

# The City Record

Official Publication of the City of Cleveland

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December the Seventeenth, Nineteen Hundred and Ninety-Seven

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<b>Mayor</b>	
Michael R. White	
<b>President of Council</b>	
Jay Westbrook	
<b>Clerk of Council</b>	
Artha Woods	
<b>Ward</b>	<b>Name</b>
1	Charles L. Patton, Jr.
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	John C. Skrha
14	Helen K. Smith
15	Merle R. Gordon
16	Larry Moran
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
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	John C. Skrha	5100 Broadway Avenue	44127
14	Helen K. Smith	3016 Carroll Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council-Artha Woods, 216 City Hall, 664-2840.  
First Assistant Clerk-Sandra Franklin.

**MAYOR-Michael R. White**  
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy  
Barry Withers, Executive Assistant for Administration  
Judith Zimomra, Executive Assistant for Service  
Kenneth Silliman, Executive Assistant for Economic Development  
Richard Werner, Executive Assistant for Governmental Affairs.  
Susan E. Axelrod, Executive Assistant for Communications and Support Services  
Laura Ann Williams, Acting Director, Office of Equal Opportunity

**DEPT. OF LAW** - Sharon Sobol Jordan, Director of Law, Room 106;  
Karen E. Martines, Law Librarian; Criminal Branch-Justice Center, 8th Flr., Court Towers, 1200 Ontario  
Carolyn Watts-Allen, Chief Asst. Prosecutor  
Lessie M. Milton, Chief Counsel

**DEPT. OF FINANCE** - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit  
**DIVISIONS** - Accounts - Howard Frank, Acting Commissioner, Room 19  
City Treasury - Mary Christine Jackman, Treasurer, Room 115  
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122  
Purchases and Supplies - William A. Moon, 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 - Keith D. Schuster, Controller, Room 18  
Information Systems Services - Hamid Manteghi, 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 - M. Blech, Commissioner  
Cleveland Public Power - Jim Majer, Acting Commissioner  
Street Lighting Bureau - Frank Schilling, Acting Chief.

**DEPT. OF PORT CONTROL** - \_\_\_\_\_ Director,  
Cleveland Hopkins International Airport, 5300 Riverside Drive;  
Cleveland Hopkins International Airport - Stephen Sheehan, Commissioner  
Burke Lakefront Airport - Michael C. Barth, Commissioner

**DEPT. OF PUBLIC SERVICE** - Henry Guzmán, Director, Room 113  
**DIVISIONS** - Waste Collection and Disposal - Larry Hines, Commissioner, 5600 Carnegie Avenue.  
Streets - Randell T. Scott, Commissioner, Room 25  
Engineering and Construction - J. Christopher Nielson, Acting Commissioner, Room 518  
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards  
Architecture - Kenneth Nobilio, Commissioner, Room 517

**DEPT. OF PUBLIC HEALTH** - Robert O. Staib, Director, Mural Building 1925 St. Clair Avenue.  
**DIVISIONS** - Health - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue  
Environment - Joseph W. Jasper, Jr., Commissioner, Mural Building, 1925 St. Clair Avenue  
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road

**DEPT. OF PUBLIC SAFETY** - William M. Denihan, Director, Room 230.  
**DIVISIONS** - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street  
Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue  
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.  
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street  
Emergency Medical Service - Bruce Shade, Commissioner, 1708 South Pointe Drive

**DEPT. OF PARKS, RECREATION & PROPERTIES** - Oliver B. Spellman, Jr., 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 - Vernon Robinson, Commissioner, E. 49th & Harvard

Parking Facilities - Alfred T. Miller, Jr., Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
Park Maintenance and Properties -Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.  
Recreation - Michael Cox, Acting Commissioner, Room 8  
Research, Planning & Development - M. Fallon, Commissioner, Burke Lakefront Airport

**DEPT. OF COMMUNITY DEVELOPMENT** -Terri Hamilton, Director, 3rd Floor, City Hall.  
**DIVISIONS** - Administrative Services - Terrence Ross, Commissioner.  
Neighborhood Services - Louise V. Jackson, Acting Commissioner.  
Neighborhood Development - Terri Hamilton, Commissioner.  
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

**DEPT. OF PERSONNEL AND HUMAN RESOURCES** - Joseph Nolan, Director, Room 121

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

**DEPT. OF AGING** - Rm. 122, Delores A. Lynch, Director

**COMMUNITY RELATIONS BOARD** - Room 11, Tony Charles, Acting Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

**CIVIL SERVICE COMMISSION** - Room 119, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; Donna K. Nelson, Secretary; Margaret Hopkins, Member, Earl Preston, Member.

**SINKING FUND COMMISSION** - Michael R. White, President; Betsy Hruby, Asst. Sec'y.; \_\_\_\_\_, Director; President of Council Jay Westbrook.

**BOARD OF ZONING APPEALS** - Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Hunter Morrison, Acting Sec'y.

**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, Sharon Sobol Jordan; Pres. Finance Director, \_\_\_\_\_, Director Sec'y. Council President Jay Westbrook.

**BOARD OF SIDEWALK APPEALS** - Henry Guzmán, Service Director; Law Director, Sharon Sobol Jordan, Councilman Roosevelt Coats.

**BOARD OF REVIEW** - (Municipal Income Tax) - Law Director, Sharon Sobol Jordan, Utilities Director, Michael Konicek; President of Council, Jay Westbrook.

**CITY PLANNING COMMISSION** - Room 501 - Hunter Morrison, Director; Rev. Albert T. Rowan, Chairman; \_\_\_\_\_, Vice Chairman, David Bowen, Anthony J. Coyne, Lawrence A. Lumpkin, Gloria Jean Pinkney, Councilman Edward W. Rybka.

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

**MORAL CLAIMS COMMISSION** - Sharon Sobol Jordan, \_\_\_\_\_, Councilman Jay Westbrook.

**BOARD OF EXAMINERS OF ELECTRICIANS** - Raymond Ossovicki, Chairman; \_\_\_\_\_, Anton J. Eichmuller, Samuel Montfort J. Gilbert Steele, Laszlo V. Kemes, Secretary.

**BOARD OF EXAMINERS OF PLUMBERS** - Joseph Gyorky, Chrm.; Earl S. Bumgarner, \_\_\_\_\_, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.

**CLEVELAND LANDMARKS COMMISSION** - Room 519, \_\_\_\_\_, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison, Kenneth Nobilio, Theodore Sande, Randall Shorr, Shirley Thompson, Councilmen Craig E. Willis and Helen K. Smith.

**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 Salvatore R. Calandra	13A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connolly	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A

Earle B. Turner-Clerk of Courts, John J. O'Toole-Court Administrator, Robert C. Townsend, II-Bailiff; Kenneth Thomas-Chief Probation Officer, Michelle L. Paris-Chief Referee

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 84

WEDNESDAY, DECEMBER 17, 1997

No. 4384

## CITY COUNCIL

MONDAY, DECEMBER 15, 1997

### The City Record

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### ARTHA WOODS

Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

#### MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Johnson, Chairman; Rybka, Vice Chairman; Patton, Robinson, Skrha, Sweeney, White.

9:30 A.M.—**Public Health Committee:** Robinson, Chairman; Zone, Vice Chairman; Britt, Gordon, Jackson, Melena, Skrha.

#### MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Coats, Chairman; White, Vice Chairman; Britt, Johnson, Melena, Moran, Smith, Sweeney, Westbrook.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** Patmon, Chairman; Robinson, Vice Chairman; Gordon, Lewis, Melena, Moran, Polensek.

#### MONDAY

2:00 P.M.—**Finance Committee:** Westbrook, Chairman; Polensek, Vice Chairman; Britt, Coats, Johnson, Lewis, Patmon, Robinson, Rybka, Smith, Zone.

#### TUESDAY

10:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Lewis, Vice Chairman; Britt, Coats, Gordon, Melena, Patton, Smith, Willis.

1:30 P.M.—**Legislation Committee:** Willis, Chairman; Melena, Vice Chairman; Dolan, Johnson, Rybka, Sweeney, White.

#### WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Smith, Chairman; Sweeney, Vice Chairman; Dolan, Patton, Skrha, White, Willis.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Dolan, Gordon, Jackson, Moran, Patton, Patmon, Zone.

#### WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Patton, Chairman; Polensek, Vice Chairman; Coats, Dolan, Lewis, Moran, Patmon, Skrha, Willis.

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Britt, Vice Chairman; Jackson, Gordon, Skrha, White, Zone.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio December 15, 1997.  
The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

Councilmen present: Coats, Dolan, Gordon, Jackson, Johnson, Lewis, Melena, Moran, Patmon, Patton, Polensek, Robinson, Rybka, Skrha, Smith, Sweeney, Westbrook, White, Willis, Zone.

Also present were Mayor White, and Directors Sobol-Jordan, Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch, and Morrison.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Father Robert J. Welsh, S.J. President of St. Ignatius High School and Rev. Patrick M. Persaud, Pastor of Good Shepherd Lutheran Church. Pledge of Allegiance.

#### MOTION

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

#### COMMUNICATIONS

##### File No. 2173-97.

From the Division of Purchases and Supplies re: Excess Property - Reference No. 13-97. Received.

##### File No. 2174-97.

From the Division of Purchases and Supplies re: Excess Property - Reference No. 14-97. Received.

##### File No. 2175-97.

From the Division of Purchases and Supplies re: Emergency Requisition (RE-05937). Received.

##### File No. 2176-97.

From Vorys, Sater, Seymour and Pease re: Cleveland Thermal Energy Corporation, Case No. 92-154-HT-AEC, Standard Steam Service Agreements for BOMA Members. Letter dated December 8, 1997. Received.

##### File No. 2177-97.

From Vorys, Sater, Seymour and Pease re: Cleveland Thermal Energy Corporation, Case No. 92-111-HT-

AEC, Standard Steam Service Agreement. Letter dated December 8, 1997. Received.

#### STATEMENT OF WORK ACCEPTED

##### File No. 2178-97.

From the Division of Architecture Contract No. 50646 for City Hall Carpeting Phase 1. Received.

#### COMMUNICATION

##### File No. 2179-97.

The Honorable Jay Westbrook President, Cleveland City Council 601 Lakeside Avenue Cleveland, Ohio 44114

Dear Council President Westbrook:  
I am pleased to recommend Ms. Patricia Swansinger for appointment to the Fair Housing Board. This appointment is effective immediately upon approval by Council and will expire on March 31, 1998.

Thank you for your consideration.

Sincerely,  
Michael R. White  
Mayor

Received. Referred to Committee on Mayor's appointments.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 2213-97**—Geraldine Roberts.

**Res. No. 2214-97**—Kathrine Jones.

**Res. No. 2215-97**—Margaret McCaffery.

**Res. No. 2216-97**—Louis John Jartz.

**Res. No. 2217-97**—Mary D. Ledger.

**Res. No. 2218-97**—Samuel H. Searcy.

**Res. No. 2219-97**—Ruth Osborne Warren Kellogg.

**Res. No. 2220-97**—Ruth Allison.

**Res. No. 2221-97**—Eugene Brewer, Sr.

**Res. No. 2224-97**—Alice Sutton.

**Res. No. 2223-97**—Millie Jovonovich.

**Res. No. 2224-97**—Joseph Boland.

**Res. No. 2225-97**—Robert Franz Fillipi.

**Res. No. 2226-97**—Laszlo V. Kemes.

**Res. No. 2227-97**—Dr. Jerzy Maciuszko.

**Res. No. 2228-97**—Alcis Ruksenas.

**Res. No. 2229-97**—Joseph Thomas.

**Res. No. 2222-97**—Reverend David Lesure.

**RESOLUTION OF RECOGNITION**

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

**Res. No. 2230-97**—Ewatis Evans.

**RESOLUTIONS OF APPRECIATION**

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

**Res. No. 2231-97**—Helen Knipe Smith.

**Res. No. 2232-97**—John C. Skrha.

**Res. No. 2233-97**—Charles L. Patton, Jr.

**FIRST READING EMERGENCY ORDINANCES REFERRED****Ord. No. 2180-97.**

**By Councilmen Patton and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by contract of not to exceed three welders with trailers, for the Division of Water, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed 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: not to exceed three (3) welders with trailers, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 23429.

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

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

**Ord. No. 2181-97.**

**By Councilmen Patton and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the procurement by requirement contract of the rental of one concrete rock saw, for the Division of Water, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items

of the rental of one (1) concrete rock saw in the approximate amount as procured during the preceding year, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** 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 24002)

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

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

**Ord. No. 2182-97.**

**By Councilmen Patton and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by contract of one International Business Machines AS400 computer system, for the Division of Water, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed 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) International Business Machine AS400 computer system, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 23427.

