the property was demolished in December 1999. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-310-99.**

RE: Appeal of Dragissa Petrovic (Deceased) and Vukosava Stevanovic, Owners of the Garage located on the premises known as 1323 West 103rd Street from a GARAGE CONDEMNATION of the Commissioner of the Division of Building and Housing dated October 19, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

Docket A-310-99 has been WITHDRAWN at the request of the Appellant January 11, 2000.

\* \* \*

**Docket A-311-99.**

RE: Appeal of Willie Stone, Owner of the Two Family Residential Property located on the premises known as 1021-23 East 148th Street from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated October 28, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three (3) months in which to obtain permits and an additional three (3) months in which to complete abatement of the violations; the property is REMANDED at this time to the Division of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**Docket A-313-99.**

RE: Appeal of Djuric Stokic, Owner of the Industrial-Light Brick Property located on the premises known as 6800 Park Avenue from a 72 HOUR VACATE ORDER of the Commissioner of the Division of Building and Housing dated November 10, 1999, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action; the docket will be rescheduled for February 2, 2000.

\* \* \*

**EXTENSION OF TIME:**

**Docket A-142-99 — Ray Perry — 1210 East 79th Street:**

A motion is in order at this time to DENY the Appellant's request for a two (2) month "Extension Of Time" in which to complete abatement of the violations, and to REMAND the property at 1210 East 79th Street to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

**APPROVAL OF RESOLUTIONS:**

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

A-237-99—Francis P. Corcoran.  
A-296-99—E & J Investments.  
A-303-99—Third Federal Savings & Loan.  
A-341-99—Gordon Square Arcade.  
A-342-99—Cheryl Reid.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

**APPROVAL OF AMENDED RESOLUTION**

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

**Docket A-306-99 — William B. Monroe — 978-90 East 105th Street (a.k.a. 10431 Adams Avenue):**

FROM: .... to REMAND the property at 978-90 East 105th Street (a.k.a. 10431 Adams Avenue) to the Division of Building and Housing for further....

TO: .... to modify the Commissioner's CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant a one (1) month in which to obtain permits and abate the violations and to require that a progress report be submitted to Board at the end of that one (1) month; the property must be maintained boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED at this time to the Commissioner of the Division of Building and Housing for supervision and any required further action. All other provisions of the CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by February 19, 2000.....

\* \* \*

**APPROVAL OF MINUTES:**

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

January 5, 2000

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

\* \* \*

JOSEPH F. DENK,  
CHAIRMAN

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS****For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

**THURSDAY, FEBRUARY 10, 2000**

**Continental Airlines — Cleveland 2000 — Bid Package 21 Parking Facilities Pavement Rehabilitation**, for the Department of Port Control.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, JANUARY 28, 2000, 3:00 P.M. BIDS TO THE ATTENTION OF FRANK ROETZEL WILL BE RECEIVED AT CONTINENTAL AIRLINES, INC., CTC BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO, 44135 UNTIL 3:00 P.M., FEBRUARY 10, 2000. PLEASE DIRECT ALL INQUIRIES TO MORSE DIESEL INTERNATIONAL, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135.

**Electrical Work for Seven (7) Monitoring Stations**, 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 17, 1999.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, FEBRUARY 2, 2000, 10:00 A.M. AT 9127 MILES AVENUE, SECOND FLOOR, METRO HEALTH CENTER. THE MEETING IS MANDATORY. ASK FOR MARVIN, FRANK OR GEORGE.

January 19, 2000 and January 26, 2000

**FRIDAY, FEBRUARY 11, 2000**

**Three (3) Cab/Chassis with Ambulance Modules**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1058-99, passed by the Council of the City of Cleveland, June 14, 1999.

January 19, 2000 and January 26, 2000

**WEDNESDAY, FEBRUARY 16, 2000**

**Electrical Parts — Phase I**, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 1128-99, passed by the Council of the City of Cleveland, July 14, 1999.

**Laboratory Services for Water Quality Analysis**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 485-96, passed by the Council of the City of Cleveland, May 6, 1996.

**Labor and Materials to Maintain the Sludge Collection System at Garrett A. Morgan Water Works Facility**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1417-99, passed by the Council of the City of Cleveland, October 4, 1999.

January 26, 2000 and February 2, 2000

**THURSDAY, FEBRUARY 17, 2000**

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**Asphalt Concrete Material**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1830-99, passed by the Council of the City of Cleveland, December 6, 1999.

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January 26, 2000 and February 2, 2000

**FRIDAY, FEBRUARY 18, 2000**

**Paint and Paint Materials**, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 711-99, passed by the Council of the City of Cleveland, May 17, 1999.

January 26, 2000 and February 2, 2000

**ADOPTED RESOLUTIONS AND ORDINANCES**

NONE

**COUNCIL COMMITTEE MEETINGS**

**Monday, January 24, 2000**

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

**Tuesday, January 25, 2000**

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

**Community and Economic Development Committee: 2:00 p.m.**— Present: Melena, Chairman; Lewis, Vice Chairman; Brady, Cintron, Jackson, Jones, Robinson, Willis. Excused: Cimperman.

**Wednesday, January 26, 2000**

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

**City Planning Committee: 1:30 p.m.**— Present: Cimperman, Chairman; Rybka, Vice Chairman; Dolan, Jackson, O'Malley, White. Excused: Robinson.

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed; Bold type in sections indicates amendments

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