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

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

**Ord. No. 2183-97.**

**By Councilmen Smith and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to install, replace or repair airfield signage, 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 and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to install, replace or repair airfield signage 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 (2) 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.** 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 22603)

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

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

**Ord. No. 2184-97.**

**By Councilmen Coats and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for the disposal of construction and demolition debris, for the Division of Waste Collection and Disposal, Department of Public Service.**

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

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

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

**Section 2.** 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 21335)

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

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

**Ord. No. 2185-97.**  
**By Councilmen Coats and Westbrook (by departmental request).**  
**An emergency ordinance authorizing the purchase by requirement contract or contracts of solid waste disposal services, for the Division of Waste Collection and Disposal, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the necessary solid waste disposal services, including but not limited to bulk waste disposal and tire disposal, and the provision, as the Board of Control shall determine, of the necessary landfill, transfer station and/or material recovery facility requirements, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The

contract or contracts hereby authorized shall have an initial term of two years. The City shall have two one-year options, exercisable by the Director of Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each of any combination of said items as the Board of Control shall determine.

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

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

**Section 3.** That the cost of such contract or contracts authorized hereby shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23153)

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

#### EXHIBIT A

#### BID GUARANTY AND CONTRACT BOND

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

(Name and Address)

as Principal and \_\_\_\_\_

(Name of Surety)

as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Obligee, in the

penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the obligee on \_\_\_\_\_ (date) to undertake the project known as \_\_\_\_\_

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

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

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

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

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

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications

therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

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

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

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

SURETY COMPANY'S ADDRESS:

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

Street \_\_\_\_\_

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

SURETY AGENT'S ADDRESS:

Street \_\_\_\_\_

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

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

**Ord. No. 2186-97. By Councilmen Robinson and Westbrook (by departmental request).**

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with various entities to implement the City's Lead Program by operating various lead abatement programs.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to enter into contract with the entities specified herein for the purpose of providing various lead abatement and education programs; the cost of each contract hereby authorized shall be paid from Fund No. 13 SF 456, Request Nos. 24501, 24502, 24503 and 24504; the cost of each contract is listed beside the name of the specified entity:

NAME	AMOUNT
Detroit-Shoreway Community Development Organization . . . . .	\$250,000.00
University Settlement . . . . .	\$205,000.00
Association of Parents to Prevent Lead Exposure . . . . .	\$40,000.00
Cleveland Housing Network . . . . .	\$2,004,400.00

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

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

**Ord. No. 2187-97. By Councilmen Robinson and Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to employ one or more professional consultants to provide evaluations of the City's Lead Program subgrantees' effectiveness and its longevity.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to employ by contract one or more consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide evaluations of the City's Lead Program subgrantees' effectiveness and its longevity.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Health from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Health for the purpose of compiling such a list.

The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Health, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 13 SF 456, Request No. 24505.

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

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

**Ord. No. 2188-97. By Councilmen Moran, Polensek and Willis (by departmental request).**

An emergency ordinance to establish No Right Turn at the specific intersection in the City of Cleveland listed herein, and to amend the schedule on file with the Clerk of Council, File No. 106-76, pursuant to Section 413.10 of the Codified Ordinances of Cleveland, Ohio 1976, relating to No Right Turns during certain hours.

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 4511.13 of the Ohio Revised Code, this Council does hereby prohibit right turns against a steady

red signal, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday at the specific intersection in the City of Cleveland listed herein, which list shall be added to the schedule on file with the Clerk of Council by amending File No. 106-76, established pursuant to Section 413.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976.

**WARD INTERSECTION DIRECTION**

16 State and Oakpark All Directions

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

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

**Ord. No. 2189-97. By Councilmen Polensek and Westbrook (by departmental request).**

An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 2053-91, passed February 24, 1992, relating to renovating and rehabilitating the Third District Police Station.

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

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

Section 1. That Sections 1 and 2 of Ordinance No. 2053-91, passed February 24, 1992, are hereby amended to read, respectively, as follows:

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 renovating and rehabilitating the Third District Police Station, for the Division of Police, Department of Public Safety, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Public Safety is hereby authorized and directed to enter into a 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 2. That existing Sections 1 and 2 of Ordinance No. 2053-91, passed February 24, 1992, are hereby repealed.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

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

**Ord. No. 2190-97.**  
**By Councilmen Polensek and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the Director of Public Safety to enter into contract without competitive bidding with Anacomp, Inc. for the purchase of archiving, conversion and retrieval services of certain reports in conjunction with the Division of Police Records Management System project, for the Department of Public Safety.**

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

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

**Section 1.** That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Anacomp, Inc. Therefore, the Director of Public Safety is hereby authorized and directed to make a written contract with said Anacomp, Inc. upon the basis of its proposal dated September 4, 1997, for archiving, conversion and retrieval services of certain reports in conjunction with the Division of Police Records Management System project, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund Nos. 10 SF 006 and 10 SF 025, Request No. 20111.

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

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

**Ord. No. 2191-97.**  
**By Councilmen Johnson and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to provide landscaping services and maintenance for various city properties, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement con-

tract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials necessary to provide landscaping services and maintenance for various city properties, in the estimated sum of \$100,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** 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 22456)

**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 Parks, Recreation and Properties, Finance.

**Ord. No. 2192-97.**  
**By Councilmen Lewis, Johnson and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into and execute lease agreements for space at the City of Cleveland's Hough Multi-Service Center for terms not to exceed five years.**

Whereas, the City of Cleveland owns space in certain property known as the Hough Multi-Service Center which is not needed for public use; and

Whereas, various tenants have proposed to lease said property; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter into lease agreements with various tenants of space at the City of Cleveland's Hough Multi-Service Center, 8555 Hough Avenue, Cleveland, Ohio, which space is determined to be not needed for public use.

**Section 2.** That the term of the leases authorized pursuant to this ordinance shall not exceed five (5) years.

**Section 3.** That all space leased pursuant to this ordinance shall be leased at fair market value as determined by the Board of Control.

**Section 4.** That the leases shall be prepared by the Director of Law and shall contain such additional terms and conditions as are required to protect the interest of the City.

**Section 5.** That the Directors of Parks, Recreation and Properties and Law, and other appropriate City officials, are hereby authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the leases authorized pursuant to this ordinance.

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

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

**Ord. No. 2193-97.**  
**By Councilmen Britt, Jackson, Rybka and Westbrook (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8401-19 Euclid Avenue to Fairfax Renaissance Development Corporation or designee.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 119-04-081, as more fully described in Section 2 below, to Fairfax Renaissance Development Corporation or designee.

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

P.P. No. 119-04-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 1 in Fitch Raymond's Allotment or Subdivision of part of

Original One Hundred Acre Lot No. 399 in said City, as the same is recorded in Volume 5, Page 47 of Maps of land in said County, and is bounded and described as follows:

Beginning at the intersection of the Northerly line of Euclid Avenue, and Easterly line of East 84th Street, N.E., (formerly Tilden Avenue); thence Easterly along the Northerly line of Euclid Avenue 137.24 feet; thence Northerly along the Easterly line of said Sublot No. 1, 265 feet; thence Westerly at right angles, 137 feet to the Easterly line of said East 84th Street; thence south along the Easterly line of said East 84th Street, to the place of beginning, be the same more less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

**Section 5.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

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

**Ord. No. 2194-97.**

**By Councilmen Jackson and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Schmelzer Brothers Limited Partnership, or their designee, for renovation of the Finance/Pointe Building.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into contract with Schmelzer Brothers Limited Partnership, or their designee, to renovate the Finance/Pointe Building.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$250,000.00 and shall be paid from Fund No. 13 SF 844.

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

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

**Ord. No. 2195-97.**

**By Councilmen Skrha, Jackson, Rybka and Westbrook (by departmental request).**

**An emergency ordinance establishing a Community Reinvestment Area in the area of Prospect Avenue, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain finding and determinations in connection therewith.**

Whereas, Section 3735.65 et seq. of the Ohio Revised Code authorizes municipalities to designate Community Reinvestment Areas where certain criteria have been met; and

Whereas, the area located at Prospect Avenue is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

Whereas, the City desires to encourage new housing construction and the repair of existing housing facilities to eliminate blight and prevent the recurrence of blight by granting tax exemptions; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating said Community Reinvestment Area will encourage development in the area located at Prospect Avenue and will, furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore,

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

**Section 1.** That based upon information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area located at 750 Prospect Avenue (Permanent Parcel No. 101-29-007) is a blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

**Section 2.** That the area hereinabove described is hereby designated a Community Reinvestment Area pursuant to Section 3735.65 et seq. of the Ohio Revised Code.

**Section 3.** That the renovation of four buildings at 750 Prospect Avenue, known as the Pointe at Gateway, and to include 42 market rate apartments and 65,000 square feet of retail space in the Community Reinvestment Area, is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Com-

missioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 75% of the assessed taxes for the construction activities described above.

**Section 4.** That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 et seq. of the Ohio Revised Code and this ordinance. That this exemption from real property taxation is contingent upon all applicable requirements of Section 3735.65 et seq. of the Ohio Revised Code and this ordinance having been met.

**Section 5.** That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

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

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

**Ord. No. 2197-97.**

**By Councilmen Coats, Jackson and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Undercar Express, LLC, or their designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment for their facility at 323 Eddy Road, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Undercar Express, LLC, or their designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment for their facility at 323 Eddy Road, Cleveland, Ohio.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2197-97-A.

**Section 3.** That the costs of said contract shall not exceed Fifty Six Thousand Eight Hundred Dollars (\$56,800.00), and shall be paid from Fund No. 17 SF 008, Request No. 24261.

**Section 4.** That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of



this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

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

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

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

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

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

**Ord. No. 2198-97.**  
By Councilmen Coats, Jackson and Westbrook (by departmental request).

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Sumina Industries, Inc., or their designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment for their facility at 17009 Roseland Avenue, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Sumina Industries, Inc., or their designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment for their facility at 17009 Roseland Avenue, Cleveland, Ohio.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2198-97-A.

**Section 3.** That the costs of said contract shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 24260.

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

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

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

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

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

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

**Ord. No. 2199-97.**  
By Councilmen Jackson and Westbrook (by departmental request).

**An emergency ordinance authorizing the Director of Economic Development to enter into contract with Cleveland Neighborhood Development Corporation to administer an industrial retention and expansion program.**

Whereas, the City of Cleveland has determined that a citywide industrial retention and expansion initiative program (the "Program") will create jobs and employment opportunities for City residents, alleviate physical and economic deterioration, elimination and/or prevent the recurrence of blight, stimulate economic revitalization and improve the tax base, all of which are positive factors and in the best interest of the City and its residents; and

Whereas, the City desires to enter into a contract with Cleveland Neighborhood Development Corporation ("CNDC") to administer the Program; and

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into contract with CNDC to provide professional services necessary to administer the Program for the Program participants, in the total sum of Eighty Four Thousand Dollars (\$84,000.00), payable from Fund No. 17 SF 008, Request No. 24259.

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

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

**Ord. No. 2200-97.**  
By Councilmen Patton, Jackson and Westbrook (by departmental request).

**An emergency ordinance to amend the title, Section 1 and Section 2 of Ordinance No. 550-97, passed June 2, 1997, relating to the NorthStar Equipment Corp. project in the Cleveland Industrial Parkway.**

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

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

**Section 1.** That the title, Section 1 and Section 2 of Ordinance No. 550-97, passed June 2, 1997, are hereby amended to read, respectively, as follows:

Authorizing the Director of Economic Development to enter into a contract with NorthStar Industrial Development Company Ltd., to provide economic development assistance to partially finance the land acquisition and construction of a commercial/industrial building to be located in the Cleveland Industrial Park.

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with NorthStar Industrial Development Company Ltd., to provide economic development assistance to partially finance the land acquisition and construction of a commercial/industrial building to be located in the Cleveland Industrial Park.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 550-97-B.

**Section 2.** That the existing title, Section 1 and Section 2 of Ordinance No. 550-97, passed June 2, 1997, are hereby repealed.

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

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

**Ord. No. 2201-97.**  
By Councilmen Patton, Jackson and Westbrook (by departmental request).

**An emergency ordinance to amend Ordinance No. 388-97, passed June 2, 1997, relating to the NorthStar Equipment Corp. project in the Cleveland Industrial Parkway.**

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

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

**Section 1.** That the title, the first whereas clause and Section 2 of Ordinance No. 388-97, passed June 2, 1997, are hereby amended to read as follows:

Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for

public use located at the southeast corner of the intersection of Johnston Parkway and Seville Avenue to **NorthStar Industrial Development Company Ltd.**

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located at the southeast corner of the intersection of Johnston Parkway and Seville Avenue, identified as Permanent Parcel Nos. 142-20-070 and 142-20-072 to **NorthStar Industrial Development Company Ltd.**; and

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to **NorthStar Industrial Development Company Ltd.**, at a fair market value as determined by the Board of Control.

**Section 2.** That the existing title, the first whereas clause and Section 2 of Ordinance No. 388-97, passed June 2, 1997, are repealed.

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

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

**Ord. No. 2202-97.**  
**By Councilmen Patton, Jackson and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to consent to assignment of the Enterprise Zone Agreement entered into with NorthStar Equipment Corp., or its designee, and the City of Cleveland, to provide for tax abatement for its facility to be located in the Cleveland Industrial Park, authorized by Ordinance No. 334-97, passed June 2, 1997.**

Whereas, Ordinance No. 334-97, passed June 2, 1997, authorized the Director of Economic Development to enter into an Enterprise Zone Agreement with NorthStar Equipment Corp., or its designee, to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to construct a new facility and to purchase machinery and equipment for its facility which will be located in the Cleveland Industrial Park; and

Whereas, the principals of NorthStar Equipment Corp. have formed NorthStar Industrial Development Company Ltd., a limited liability company, which will buy the land, execute the loan agreement and execute the enterprise zone agreement; and

Whereas, the City of Cleveland and NorthStar Equipment Corp. have executed an enterprise zone agreement which NorthStar Equipment Corp. wishes to assign to NorthStar Industrial Development Company Ltd.; and

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to consent to the request of NorthStar Equipment Corp. and NorthStar Industrial Development Company Ltd. to assign the rights and obligations of NorthStar Equipment Corp. under the Enterprise Zone Agreement entered into pursuant to Ordinance No. 334-97, passed June 2, 1997, between the City of Cleveland and NorthStar Equipment Corp. to NorthStar Industrial Development Company Ltd.

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

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

#### FIRST READING EMERGENCY RESOLUTIONS REFERRED

**Res. No. 2196-97.**  
**By Councilman Smith (by request).**

**An emergency resolution declaring the intention to vacate a portion of Penn Court S.W. and a portion of an Unnamed Alley West of West 30th Street.**

Whereas, this Council; is satisfied that there is good cause for vacating a portion of Penn Court S.W. and a portion of an Unnamed Alley west of West 30th Street, as hereinafter described, and

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

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

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

PENN COURT (WITHIN THE ST. IGNATIUS CAMPUS) Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being all of that portion of an unnamed alley, sometimes known as Penn Court, S.W. (16.00 feet wide) lying Northeasterly of the following described line:

Beginning on the Northwestern line of said unnamed alley, at its intersection with the Northeasterly line of a parcel of land conveyed to the St. Ignatius Development Corporation by deed dated June 29, 1989, and recorded in Volume 89-3210, Page 51 of Cuyahoga County Records; thence South 31°-10'-00" West along the Southeasterly prolongation of said Northeasterly line, 8.00 feet to its intersection with the centerline of said unnamed alley; thence South 58°-50'-00" West along said centerline, 2.20 feet to its intersection with the Northeasterly prolongation of the Northeasterly line of a parcel of land conveyed to the City of Cleveland by deed dated January 2, 1975, and recorded in Volume 12730, Page 563 of Cuyahoga County Records; thence South 26°-04'-36" East, along said prolongation, 8.03 feet to the Southeasterly line of said alley.

**AND**  
**AN UNNAMED ALLEY WEST OF WEST 30TH STREET** Situated in the City of Cleveland, County of

Cuyahoga and State of Ohio, and known as being all of that portion of an Unnamed Alley (11.67 feet wide), located North of Lorain Avenue and South of Carroll Avenue, lying Southwesterly of the Southwesterly line of West 30th Street (as vacated by Ordinance No. 1351-78 and shown by the recorded plat in Volume 223 of Maps, Page 46 of Cuyahoga County Records) and extending to its Southwesterly terminus.

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

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

**Res. No. 2203-97.**  
**By Councilman Patmon (by request).**

**An emergency resolution declaring the intention to vacate a portion of Elk Avenue N.E.**

Whereas, this Council; is satisfied that there is good cause for vacating a portion of Elk Avenue N.E., as hereinafter described, and

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

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

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

ELK AVENUE N.E., (40.00 feet wide) and its Easterly turnout extending Easterly from the Northerly prolongation of the Easterly line of East 107th Place (45.00 feet wide) to the Northerly prolongation of the Westerly line of East 107th Street (45.00 feet wide).

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

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

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

**Ord. No. 2204-97.**  
**By Councilmen Jackson (by departmental request).**

**An emergency ordinance extending the expiration dates for all existing junk dealer licenses and scrap metal processor licenses until March 16, 1998 and providing that any new licenses shall be issued as of March 17, 1998.**

Whereas, Ordinance No. 1304-97 has been introduced for the purpose of imposing additional requirements on applicants for a junk dealer license or a scrap metal processor license in order to further protect the public health, safety and welfare; and

Whereas, current Codified Ordinance Section 676.04 provides that all existing junk dealer licenses and scrap metal processor licenses shall expire on August 31, 1997, and new licenses shall be issued as of September 1, 1997; and

Whereas, the expiration date was extended to December 15, 1998 by Ordinance No. 1486-97, passed August 13, 1997; and

Whereas, this Council needs additional time to consider the merits of the proposed amendments to the application process imposed by Ordinance No. 1304-97; and

Whereas, this Council believes that the public health, safety and welfare will be best protected if the existing licenses are extended until March 16, 1998, and that any new licenses shall be issued as of March 17, 1998, so that this Council shall have sufficient time to consider the merits of the new requirements and to insure that all applicants for such licenses comply with any new requirements enacted by this Council; and

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

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

**Section 1.** That, notwithstanding and as an exception to the provisions of Section 676.04 of the Codified Ordinances of Cleveland, Ohio, 1976, and in order to protect the public health, safety and welfare, all junk dealers licenses and scrap metal licenses in existence as of the effective date of this ordinance shall expire on March 16, 1998.

**Section 2.** That, notwithstanding and as an exception to the provisions of Section 676.04 of the Codified Ordinances of Cleveland, Ohio, 1976, and in order to protect the public health, safety and welfare, any new junk dealers licenses or scrap metal licenses shall be effective as of March 17, 1998.

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

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

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

**Ord. No. 2205-97.**

**By Councilman Westbrook.**

**An emergency ordinance granting and authority to dispense alcoholic beverages in the City Hall Rotunda on January 5, 1998, in connection with a reception for the swearing-in ceremony for Cleveland City Council.**

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

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

**Section 1.** That, notwithstanding and as an exception to Section 617.11 of the Codified Ordinances of Cleveland, Ohio, 1976, permission and authority is hereby granted to dispense alcoholic beverages in the

City Hall Rotunda on January 5, 1998, in connection with a reception for the swearing-in ceremony for Cleveland City Council.

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

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

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

**Ord. No. 2206-97.**

**By Councilman Westbrook.**

**An emergency ordinance providing for special parking rates at the Willard Park Garage for January 5, 1998, only.**

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

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

**Section 1.** That, notwithstanding the requirements of Ordinance No. 310-83, passed March 14, 1983, as amended by Ordinance No. 1412-84, passed June 19, 1984, Codified Ordinance Section 133.25, or any other provision of any ordinance or Codified Ordinance relating to parking fees, the fee for parking at the Willard Park Garage from 6 p.m. to midnight on January 5, 1998, shall be no charge.

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

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

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

**Ord. No. 2207-97.**

**By Councilman Westbrook.**

**An emergency ordinance to amend Section 443.261 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1145-97, passed July 16, 1997, relating to capping expenses paid by drivers of public hacks.**

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 443.261 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1145-97, passed July 16, 1997, is hereby amended to read as follows:

**Section 443.261 Drivers' Expenses Capped; Reporting**

a) Finding. This Council finds that the wages earned by drivers of public hacks are inadequate to

insure a sufficient number of taxicabs and capable drivers, and that the public convenience and necessity require the imposition of a cap on the expenses paid by drivers of public hacks.

(b) Definitions. As used in this section: "Drivers' expenses" means all costs, expenses and fees paid by drivers to a company, association or independent operator currently charged or hereafter established for the lease of a public hack, it includes, by way of example and not by way of limitation, the costs of the lease itself, insurance, **surcharges**, and fuel.

"Base rates" means the drivers' expenses charge by a company, association or independent operator to its drivers on the date of introduction of the ordinance **that originally enacted** this section.

(c) Drivers' Expenses Capped. For the period commencing on the effective date of this ordinance and ending on **February 28, 1998**, a company, association or independent operator shall not increase its drivers' expenses over the "base rates" as defined in division (b) of this section. **For the period of March 1, 1998 through December 31, 1998, a company, association or independent operator shall not increase its drivers' expenses by more than five per cent (5%) over the "base rates" as defined in division (b) of this section. For the period of January 1, 1998 through December 31, 1999 a company, association or independent operator shall not increase its drivers' expenses by more than additional five per cent (5%) over the "base rates". Thereafter, a company, association or independent operator shall not increase drivers' expenses by more than an additional ten per cent (10%) over the "base rates".**

In the case of fuel only, changes in the market price of the commodity may be passed along to drivers, and any such increase shall not be counted toward the caps imposed by this division. Overhead costs associated with the sale of fuel by a company, association or independent operator are subject to the caps imposed by this division.

(d) Reporting. Within ten (10) days after the effective date of this section, each company, association or independent operator shall submit a schedule of its base rates as defined in division (b) of this section.

On or before December 31 in each year subsequent to the effective date of this section, each company, association or independent operator shall submit its then current schedule of rates, identifying any changes in drivers' expenses. The requirements of this paragraph are satisfied by the company, association or independent operator by a certification of the percentage change in drivers' expenses from the previous reporting period.

All reports required by this section shall be certified by an affidavit by the owner of the company, association or independent operator, on such forms as the Commissioner of Assessments and Licenses shall prescribe.

**Section 2.** That existing Section 443.261 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1145-97, is hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

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

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

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

**Res. No. 2208-97.**

**By Councilman Britt.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 8502 Quincy Avenue, and repealing Res. No. 328-96, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 8502 Quincy Avenue, by Res. No. 328-96, adopted March 4, 1996; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; and

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

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

**Section 1.** That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 8502 Quincy Avenue, be and the same is hereby withdrawn and Res. No. 328-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

**Res. No. 2209-97.**

**By Councilman Westbrook.**

**An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 9601 Lorain Ave.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 5545106, Maripet Inc., 9601 Lorain Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 64165010005, 9601 Lorain Avenue Inc., 9601 Lorain Avenue, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 5545106, Maripet Inc., 9601 Lorain Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 64165010005, 9601 Lorain Avenue Inc., 9601 Lorain Avenue, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 2210-97.**

**By Councilman Skrha.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 3133 Payne Avenue, and repealing Res. No. 915-97, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 3133 Payne Avenue, by Res. No. 915-97, adopted May 19, 1997; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; and

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

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

**Section 1.** That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 3133 Payne Avenue, be and the same is hereby withdrawn and Res. No. 915-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

**Res. No. 2211-97.**

**By Councilman Westbrook.**

**An emergency resolution authorizing the Clerk of Council to accept gifts of property from Penske Logistics.**

Whereas, Penske Logistics desires to give the Council property having an aggregate value of less than Ten Thousand Dollars (\$10,000.00) to be used by the Office of Council;

Now, therefore, be it resolved by the Council of the City of Cleveland:

**Section 1.** That the Clerk of Council is hereby authorized to accept the gift of personal property from Penske Logistics to be used by the Office of Council, which gifts has a value of less than Ten Thousand Dollars (\$10,000.00).

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

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

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

**SECOND READING ORDINANCE**

**Ord. No. 2288-A-95 (as a substitute for Ord. No. 2288-95).**

**By Councilman Willis.**

An ordinance to supplement the Codified Ordinance of Cleveland, Ohio, 1976, by enacting new Section 629.09 thereof, relating to the retail sale for off premises consumption of beer, malt liquor or any malt beverage in chilled glass bottles.

Contents noted by Acting Director of Public Safety; Relieved of Committee on Legislation; Recommended by Committee on Public Safety, when amended as follows:

1. In Section 1, line 3 of division "(c)" of Section 629.09, strike the phrase "22 ounces or smaller" and insert in lieu thereof "smaller than 22 ounces".

2. In Section 1, lines 6 and 7 of division "(d)" of Section 629.09 strike the phrase "containing a prohibition similar to the prohibition of either division (b) or (c) of this section." and insert in lieu thereof "prohibiting the sale at retail for off-premises consumption any beer, malt liquor, or malt beverage in chilled glass bottles of any size."

3. In Section 1, line 2 of division "(d)" of Section 629.09, strike the number "1000" and insert in lieu thereof the number "2600".

4. In Section 1, line 5 of division "(c)" of Section 629.09, strike the phrase "twelve (12)" and insert in lieu thereof "six (6)".

Amendments agreed to.

## SECOND READING EMERGENCY ORDINANCES PASSED

### Ord. No. 383-97.

By Councilmen Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase seven sites for land assembly and future redevelopment at various locations in the City of Cleveland, for the Department of Community Development.

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

1. In Section 1, strike the last line in its entirety and insert in lieu thereof the following:

**P.P. No. 003-23-038 through 041, and 068, 069 and 070**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 205, 206, 207, 214, 218, 222, 225, 229 and a part of "The Barnwell Lot", so called, and the Northerly 14 feet of Sublot No. 232, also a part of Gould Court, N.W. (16.5 feet wide) vacated by Ordinance No. 2818-68, passed December 16, 1968, as shown by the Willeyville Allotment of part of Original One Hundred Acre Lot No. 70 as recorded in Volume 2 of Maps, Page 16 of Cuyahoga County Records and being about 524.90 feet front on the Westerly side of West 24th Street (66 feet wide), 156.75 feet along the Southerly side of Bridge Avenue, (N.W. 66 feet wide), about 156.75 feet deep along the Southerly line and 524.90 feet along West 24th Place (16.5 feet wide) in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

**Hick School  
2409 Bridge Avenue, S.W.**

2. In Section 2, strike the last line in its entirety and insert in lieu thereof the following:

**P.P. No. 137-20-001**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublot Nos. 69, 103, 104 and 140 and all of Sublot Nos. 41 through 68, 83 through 102 and 120 through 139 in the Corlett and Revere Land Company's Subdivision of part of Original

One Hundred Acre Lot No. 460 as shown by the recorded Plat in Volume 59 of Maps, Page 14 of Cuyahoga County Records, and all of Sublot Nos. 13 through 32 and parts of Sublot Nos. 1, 2, 3 and 33 in the Guarantee Allotment Company's Subdivision of part of Original One Hundred Acre Lot No. 460 as shown by the recorded Plat in Volume 44 of Maps, Page 25 of Cuyahoga County Records bounded and described as follows:

Beginning on the easterly side of East 116th Street (120 feet wide), now known as Martin Luther King Drive, at the northwesterly corner of Sublot No. 41; thence southerly along the Easterly side of Martin Luther King Drive to a point in the southerly line of Sublot No. 3 in the Guarantee Allotment Company's Subdivision, said point also being on the northerly side of Angelus Avenue (40 feet wide) distant westerly 67.28 feet from the southerly corner of said Sublot No. 3; thence easterly along the northerly side of Angelus Avenue to a point distant 29 feet easterly from southwesterly corner of Sublot No. 33, said point also being in the westerly line of East 120th Street; thence northerly along said East 120th Street to a point in the southerly line of Corlett Avenue which is also the northerly line of Sublot No. 69 in the Corlett and Revere Land Company's Subdivision aforesaid, said point being distant 30 feet easterly from the northwesterly corner of Sublot No. 69; thence westerly along the southerly line of Corlett Avenue to the northwesterly corner of Sublot No. 41 and the place of beginning, be the same more or less, but subject to all legal highways included in above legal description is a portion of Revere Avenue, S.E. (50 feet wide) now vacated by the City of Cleveland and a portion of "Revere Square" now vacated by the City of Cleveland.

**John Adams High School  
3817 Martin Luther King Drive**

3. In Section 3, strike the last line in its entirety and insert in lieu thereof the following:

**P.P. Nos. 124-08-001 and  
124-08-003**

**Parcel No. 1**  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lots Nos. 70 to 76 inclusive, in Ruffini, Sterling and Taintor's Allotment of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Southerly line of Quincy Avenue, S.E., at its intersection with the Westerly line of East 72nd Street;

Thence Westerly along the Southerly line of Quincy Avenue, S.E., 230 feet to the Easterly line of East 71st Street;

Thence Southerly along the Easterly line of East 71st Street, 65 feet 11-1/2 inches to the Northeastly line of The Cleveland and Pittsburgh Railroad Company's Right of Way;

Thence Southeastly along the Northeastly line of said Right of Way, 292 feet 3 inches to the Northerly line of Sherman Avenue, S.E., (formerly Sherman Street);

Thence Easterly along, the Northerly line of Sherman Avenue, S.E., 45 feet 5-1/4 inches to the Westerly line of East 72nd Street;

Thence Northerly along the Westerly line of East 72nd Street, 293 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

**National Screw & Manufacturing Site  
East 75th Street and Quincy Avenue**

**P.P. No. 124-08-004**

**Parcel No. 2**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lots Nos. 39 to 50 inclusive, 84 to 93 inclusive and part of Stanton Alley, now vacated, in Ruffini, Sterling and Taintor's Allotment of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Sherman Avenue, S.E., (formerly Sherman Street) at its intersection with the Westerly line of East 75th Street;

Thence Westerly along the Southerly line of Sherman Avenue, S.E., 562 feet, 10 inches to the North-easterly line of The Cleveland and Pittsburgh Railroad Company's Right of Way;

Thence Southeastly along the Northeastly line of said Right of Way, about 303 feet 3 inches to the Northerly line of Stanton Avenue, S.E., thence Easterly along said Northerly line of Stanton Avenue, S.E.; 361 feet 6-1/2 inches to the Westerly line of East 75th Street;

Thence Northerly along the Westerly line of East 75th Street, 252 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

**P.P. No. 124-08-002**

**Parcel No. 3**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lots Nos. 51 to 69 inclusive, 77 to 83 inclusive, and part of Sherman Court, S.E., now vacated in Ruffini, Sterling, and Taintor's Allotment of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Quincy Avenue, S.E., at its intersection with the Westerly line of East 75th Street;

Thence Westerly along the Southerly line of Quincy Avenue, S.E., 517 feet 4-1/2 inches to the Easterly line of East 72nd Street;

Thence Southerly along the Easterly line of East 72nd Street, 293 feet to the Northerly line of Sherman Avenue, S.E., (formerly Sherman Street);

Thence Easterly along the Northerly line of Sherman Avenue, S.E., 519 feet 5-1/4 inches to the Westerly side of East 75th Street; thence Northerly along the Westerly side of East 75th Street, 293 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways

**P.P. No. 124-09-027 thru 029**

**Parcel No. 4**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lots Nos. 19 to 24, both inclusive in Ruffini

ni, Sterling & Taintor Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records, and all of Sub Lots Nos. 5, 6, 7, 14, 15 and 16 in the Towson & Grimshaw Allotment of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 11 of Cuyahoga County Records, and part of Sub Lot No. 8 in Selah Chamberlain's Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the Easterly line of East 75th Street (formerly Judson Street), with the Northerly line of Stanton Avenue, S.E.

Thence Easterly along the Northerly line of Stanton Avenue, S.E., 583 feet to the Southwesterly corner of land conveyed to The City of Cleveland, by deed dated November 29, 1919 and recorded in Volume 2387, Page 55 of Cuyahoga County Records;

Thence Northerly along the Westerly line of land so conveyed, which is also along the Westerly line of a proposed alley, 126 feet to the Southeast corner of land conveyed to The City of Cleveland, by deed dated August 5, 1919 and recorded in Volume 2214, Page 273 of Cuyahoga County Records;

Thence Westerly along the Southerly line of land conveyed as last aforesaid, which is also along the center line of a proposed 12 feet alley, 82 feet to the Northerly prolongation of the Easterly line of said Sub Lot No. 14;

Thence Southerly along said Northerly prolongation, which is also the Easterly end of Stanton Court, S.E., 6 feet to the Southerly line of Stanton Court, S.E.;

Thence Westerly along the Southerly line of Stanton Court, S.E., 503 feet to the Easterly line of East 75 Street;

Thence Southerly, along the Easterly line of East 75th Street, 120 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. Nos. 124-09-030 thru 034  
124-09-048 thru 051

Parcel No. 5

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lots Nos. 13 to 18, both inclusive, in Ruffini, Sterling and Taintor Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records, and Sub Lots Nos. 2, 3, 4, 17, 18 and 19 in the Towson & Grimshaw Allotment to part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 11 of Cuyahoga County Records and part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the Southerly line of Sherman Avenue, S.E. with the Easterly line of East 75th Street (formerly Judson Street);

Thence Easterly along the Southerly line of Sherman Avenue, S.E., about 592.20 feet to the North-

easterly corner of land conveyed to the National Screw and Manufacturing Company by deed dated January 18, 1952 and recorded in Volume 7441, Page 32 of Cuyahoga County Records;

Thence Southerly along the Easterly line of land so conveyed, 58 feet to the Southeast corner thereof;

Thence Westerly along the Southerly line of land so conveyed, about 7 feet to the Northeast corner of land conveyed to The National Screw and Manufacturing Company by deed dated January 17, 1952 and recorded in Volume 7441, Page 26 of Cuyahoga County Records;

Thence Southerly along the Easterly line of land conveyed by the last aforesaid deed, 62 feet to the Northerly line of land conveyed to The City of Cleveland, by deed dated August 5, 1919 and recorded in Volume 2214, Page 273 of Cuyahoga County Records;

Thence Westerly along the Northerly line of land so conveyed to the City of Cleveland, which is also the Northerly line of a proposed 12 foot alley, and along the Northerly line of Stanton Court, S.E. 585.04 feet to the Easterly line of East 75th Street;

Thence Northerly along the Easterly line of East 75th Street, 120 feet to the place of beginning, as appears by said plat, be the same more or less but subject to all legal highways.

P.P. No. 124-08-005

Parcel No. 6

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sub Lots Nos. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, and 94 in Ruffini, Sterling and Taintor Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records, and part of Sub Lot No. 8 in Towson and Grimshaw Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 11 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of Stanton Avenue, S.E., at its intersection with the Northeast corner of the Pennsylvania Railroad Company's Right of Way, said place of beginning being also on the Southerly line of Stanton Avenue, S.E., at the most Westerly corner of said Sub Lot No. 94;

Thence Easterly along the Southerly line of Stanton Avenue, S.E., about 655 feet to the Northeast corner of said Sub Lot No. 8;

Thence Southerly along the Easterly line of said Sub Lot No. 8, 134 feet to the Northeast corner of land conveyed to The National Malleable Casting Company by deed dated October 1, 1904 and recorded in Volume 941, Page 418 of Cuyahoga County Records;

Thence Westerly and Northwest along the Northerly and Northeast line of land so conveyed, to the Northeast line of the Pennsylvania Railroad Company's Right of Way.

Thence Northwest along the Northeast line of said Right of Way, to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 124-09-027

Parcel No. 7

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sub Lot No. 8 in Selah Chamberlain Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Northerly line of Stanton Avenue, S.E., 147.16 feet West of the Westerly line of East 79th Street;

Thence Northerly parallel with East 79th Street, 94 feet to the Southerly line of land, conveyed by Henry Cooper, et al, to August Beidasch, et al, by deed recorded in Volume 1795, Page 314 of Cuyahoga County Records;

Thence Westerly along the Southerly line of land so conveyed about 2.84 feet to the Southwest corner thereof;

Thence Northerly along the Westerly line of land so conveyed to August Beidasch, et al, 38 feet;

Thence Westerly along said August Beidasch, et al, about 7 feet to a point 82 feet Easterly of the Westerly line of said Sub Lot No. 8;

Thence Southerly parallel with the Westerly line of said Sub Lot No. 8 about 132 feet to the Northerly line of Stanton Avenue, S.E.;

Thence Easterly along the Northerly line of Stanton Avenue, S.E., about 9.84 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 124-09-027

Parcel No. 8

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sub Lot No. 8, in Selah Chamberlain's Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point on the Westerly line of said Sub Lot No. 8, 120 feet Southerly from the Southerly line of Sherman Avenue, S.E.;

Thence Southerly 6 feet to the center of an alley;

Thence Easterly along the center of said alley, 82 feet to a point;

Thence Northerly 6 feet to the point which is the Northerly line of said alley;

Thence Westerly along the Northerly line of said alley, 82 feet, to the place of beginning, be the same more or less, but subject to all legal highways.

East 72nd Street (40 feet wide) vacated by Ord. No. 633-74 - passed 4/29/74

Sherman Ct. (12 feet wide) vacated by Ord. No. 972-43 - passed 9/20/43

Sherman Ave. (50 feet wide) vacated by Ord. No. 633-74 - passed 4/29/74

East 75 Street (50 feet wide) vacated by Ord. No. 633-74 - passed 4/29/74

Stanton Ave. (50 feet wide) vacated by Ord. No. 633-74 - passed 4/29/74

Stanton Ct. (12 feet wide) vacated by Ord. No. 633-74 - passed 4/29/74

The above listed streets or portions thereof, abutting the legal descriptions contained herein and now vacated by the City of Cleveland by Ordinances as shown, are intended to be acquired with the above parcels.

4. In Section 4, strike the last line in its entirety and insert in lieu thereof the following:

**P.P. No. 124-20-029**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 24, 25, 26, 27, 28 and 29 in the F.J. Chapple Subdivision of part of Original One Hundred Acre Lot No. 328 as shown by the recorded Plat in Volume 19 of Maps, Page 30 of Cuyahoga County Records and part of Original One Hundred Acre Lot No. 328, bounded and described as follows:

Beginning at the intersection of the Westerly line of Kinsman Road, (66 feet wide) with the Northerly line of Grand Avenue, (44 feet wide); thence Southwesterly along the Northerly line of Grand Avenue to the southerly corner of Sublot No. 24 in the F.J. Chapple Subdivision as aforesaid; thence Northerly along the Westerly line of Sublot No. 24 and its prolongation, 250 feet to a point in a parcel of land conveyed to Michael Wooldridge and others by deed dated March 11, 1853 and recorded in Volume 61, Page 376 of Cuyahoga County Records; thence Easterly along the northerly line of land so conveyed to Michael Wooldridge and others to the Westerly line of Kinsman Road, (66 feet wide); thence Southeasterly along the Westerly side of Kinsman Road, to the place of beginning, be the same more or less, but subject to all legal highways.

**Wooldridge School**  
6200 Kinsman

5. In Section 5, strike the last line in its entirety and insert in lieu thereof the following:

**P.P. No. 129-03-027 through 042**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 2 through 13, both inclusive, 39 through 48 both inclusive, as shown by the East Boulevard Subdivision of part of Original One Hundred Acre Lot No. 420 as recorded in Volume 54 of Maps, Page 9 of Cuyahoga County Records and the Westerly 2.5 feet of a vacated walkway, vacated by the City of Cleveland by Ordinance No. 103660, passed March 23, 1936, and being 208.60 feet front on the Easterly line of East Boulevard, (130 feet wide), now known as Martin Luther King Jr. Drive, about 594.76 feet deep along the Southerly line of Mt. Overlook Avenue, S.E. (40 feet wide), about 614.43 feet deep along Larchmere Boulevard, S.E., (66 feet wide), and about 239.51 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

**Anthony Wayne School**  
11711 Larchmere Boulevard

6. In Section 6, strike the last line in its entirety and insert in lieu thereof the following:

**P.P. No. 110-04-093**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 44, 45, 46, 47, 48, 49, 66, 67, 68, 69, 70, 71 and the southerly 16 feet of Sublot No. 50 in the Burrows & Putt's Allotment of part of Original One Hundred Acre Lot No. 364 as shown by the recorded Plat in Volume 16 of Maps, Page 29 of Cuyahoga County

Records, and being 216 feet front on the Westerly side of East 124th Street and extending back 250 feet on the Southerly line, 250 feet on a broken Northerly line and 200 feet in the rear along the Easterly side of East 123rd Street, as appears by said plat, be the same more or less, but subject to all legal highways.

**Hazeldell School**  
654 East 124th Street

7. In Section 7, strike the last line in its entirety and insert in lieu thereof the following:

**P.P. No. 020-09-123**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 123, 124, 125, 126, 127, 128, 129, 157, 158, 159, 160, 161, 162 and 163 in The Clark Manchester Company's Homesite Allotment Nos. 3 and 5 of part of Original Rockport Township Lot No. 1, Section No. 1, as shown by the recorded Plat in Volume 54 of Maps, Page 36 of Cuyahoga County Records, and being 279.99 feet front on the Northerly side of Longmead Avenue, and extending back 324.17 on the Westerly line 321.96 feet on the Easterly line, and having a rear line of 280 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Longmead School**  
12712-17 Longmead Avenue

8. In existing Section 10, at the end, strike the period and insert in lieu thereof ", RL 23327."

9. Add a new Section 8 to read as follows:

**"Section 8. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:**

**P.P. No. 005-29-001**

**Parcel No. 1.**  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of the Denison Allotment of a part of Original Brooklyn Township Lot No. 13 as shown by the recorded plat in Volume 17 of Maps, Page 24 of Cuyahoga County Records, and also all of that part of the second Denison Allotment lying East of the Easterly line of West 93rd Street as shown by the recorded plat in Volume 15 of Maps, Page 21 of Cuyahoga County Records, together forming a parcel of land bounded on the West by the Easterly line of West 93rd Street (50 feet wide), on the East by the Westerly line of West 89th Street (40 feet wide), on the South by the Northerly line of Willard Avenue, S.W. (60 feet wide) and on the North by the Northerly lines of the aforementioned Denison Allotments.

**P.P. No. 005-29-045**

**Parcel No. 2.**  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 32 in the Elijah F. Davis' Subdivision of part of Original Brooklyn Township Lot No. 13 as shown by the recorded plat in Volume 7 of Maps, Page 8 of Cuyahoga County Records, and being 40 feet front on

the Easterly side of West 93rd Street (formerly Davis Avenue), and extending back of equal width 132 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**P.P. No. 005-28-060**

**Parcel No. 3**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 44 in L.T. and R.F. Denison Allotment of part of Original Brooklyn Township Lots Nos. 13 and 14, as shown by the recorded plat in Volume 13 of Maps, Page 41 of Cuyahoga County Records and being 38 feet front on the Southerly side of Willard Avenue, N.W., (formerly Evergreen Street) and extending back of equal width 130 feet to a 12-foot alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

**P.P. No. 005-28-059**

**Parcel No. 4**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublots Nos. 107, 108 and 109 in the Denison Allotment of part of Original Brooklyn Township Lots Nos. 13 and 14 as shown by the recorded plat in Volume 17 of Maps, Page 13 of Cuyahoga County Records and together forming a parcel of land having a frontage of 116.72 feet on the Southerly side of Willard Avenue, N.W., and extending back 130 feet on the Easterly line, 130 feet on the Westerly line and having a rear line of 116.28 feet, as appears by said plat, be the same more or less, but subject to all legal highways."

10. Strike existing Sections 8 and 9 in their entirety.

11. In the title, line 4, strike "seven".

12. Add new Sections 9, 10, 11 and 12 to read, respectively, as follows:

**"Section 9. That the Director of Community Development is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such properties and to employ and pay all fees for title companies, surveys escrows, appraisers, environmental audits and all other costs necessary for the acquisition of such properties.**

**Section 10. That the consideration to be paid for such properties shall not exceed their fair market value and shall take into account the condition of the properties including environmental considerations, and the cost of the City to maintain and insure the properties.**

**Section 11. The Director of Community Development shall require that each of the properties be in a safe and secure condition when conveyed to the City.**

**Section 12. With respect to Longmead School, the Director of Community Development is authorized to continue the existing occupancy of a daycare center at no cost to the City. In the event that the property is needed for development, the Director shall give the occupant at least six months' notice."**

13. Renumber existing Sections 10 and 11, to new Sections "Section 13" and "Section 14".

Amendments agreed to.

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 19. Nays 1. Those voting yea were Councilmen: Westbrook, Coats, Gordan, Jackson, Johnson, Lewis, Melena, Moran, Patmon,

Patton, Polensek, Robinson, Rybka, Skrha, Smith, Sweeney, White, Willis, Zone. Those voting nay: Councilman Dolan.

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

**Ord. No. 1081-97.**

By Councilmen Patmon, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 998 Parkwood Drive to Toya J. Johnson.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1284-97.**

By Councilmen Smith, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering services necessary to design a truck parking area to provide a spill prevention at Cleveland Hopkins International Airport.

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

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

**Ord. No. 1285-97.**

By Councilmen Smith, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering and environmental services necessary to design the construction of the consolidated airfield maintenance facility and associated appurtenances at Cleveland Hopkins International Airport.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Recommended by Committees on Aviation and Transportation, City Planning, Finance, when amended as follows:

1. In Section 1, at the beginning of line 12, strike "The selection" and insert in lieu thereof the following: **"Provided that the Director of Port Control has furnished a copy of the request for proposals to each of the members of the Committee on Aviation and Transportation prior to the solicitation of proposals and provided further that the Director has made a presentation to said Committee which identifies the consultants recommended by the Department of Port Control to perform such services and includes a written summary of all of the proposals received as a result of the Department's canvass, the selection".**

2. In Section 1, in line 16, after "complete canvass" insert **"by means of a request for proposals"**.

Amendments agreed to.

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

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

**Ord. No. 1286-97.**

By Councilmen Smith, Rybka and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of replacing various electric feeders, upgrading various electrical vaults and installing associated appurtenances, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Recommended by Committees on Aviation and Transportation, City Planning, when amended as follows:

1. In Section 1, line 5, strike "Burke Lakefront" and insert in lieu thereof the following: **"Cleveland Hopkins International"**.

Amendment agreed to.

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

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

**Ord. No. 1289-97.**

By Councilmen Smith, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering and environmental services necessary to provide updated airfield mapping at Cleveland Hopkins International Airport.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Recommended by Committees on Aviation and Transportation, City Planning, Finance, when amended as follows:

1. In Section 1, at the beginning of line 11, strike "The selection" and insert in lieu thereof the following: **"Provided that the Director of Port Control has furnished a copy of the request for proposals to each of the members of the Committee on Aviation and Transportation prior to the solicitation of proposals and provided further that the Director has made a presentation to said Committee which identifies the consultants recommended by the Department of Port Control to perform such services and includes a written summary of all of the proposals received as a result of the Department's canvass, the selection".**

2. In Section 1, in lines 14 and 15, after "complete canvass" insert **"by means of a request for proposals"**.

Amendment agreed to.

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 19. Nays 1. Those voting yea were Councilmen: Westbrook, Coats, Gordan, Jackson, Johnson, Lewis, Melena, Moran, Patmon, Patton, Polensek, Robinson, Rybka, Skrha, Smith, Sweeney, White, Willis, Zone. Those voting nay: Councilman Dolan.

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

**Ord. No. 1312-97.**

By Councilmen Patmon, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1132 East 98 Street to Arthur Lee Young.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1316-97.**

By Councilmen Skrha, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance establishing a Community Reinvestment Area in the area of Starkweather Avenue, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1320-97.**

By Councilmen Rybka, Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to accept delivery of deed to certain real property within the Broadway Urban Redevelopment and authorizing the Commissioner of Purchases and Supplies to convey title to such property to Third Federal Savings Bank for private redevelopment.

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

1. In the title, line 5, after "Redevelopment" insert **"Area"**.

2. In Section 1, strike lines 3, 4, and 5 in their entirety and insert the following:

**"real property known as Permanent Parcels Nos. 132-05-003 through 132-05-021, as more fully described in Council File No. 1320-97-A."**

Amendments agreed to.

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

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

**Ord. No. 1455-97.**

By Councilmen Gordon, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1514, 1518, 1602 Elston Avenue to David Auldie Kennedy.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1462-97.**

By Councilmen Rybka, Willis and Westbrook (by departmental request).

An emergency ordinance to amend Section 331.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as



enacted by Ordinance No. 876-97, passed June 16, 1997, relating to measurement.

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

1. In Section 1, line 23, after "(b)" insert "and division (c)"; and at the end, strike the period and insert in lieu thereof the following: **"upon notification of the councilperson whose ward is affected."**

Amendment agreed to.  
The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 20. Nays 0.

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

**Ord. No. 1464-97.**

By Councilmen Smith, Rybka and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of repairing and refurbishing the spectator deck at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

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

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

**Ord. No. 1465-97.**

By Councilmen Skhra, Rybka, Willis and Westbrook (by departmental request).

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

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1648-97.**

By Mayor White and Councilman Johnson.

An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Finance to enter into contract with the Cleveland Board of Education to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 1997-98 school year.

Approved by Directors of Public Parks, Property, and Recreation, Finance, Law; Recommended by Committees on Parks, Recreation and Properties, Finance, when amended as follows:

1. Add a new Section 2 to read as follows:

**"Section 2. That the agreement authorized by this ordinance shall provide that the Cleveland School System shall submit to City Council a comprehensive report detailing the programs conducted pursuant to the agreement three times a year, at the beginning of the school year, the middle of the school year and the end of the school year."**

2. To renumber existing Section 2 as **"Section 3"**.

Amendments agreed to.

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 19. Nays 1. Those voting yea were Councilmen: Westbrook, Coats, Gordan, Jackson, Johnson, Lewis, Melena, Moran, Patmon, Patton, Polensek, Robinson, Rybka, Skrha, Smith, Sweeney, White, Willis, Zone. Those voting nay: Councilman Dolan.

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

**Ord. No. 1653-97.**

By Councilmen Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6810 Kinsman Road and 6822-28 Kinsman Road to Casell Moore.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1654-97.**

By Councilmen Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9119 Laisy Avenue to Clentana Y. Stewart.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1656-97.**

By Councilmen Rybka, Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3435 East 70 Street to John T. Russell, Jr.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1657-97.**

By Councilmen Sweeney, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12216 Lena Avenue to Kenneth M. and Lorraine M. Busler.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1778-97.**

By Councilmen Melena, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3160 West 50 Street to James E. and Ruth Ann Ogle.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1779-97.**

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the 1997-98 Fire - EMT Training Grant; and to enter into contract with Cuyahoga Community College to implement the program.

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

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

**Ord. No. 1788-97.**

By Councilmen Skrha, Patmon, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance establishing Community Reinvestment Areas in the areas of the Notre Dame Academy Building located on Ansel Road and the Gordon Building located on East 71st Street, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1862-97.**

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a Lease By Way of Concession with Innovative Foods, Inc. for operation of food and beverage concessions at Gordon Park and Brookside Park.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Property, and Recreation, Finance.

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

**Ord. No. 1863-97.**

By Councilmen Britt, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2637 East 110th Street to Gary Torme Powell.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1865-97.**

By Councilmen Smith, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance establishing a Community Reinvestment Area in the area of 2528-32 Lorain Avenue, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

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

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

**"Section 4. That the Director of Community Development shall annually, not later than June 1 of each year during the period of the exemption from real property taxation, report to the Community and Economic Development Committee regarding the rate of return on equity participation generated by the property. Where the annual average rate of return for the entire period beginning on the date the exemption becomes effective until December 31 immediately preceding the report exceeds Fifteen Percent (15%), the Director shall make a recommendation to the Committee regarding reducing or eliminating the exemption."**

2. Renumber existing Sections 4, 5, and 6, respectively, to "Section 5", "Section 6", and "Section 7".

Amendments agreed to.

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

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

**Ord. No. 1866-97.**

By Councilmen Smith, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance establishing a Community Reinvestment Area in the area of 1895-1905 West 25th Street, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

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

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

**"Section 4. That the Director of Community Development shall annually, not later than June 1 of each year during the period of the exemption from real property taxation, report to the Community and Economic Development Committee regarding the rate of return on equity participation generated by the property. Where the annual average rate of return for the entire period beginning on the date the exemption becomes effective until December 31 immediately preceding the report exceeds Fifteen Percent (15%), the Director shall make a recommendation to the Committee regarding reducing or eliminating the exemption."**

2. Renumber existing Sections 4, 5, and 6, respectively, to "Section 5", "Section 6", and "Section 7".

Amendments agreed to.

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

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

**Ord. No. 1867-97.**

By Councilmen Smith, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Metzner Building, L.L.P., or their designee, to provide economic development assistance to partially finance the renovation of a building located at 1899 West 25th Street, Cleveland, Ohio.

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

1. In the title, lines 4 and 5 and in Section 1, line 3, strike "L.L.P., or their designee," and insert in lieu thereof "L.L.C."

Amendment agreed to.

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

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

**Ord. No. 1878-97.**

By Councilmen Lewis, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7715 Aberdeen Avenue to Alfonso Condus.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1879-97.**

By Councilmen Lewis, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7706 Cornelia Avenue to Willie P. Williams.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1880-97.**

By Councilmen Lewis, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1157 East 78th Street to Gregory A. Carter.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recom-

mended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1882-97.**

By Councilmen Lewis, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8024 Medina Avenue to Willa Bailey and Gail Thomas.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1883-97.**

By Councilmen Lewis, Jackson, Rybka, and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8208 Medina Avenue to Bonnie J. Jones.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1933-97.**

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair, maintain and service MSA breathing apparatus, gas testers and explosive meters, for the Division of Fire, Department of Public Safety, for a period not to exceed two years.

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

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

**Ord. No. 1935-97.**

By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair water mains and appurtenances, for the Division of Water, Department of Public Utilities.

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

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

**Ord. No. 1936-97.**

By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Utilities to make alterations and modifications in Contract No. 49485, for the Public Square sewer replacement project with Terrace Construction Co. for the Department of Public Utilities.

Approved by Directors of Public Utilities, Finance, Law; Relieved of Committee on Public Utilities; Recommended by Committee on Finance. The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 20. Nays 0.

**Ord. No. 1938-97.**

By Councilman Skrha. An emergency ordinance to vacate a portion of East 3rd Street (formerly Hickox Street).

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Public Service, City Planning, Finance.

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

**Ord. No. 1964-97.**

By Councilmen Jackson, Rybka and Westbrook (by departmental request). An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2221 East 71 Street to Rudolph and Gladys Y. Westbrook.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 1965-97.**

By Councilmen Johnson, Rybka and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating Luke Easter Park and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.

Approved by Directors of Parks, Recreation, and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, City Planning, Finance.

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 19. Nays 1. Those voting yea were Councilmen: Westbrook, Coats, Gordan, Jackson, Johnson, Lewis, Melena, Moran, Patmon, Patton, Polensek, Robinson, Rybka, Skrha, Smith, Sweeney, White, Willis, Zone. Those voting nay: Councilman Dolan.

**Ord. No. 1968-97.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at corner of Ansel and St. Clair to Hill House.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

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

**Ord. No. 2013-97.**

By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to test and dispose of PCB oils and contaminated

materials, and to retrofill or filter contaminated transformers, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

**Ord. No. 2015-97.**

By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair or replace sidewalks, curbs, driveways and various concrete or asphalt areas, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

**Ord. No. 2018-97.**

By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to install or repair underground duct line, street-lighting bases and pull boxes, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

**Ord. No. 2019-97.**

By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the director of Public Utilities to make alterations and modifications in Contract No. 49347 for Phase II of the Doan Brook Project, with Able/SS Inc., for the Department of Public Utilities.

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

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

**Ord. No. 2020-97.**

By Councilmen Patton, Rybka, and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing and reconstructing the Eriesside and West 3rd Street area pump station, force mains and sanitary sewer, and authorizing the director of Public Utilities to enter into contract for the making of such improvement.

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

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 19. Nays 1. Those voting yea were Councilmen: Westbrook, Coats, Gordan, Jackson, Johnson, Lewis, Melena, Moran, Patmon, Patton, Polensek, Robinson, Rybka, Skrha, Smith, Sweeney, White, Willis, Zone. Those voting nay: Councilman Dolan.

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

**Ord. No. 2021-97.**

By Councilmen Patton, Rybka, and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing or reconstructing the West 10th Street and St. Clair Avenue sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

**Ord. No. 2025-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of vehicle seat repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

**Ord. No. 2034-97.**

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to service and maintain elevators and escalators, for the Division of convention Center and Stadium, Department of Parks, Recreation and Properties, for a period not to exceed three years.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, Finance.

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

**Ord. No. 2035-97.**

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support Housing to provide compensating balance loan funds to Cleveland Action to Support Housing for use in its Multi-Family Pilot Project.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

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

**Ord. No. 2036-97.**

By Councilmen Patmon, Jackson, Rybka, and Westbrook (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1000-97, passed June 16, 1997, relating to the sale of real property as part of the Land Reutilization Program and located at 10404, 10405 and 10409 Barrett Avenue and 564 and 570 East 105th Street.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

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

**Ord. No. 2105-97.**

By Councilmen Rybka, Jackson, and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Willoughby Holdings, L.L.C., or their designee, to provide economic development assistance to partially finance the purchase of real property, machinery and equipment, located at 6900-6917 Bessemer Avenue, Cleveland, Ohio.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance.

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

**SECOND READING EMERGENCY RESOLUTIONS ADOPTED****Res. No. 1662-97.**

By Councilman Smith (by request). An emergency resolution declaring the intention to vacate portions of W. 44th Pl., and The 1st Alley North of Detroit & East of W. 44th Pl., and The 1st Alley North of Detroit & West of W. 44th Pl.

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

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

**Res. No. 1746-97.**

By Councilmen Skrha, Jackson, Rybka, and Westbrook (by departmental request).

An emergency resolution to amend Section 2 of Resolution No. 483-95, passed June 5, 1995, relating to the formation of the Cleveland Theater District as a Special Improvement District within the City; declaring it necessary to provide for additional security for the Cleveland Theater district, cleaning and maintenance of the public rights-of-way and Star Plaza within the Cleveland Theater District, and collective marketing of the Cleveland Theater District in the City of Cleveland; approving the comprehensive plan of services to be provided by the Cleveland Theater District Development Corporation; and providing for the assessment of the cost and expense of such work upon benefited property in said district; and declaring an emergency.

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

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

**THIRD READING EMERGENCY ORDINANCES PASSED****Ord. No. 1169-97.**

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to employ one or more professional nursing services to provide nursing services for the Division of Correction, Department of Public Health.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 1858-97.**

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with the AIDS Funding Collaborative, or its designated fiscal agent, to provide services for people living with HIV/AIDS, for the Division of Health, Department of Public Health.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 1859-97.**

By Councilmen Robinson and Westbrook (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 1998 State Aids Community Based Care Program.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 1860-97.**

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the United States Environmental Protection Agency for the "Illegal Dumping: Don't Dump Here" Program.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 1861-97.**

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of inmate clothing, bedding and shoes, for the Division of Correction, Department of Public Health.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 1967-97.**

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Port Control to enter into an agreement with Lehigh Municipal Leasing for a lease or lease with option to purchase not to exceed two electric passenger carriers, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed 24 months.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 2040-97.**

By Councilmen Robinson and Westbrook (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 1998 State Child Lead Poison Prevention Program.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 2041-97.**

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the Healthy Start Initiative, Maternal Child Health Bureau, U.S. Department of Health and Human Services for Phase II of the Healthy Family Healthy Start Program, Phase II; and to enter into contract with various entities to implement the program.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 2042-97.**

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed five insulated food distribution carts, for the Division of Correction, Department of Public Health.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 2043-97.**

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 2077-97.**

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of various items of software, computer equipment, including maintenance, for the Division of Correction, Department of Public Health; and authorizing said director to employ one or more software development consultants to provide professional services to develop software necessary to assist the Division of Correction.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 2078-97.**

By Councilman Westbrook (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 2097-97.**

By Councilman Westbrook (by departmental request).

An emergency ordinance to make temporary appropriation for the current payrolls and other ordinary expenses of the City of Cleveland for the period from January 1, 1998 until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 1998.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 2098-97.**

By Councilman Westbrook (by departmental request).

An emergency ordinance to transfer the sum of Four Million Three Hundred Seventy Four Thousand Eight Hundred Ninety Nine Dollars

(\$4,374,899) within the various divisions of the General Fund, One Million Two Hundred Thousand Dollars (\$1,200,000) within the Special Revenue Fund, Two Hundred Three Thousand Five Hundred Twelve Dollars (\$203,512) within the Internal Service Fund, Three Million Eight Hundred Eighteen Thousand Five Hundred Eighty Four Dollars (\$3,818,584) within the Enterprise Fund and Three Hundred Eighty six Thousand Five Hundred Seventy Five Dollars (\$386,575) within the Agency Fund.

Read third time. Passed. Yeas 20. Nays 0.

**Ord. No. 2099-97.**

By Councilman Westbrook (by departmental request).

An emergency ordinance to make additional appropriation of Fifty Thousand Dollars (\$50,000) of the Internal Service Fund and One Million Fifteen Thousand Seven Hundred Thirty Two Dollars (\$1,015,732) of the Enterprise Fund.

Read third time. Passed. Yeas 20. Nays 0.

**THIRD READING EMERGENCY RESOLUTION ADOPTED**

**Res. No. 1870-97.**

By Councilmen Skrha, Rybka and Coats (by departmental request).

An emergency resolution eliminating any restriction on the naming of "One Erieview Plaza.

Read third time. Adopted. Yeas 20. Nays 0.

**LAID ON THE TABLE**

**Ord. No. 879-89.**

By Councilmen Coats, Barnes, Pianka and Forbes (by departmental request).

An emergency ordinance to establish No Right Turns at specific intersections in the City of Cleveland as listed herein, and to amend the schedule on file with the Clerk of Council, File No. 107-76, pursuant to Section 413.09 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to fulltime prohibitions.

**Ord. No. 914-90.**

By Councilman Rybka.  
An ordinance to change the Use, Area and Height Districts of lands bounded by Aetna Road, S.E. East 71 Street Railroad tracks, Ackley Road, S.E. Morgana Avenue S.E. and East 65 Street.

**Ord. No. 1022-90.**

By Councilman Rokakis.  
An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Chapter 686, Sections 686.01 to 686.10, and 686.99 relating to Ambulance Services.

**Ord. No. 1554-90.**

By Mayor White.  
An emergency ordinance to amend Section 613.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1695-95, passed October 12, 1965, relating to penalties for littering.

**Ord. No. 1800-90.**

By Councilmen Willis, McGuirk and Coats.

An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 629.09 thereof, relating to prohibiting the sale of beer and soft drinks in glass containers.

**Ord. No. 347-91.**

By Councilmen Johnson, Rybka, and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into and execute a lease agreement with an option to purchase with the Village of Highland Hills for approximately 7.79 acres of property fronting on Northfield Road in the Village of Highland Hills and being a portion of Permanent Parcel Number 751-01-006.

**Ord. No. 698-91.**

By Councilman Patmon.  
An emergency ordinance to amend Section 347.03 of the Codified Ordinances of Cleveland, Ohio, 1976 as enacted by Ordinance No. 2204-A-48, passed December 19, 1949, relating to location of pool rooms.

**Res. No. 2060-91.**

By Councilman Coats.  
An emergency resolution endorsing the "must carry" provision of U.S. Senate Bill No. 12 and opposing the Breaux amendment to S.B. 12.

**Ord. No. 858-92.**

By Councilman O'Malley.  
An emergency ordinance to amend Section 181.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-92, passed March 16, 1992, relating to the compliance with fair employment practice in Northern Ireland.

**Ord. No. 1533-92.**

By Councilman Miller.  
An ordinance to change the zoning of lands on the north side of Puritas Avenue, S.W. approximately 350' east of W. 143 Street to W. 140 Street. (Map Change No. Sheets Nos. 12 & 13)

**Ord. No. 1643-92.**

By Councilmen Patton and Rybka.  
An emergency ordinance to supplement the Codified Ordinance of Cleveland, Ohio, 1976, by enacting new Section 523.26, thereof relating to Council approval for utility expansion outside city boundaries.

**Ord. No. 2229-92.**

By Councilman Rokakis.  
An ordinance to supplement the Codified Ordinances of Cleveland, Ohio 1976, by enacting new Sections 189.01 and 189.02, thereof, relating to local business enterprise code.

**Ord. No. 2281-92.**

By Councilmen Rokakis, Pianka, and Rybka (by departmental request).  
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3739 West 36 Street, to Joseph P. O'Donnell, III.

**Ord. No. 26-93.**

By Councilman Frangos.  
An emergency ordinance to amend Section 698.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1290-A-43, passed October 22, 1945, relating to ticket brokers' operating regulations.

**Ord. No. 148-93.**

By Councilmen Johnson, Rybka and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to execute and easement granting to Ohio Bell Telephone Company certain easement rights in property located at

Emery Playfield and declaring said easement rights no longer needed for public use.

**Ord. No. 157-93.**

By Councilmen Polensek, Patton and Rokakis (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 135.53 and 135.54 thereof, relating to law enforcement information contracts and the purchase of various items for the Division of Police.

**Res. No. 1866-93.**

By Councilmen Coats, Jackson, and Rokakis.

An emergency resolution declaring this Council's support for continued State Head Start funding for the Economic Opportunities in Greater Cleveland (EOGC) Head Start program.

**Ord. No. 2034-93.**

By Councilmen Robinson, Pianka, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 11701-07 Kinsman Road, S.E., to Terry Kordiac.

**Ord. No. 2272-93.**

By Councilmen Turner, Pianka, Rybka, and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 11324 Avon Avenue, to Reginald and Deborah Mahome.

**Ord. No. 2367-93.**

By Councilman Patton.  
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio 1976, by enacting new Section 215.08 thereof, relating to multiple rentals of rooms during a twelve hour period.

**Ord. No. 52-94.**

By Mayor White.  
An emergency ordinance to amend Sections 628.02, 628.03, 628.04, 628.99, 674.01, 674.02, 674.04, 674.05, 674.06 and 674.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended and enacted by various ordinances; and to supplement said Codified Ordinances by enacting new Sections 674.041, 674.051 and 674.052 thereof, relating to regulating firearms.

**Ord. No. 306-94.**

An emergency ordinance authorizing and directing the submission to the electors of the City of Cleveland of an initiative petition proposing to enact new Sections 23-1 through 23-8 of the Charter of the City of Cleveland, relating to limitations on campaign contributions and expenditures.

**Ord. No. 381-94.**

By Councilmen Westbrook, Brady, Coats, Jackson, Johnson, Lewis, Patton, Pianka, Polensek, Robinson, Rokakis, Smith, Willis, Miller, Rybka, O'Malley, McGuirk, Paulenske, Lumpkin.

An emergency ordinance authorizing and directing the submission to the electors of the City of Cleveland of an initiative petition proposing to enact new Section 23-1 of the Charter of the City of Cleveland, relating to limitations on campaign contributions and expenditures.

**Ord. No. 487-94.**  
By Councilmen Robinson, Pianka, Rybka and Rokakis (by departmental request).  
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 11908 Kinsman Road, to Jericho Missionary Baptist Church.

**Ord. No. 1101-94.**  
By Councilman Rokakis.  
An emergency ordinance to amend Section 551.19 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 773-A-80, passed December 14, 1981, relating to scrap metal processors, junk dealers and second hand dealers.

**Ord. No. 1113-94.**  
By Councilman Miller.  
An ordinance to change the Use and Area Districts of lands south of Maplewood Avenue, S.W. to I-480 between Rocky River Drive and (relocated) Grayton Road, S.W. (Map Change No. 1858, Sheet No. 13)

**Ord. No. 1114-94.**  
By Councilman Westbrook.  
An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 123.09 thereof, relating to the establishment of an office and director of internal affairs.

**Ord. No. 1176-94.**  
By Councilmen Pianka, Rybka and Rokakis (by departmental request).  
An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned air rights of property at East 159th and Chagrin Boulevard in Shaker Heights to the Regional Transit Authority, which air rights are no longer needed for public use.

**Ord. No. 1182-94.**  
By Councilmen Polensek and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Commission on Accreditation for Law Enforcement for the Police Accreditation Grant.

**Ord. No. 1301-94.**  
By Councilmen Paulenske, Pianka, Rybka and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with ICG Access Services, dba Ohio Linx, or its designee, to provide for a ten (10) year abatement for certain tangible personal property taxes as an incentive to expand its facilities at 1554 Hamilton Avenue located in the Lakeside Area Enterprise Zone.

**Ord. No. 1302-94.**  
By Councilmen Paulenske, Pianka, Rybka and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Joyce and Tom Klonowski, dba Target Screen Print, or its designee, to provide economic development assistance to partially finance the acquisition of and the construction of a building located at 4715 Pershing Avenue, Cleveland, Ohio.

**Ord. No. 1681-94.**  
By Councilman Lumpkin.  
An ordinance establishing the Little Italy Historic Landmark District and repealing Ordinance No. 2265-91, passed December 16, 1991. (Map Change No. 1861, Sheets Nos. 8 & 9).

**Ord. No. 1682-94.**  
By Councilman Rokakis.  
An ordinance to change the use and area districts of lands on the westerly side of Valley Road, S.W. to West 20 Street. (Map Change No. 1825, Sheet No. 2).

**Ord. No. 1872-94.**  
By Councilmen Pianka, Patton and Rokakis (by departmental request).  
An emergency ordinance to amend the title and Section 4 of Ordinance No. 1097-85, passed June 24, 1985, designating an area as a proposed Urban Jobs and Enterprise Zone; requesting the Ohio Director of Development to certify the area pursuant to Section 57609.61-.62 of the Ohio Revised Code; and establishing the Target Area Public Improvements Fund.

**Ord. No. 1883-94.**  
By Councilman McGuirk.  
An ordinance to change the Use District of lands at the northwesterly intersection of Warren Road, N.W. and Munn Road, N.W. (Map Change No. 1863, Sheet No. 12).

**Ord. No. 2226-94.**  
By Councilman Coats.  
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 451.32 thereof, relating to parking exemption for the Mayor.

**Ord. No. 2230-94.**  
By Councilmen Johnson, Rybka and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease certain property located at the West Pier of the Cuyahoga river from the U.S. Department of the Army, Corps of Engineers for a term not to exceed 25 years with the City retaining the right to renew for an additional 25 years, and authorizing the Director of Parks, Recreation and Properties to sublease said property to River's End Marina Development, Inc. for a coterminous term, for the public purpose of providing public access and use of the West Pier as well as providing access to the former Coast Guard Station.

**Ord. No. 187-95.**  
By Councilmen Lewis, Pianka, Rybka and Rokakis (by departmental request).  
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1225 East 72 Place, to Tahuirah S. Mujahid.

**Ord. No. 464-95.**  
By Councilman Lewis.  
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 607.21 thereof relating to telephone signaling devices; sale to minors.

**Ord. No. 521-95.**  
By Councilmen Polensek and Patton (by departmental request).  
An emergency ordinance to amend Section 111.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 81-56, passed March 12, 1956, relating to refusal to obey subpoena or produce evidence.

**Ord. No. 1085-95.**  
By Councilmen McGuirk.  
An emergency ordinance to amend Sections 698.02, 698.03, 698.05, and 698.06, as enacted by Ordinance No. 1290-A-43, passed October 22, 1945, relating to ticket brokers.

**Ord. No. 1147-95.**  
By Councilmen Polensek, Patton and Rokakis (by departmental request).  
An emergency ordinance to amend Sections 443.01, 443.011, 443.02, 443.023, 443.05, 443.08, 443.09, 443.10, 443.13, 443.131, 443.18, 443.20, 443.21, 443.32, 443.34 and 443.35 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended and enacted by various ordinances; relating to taxicabs and limousines; to supplement said codified ordinances by enacting new Sections 401.221 and 443.06, relating to defining limousine and to insurance; to repeal existing Sections 443.06, 443.07 and 443.33; and to rename Chapter 443 as Taxicabs and Limousines.

**Ord. No. 1661-95.**  
Mayor White.  
An emergency ordinance to amend Sections 688.02 and 688.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; and to supplement said codified ordinances by enacting new Section 688.13 thereof, relating to billiard rooms.

**Ord. No. 1817-95.**  
By Councilmen Brady and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the Director of Public Utilities to modify Contract No. 47152 with Morse Diesel International for the Division of Cleveland Public Power, Department of Public Utilities, of relating to billiard rooms.

**Ord. No. 2238-95.**  
By Mayor White.  
An emergency ordinance to amend the Cooperative Agreement Relating to the Gateway Project, dated as of September 15, 1992, between the City and the County.

**Ord. No. 763-96.**  
By Councilman O'Malley.  
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 447.01 to 447.11 and 447.99 thereof, relating to the regulation and licensing of pedicabs, and to amend Sections 401.42 and 443.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted, respectively, by Ordinance Nos. 1684-76, passed June 29, 1976, and 1828-77, passed June 8, 1978 relating to the definition of taxicabs and hacks.

**Ord. No. 932-96.**  
By Councilmen Robinson, McGuirk and Rokakis (by departmental request).  
An emergency ordinance to amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2015-95, passed December 18, 1995, relating to food shop licenses and fees; food vehicle permit.

**Ord. No. 1129-96.**  
By Councilmen Westbrook and Willis.  
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 613.16, relating to improper disposal of glass containers.

**Ord. No. 1786-96.**

By Councilmen Johnson and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with Apcoa, Inc. to manage certain parking facilities, for a term of three (3) years with a three (3) year option to renew.

**Ord. No. 1787-96.**

By Councilmen Johnson, Rybka, McGuirk, and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a lease agreement with American Golf Corporation to operate the Seneca Golf and the Highland Golf Course, for a term of ten (10) years with a five (5) year option to renew; and to amend Section 133.29 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 923-95, passed November 20, 1995, relating to fees for golf course and cross country skiing.

**Ord. No. 121-97.**

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend various section of ordinances to include additional funding sources and authorizing the Director of Finance to modify the certificate of funds for contracts entered into pursuant to such ordinances.

**Ord. No. 427-97.**

By Councilmen Johnson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease by way of concession to The Buckeye Area Development Corporation, or its designees, for a term not to exceed one year.

Without objection, the aforementioned legislation was laid on the table pursuant to the rules of Council.


**MOTION**

By Councilman Smith, seconded by Councilman Lewis and unanimously carried that the absence of Councilman Pat Britt be and is hereby authorized.

The closing prayer was offered by the Rev. Dr. Joseph W. Skrha, Deacon of the Greater Cleveland Catholic Diocese, Director of Pastoral Care and Chairman of the Ethics Committee at St. Michael's Hospital and Father of Councilman John Skrha.

**MOTION**

The Council adjourned at 10:05 p.m. to meet on Monday, January 5, 1998, at 7:00 p.m.



Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

December 5, 1997

The special meeting of the Board of Control convened in the Mayor's office on Friday, December 5, 1997, at 1:15 p.m., with Director Sobol Jordan presiding.

Present: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheffield McClain, Director Guzman, Acting Director Jasper, Directors Denihan, Spellman, Hamilton, Nolan, Warren and Lynch

Absent: Mayor White.  
Others: William Moon, Commissioner, Purchases and Supplies, Barry Withers, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

**Resolution No. 1016-97.**

By Acting Director Sheffield-McLain.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Donley's Inc. for the public improvement of Consolidated Rental Car Facility Ready Return Building Interiors Package (Including Add Alternates Nos. 1, 2, 3, and 4, and including a Contingency Allowance) for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on December 3, 1997, pursuant to the authority of Ordinance No. 561-97, passed June 2, 1997, for a gross price for the improvement in the aggregate amount of Five Million Sixty-One Thousand Two Hundred and no/100 (\$5,061,200.00) Dollars is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control 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 employment of the following subcontractors by Donley's Inc. for the Consolidated Rental Car Facility Ready Return Building Interiors Package at Cleveland Hopkins International Airport, is hereby approved.

**Subcontractor Service**

Bradley Construction (MBE) Concrete and weather tight enclosure

Coleman Spohn Corp. (MBE) Mechanical

Builders Glass and Door (MBE) Glass and Glazing

Artisan Electric (MBE) Electrical Contractor

Leader Electric Supply Co. (FBE) Electrical material supplier

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheffield McClain, Director Guzman, Acting Director Jasper, Directors Denihan, Spellman, Hamilton, Nolan, Warren and Lynch  
Nays: None.  
Absent: None.

**Resolution No. 1017-97.**

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Reliance Mechanical Corporation & Gorman Lavelle Corporation, a joint venture, for the public improvement of the new Cleveland Browns NFL Stadium mechanical and food service, Bid Package #7C, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on November 26, 1997, pursuant to the authority of Ordinances Nos. 304-96 and 1352-97, passed March 8, 1996 and July 16, 1997, respectively, for a gross price for the improvement in the aggregate amount of Thirty Two Million Three Hundred Sixty-Six Thousand no/100 (\$32,366,000.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors by Reliance Mechanical Corporation and Gorman Lavelle Corporation, a joint venture, for the public improvement of the new Cleveland Browns Stadium mechanical and food service, hereby is approved:

Coleman-Spohn Corporation (MBE) - \$6,300,000

M & R Enterprise, Inc. (MBE) - \$1,000,000

Miles Mechanical, Inc. (MBE) - \$1,000,000

North Electric, Inc. (MBE) - \$1,605,000

Hammond Corporation (FBE) - \$2,625,000

Leader Electric Supply Co. (FBE) - \$200,000

Burkshire Construction (FBE) - \$375,000

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheffield McClain, Director Guzman, Acting Director Jasper, Directors Denihan, Spellman, Hamilton, Nolan, Warren and Lynch  
Nays: None.  
Absent: None.

JEFFREY B. MARKS, Secretary

**BOARD OF CONTROL**

December 10, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 10, 1997, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch  
Absent: None.

Others: William Moon, Commissioner, Purchases and Supplies, Laura Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

**Resolution No. 1018-97.**

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Baker Vehicle Systems, Inc. for an estimated quantity of Jacobson Mower Parts (all items) for the Division of various divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on November 26, 1997, pursuant to the authority of Ordinance No. 643-96, passed May 13, 1996, which on the basis of the estimated quantity would amount to Thirty Thousand and 00/100 Dollars, (\$30,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

## Requisition No. 107216

which shall be certified against such contract in the sum of Two Thousand and no/100 Dollars (\$2,000.00).

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 Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1019-97.**

By Acting Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Co. (FBE) for an estimated quantity of Electrical supplies to maintain, repair and modify airfield, parking and terminal lighting systems (Wholesale catalog - including 45.1% discount), for the various divisions of the Department of Port Control, for a period of two years commencing with the execution of a contract received on the 30 day of October, 1997, pursuant to the authority of Ordinance No. 1273-97, passed October 20, 1997 which on the basis of the estimated quantity would amount to Two Hundred Thousand and no/100 Dollars, (\$200,000.00), (no discount) 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 commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

## Requisition No. 98902

which shall be certified against such contract in the sum of Forty Thousand and no/100 Dollars (\$40,000.00).

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 Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1020-97.**

By Acting Director Sheffield-McClain.

Resolved by the Board of Control of the City of Cleveland that the bid of Grinnell Fire Protection Systems for the following: Purchase of an Identification Badge Management System for the various divisions of the Department of Port Control, received on the 2nd day of October, 1997, pursuant to the authority of Ordinance No. 243-96, passed April 1, 1996, which on the basis of order quantity would amount to \$46,850.00, is hereby approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1021-97.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Jack Doheny Supplies Ohio, Inc. for an estimated quantity of six (6) 3-wheel, front high dump street sweepers (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on November 7, 1997, pursuant to the authority of Ordinance No. 918-96, 1476-96, 323-97 & 1113-97 and 799-97, passed June 18, 1996, August 14, 1996, March 24, 1997, July 16, 1997 and June 2, 1997, which on the basis of the estimated quantity would amount to approximately Five Hundred Twenty Eight Thousand Three Hundred Seventy Eight and no/100 Dollars, (\$528,378.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

## Requisition No. 105991

which shall be certified against such contract in the sum of Two Hundred Sixty Four Thousand One Hundred Eighty Nine and no/100 Dollars (\$264,189.00).

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 Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1022-97.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of B & S Transport, Inc. for an estimated quantity of new tires items nos. 4 (Group A); 5 and 13 (Group B); 9 (Group C); 3, 5, 9, 11, 12, and 14 (Group E); 1, 4 and 7 (Group F); 6, 9, 16, 17, 18, and 40 (Group H); 5, 6, 10, 26, 35 and 40 (Group J); 5 (Group K) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on November 7, 1997, pursuant to the authority of Ordinance No. 1151-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Nine Thousand Eight Hundred Eighty Nine and 55/100 Dollars, (\$9,889.55), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

## Requisition No. 106022

which shall be certified against such contract in the sum of Two Thousand and no/100 Dollars (\$2,000.00).

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 Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1023-97.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Ziegler Tire & Supply for an estimated quantity of new tires items: 1, 4, 11, 19, 22 and 27 Group B; items: 3, 7, 9, and 11 Group G; items: 11, 12, 14, 15, 19, 21, 23 thru 27, 30 thru 33, 36, 42, 43 and 45 Group H; items: 6, 17, 19, 22, 36 and 37 Group I; items: 7, 8, 12, 20, 23, 37 and 43 Group J; items: 2, 3 and 8 Group K; item: 5 Group L; item: 8 Group N, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on November 7, 1997, pursuant to the authority of Ordinance No. 1151-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Eighty Nine Thousand Eight Hundred Eighty Four and 22/100 Dollars, (\$89,884.22), (Net 10th prox.), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:



Requisition No. 106025 which shall be certified against such contract in the sum of Five Thousand and no/100 Dollars (\$5,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1024-97.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of The Goodyear Tire and Rubber Company for an estimated quantity of new tires item nos. 1, 2, 3, 5 and 6 (Group A); 2, 3, 6 thru 10, 12, 15 thru 18, 20, 21, 24 thru 26, 28 and 29 (Group B); 1 thru 3 and 5 thru 8, (Group C); 1, 3 and 4 (Group D); 22, 28, 34, 35, 38 and 39 (Group H); 11, 17, 25, 31 and 34 (Group J); 1 and 6 (Group K); 1 thru 4 (Group L); 1 thru 3, 5, thru 7, 10 thru 17 (Group N); 1 thru 8 and 10 thru 13 (Group O) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on November 17, 1997, pursuant to the authority of Ordinance No. 1151-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Three Hundred Seventy Six Thousand Two Hundred Thirty and 46/100 Dollars, (\$376,230.46), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 106024 which shall be certified against such contract in the sum of Twenty Thousand and no/100 Dollars (\$20,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1025-97.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Tire Distributors, Inc. for an estimated quantity of new tires item nos. 14 and 23 (Group B); 4 and 10 thru 14 (Group C); 2 and 5 thru 7 (Group D); 1, 2, 4, 6 thru 8, 10 and 13 (Group E); 2, 3, 5, and 6 (Group F); 1, 2, 5 thru 6, 8, 10, 12 and 13 (Group G); 1 thru 5, 7, 8, 10, 13, 20,

29, 37, 41 and 44 (Group H); 1 thru 5, 7 thru 16, 18, 20, 21, 23 thru 35 and 38 (Group I); 1 thru 4, 9, 13 thru 16, 18, 19, 21, 22, 24, 27 thru 30, 32, 33, 36, 39, 41 and 42 (Group J); 4 and 7 (Group K); 6 (Group L); 1 thru 10 (Group M); 4 (Group N); 1 thru 15 (Group P) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on November 7, 1997, pursuant to the authority of Ordinance No. 1151-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Ninety Five Thousand Nine Hundred Fifty One and 06/100 Dollars, (\$95,951.06), (2% - 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 106023 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 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 Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1026-97.**

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the conditional bid of Physio-Control Corp. for an estimated quantity of Lifepak 10 Monitor/Defibrillators, (all items), including shipping and handling, for the various divisions of the Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on November 26, 1997, pursuant to the authority of Ordinance No. 1167-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to Fifty-Six Thousand, One Hundred Eighty and no/100 Dollars (\$56,180.00), through December 15, 1997 and to Fifty-Eight Thousand, One Hundred Sixty and no/100 after December 15, 1997 for the duration of the contract term, less an allowance of \$9,000 for the Trade-in of Lifepak 5 units, is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 107340  
6 Monitor/Defibrillators, as specified,  
6 Life Pak 5's trade-in, as specified  
Shipping and handling not to exceed \$350.00

which shall be certified against such contract in the sum of Forty-Seven Thousand, One Hundred Eighty and no/100 Dollars (\$47,180.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1027-97.**

By Director Spellman.

Whereas, pursuant to Resolution No. 838-96, adopted by the Board of Control on November 20, 1996, under the authority of Ordinance No. 201-96, passed by the Cleveland City Council on April 22, 1996, the City entered into Contract No. 50738 with JTO, Inc. for the City's requirements for one year for tree maintenance involving the planting and the trimming of trees in the Downtown Tree Maintenance District, for the Department of Parks, Recreation, and Properties; and

Whereas, the City desires to pay the costs of the work performed under Contract No. 50738 from the proceeds of assessments levied against the benefited properties; and

Whereas, the proceeds of the assessments assessed and levied may only be applied to pay the costs of the tree maintenance after a determination to proceed is made by Cleveland City Council; and

Whereas, Council determined to proceed with the control of blight and disease by replacing, maintaining, trimming, and removing trees in the 1997 Tree Maintenance District by Ordinance No. 1030-97, passed June 9, 1997; and

Whereas, said Resolution No. 838-96 provided that the term of the Contract commence upon the "date of execution of a contract"; and

Whereas, in order to ensure that the costs of tree maintenance by JTO, Inc. would be payable from the proceeds of assessments against benefited properties, the City asked JTO, Inc. to defer commencing work under Contract No. 50738 until passage of Ordinance No. 1030-97; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No. 838-96, adopted on November 20, 1996, hereby is amended by deleting the words "beginning with the date of execution of a contract," and substituting "after the passage of an ordinance by Cleveland City Council to proceed with the work to control blight and disease of shade trees in and along the streets of the 1997 Tree Maintenance District."

Be it further resolved that all other provisions of said Resolution No. 838-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1028-97.**

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

Whereas, City has acquired Permanent Parcel No. 107-10-087 under said Land Reutilization Program; and

Whereas, Ordinance No. 2111-97 passed November 24, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, King S. Norfleet has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2111-97 passed November 24, 1997 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 King S. Norfleet for the sale and development of Permanent Parcel No. 107-10-087, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1,050.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1029-97.**

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

Whereas, City has acquired Permanent Parcel No. 106-18-011 under said Land Reutilization Program; and

Whereas, Ordinance No. 2109-97 passed November 24, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Moton Crawford, Sr. has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2109-97 passed November 24, 1997 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 Moton Crawford, Sr. for the sale and development of Permanent Parcel No. 106-18-011, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1030-97.**

By Director Hamilton.  
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. 108-31-003, 108-31-004 and 108-31-005 under said Land Reutilization Program; and

Whereas, Ordinance No. 1864-97 passed November 17, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Aids Housing Council of Greater Cleveland has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1864-97 passed November 17, 1997 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 Aids Housing Council of Greater Cleveland for the sale and development of Permanent Parcel Nos. 108-31-003, 108-31-004 and 108-31-005 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1031-97.**

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 108-26-035 located at 10617 Earle Avenue, N.E. in Ward 8; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

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

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Rethel Graham for the sale and development of Permanent Parcel No. 108-26-035 located at 10617 Earle Avenue, NE, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1032-97.**

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 139-05-131 located at 14320 Kingsford Avenue, SE in Ward 1; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Anita Stoudenmire, abutting/adjacent landowner, is proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Anita Stoudenmire for the sale and development of Permanent Parcel No. 139-05-131 located at 14320 Kingsford Avenue, SE, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1033-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 123-21-064 located at 4967-71 Mead Avenue in Ward 13; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Andre Prince Thompson, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 13 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Andre Prince Thompson for the sale and development of Permanent Parcel No. 123-21-064 located at 4967-71 Mead Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1034-97.**

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in

accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel Nos. 007-06-097, northerly half and 007-06-058, northerly half, located at West 38th Street in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Gerthold Heer, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcels; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcels are either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcels are neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Gerthold Heer for the sale and development of Permanent Parcel Nos. 007-06-097, northerly half and 007-06-058, northerly half, located at West 38th Street, 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 \$1.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcels for uses in accordance with said Program.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1035-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel Nos. 007-06-058, Southerly half, and 007-06-097, Southerly half located at West 38th Street in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have

been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Charles Fiala, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcels; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcels are either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcels is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Charles Fiala for the sale and development of Permanent Parcel Nos. 007-06-058, Southerly half, and 007-06-097, Southerly half located at West 38th Street, 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 \$1.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcels for uses in accordance with said Program.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

**Resolution No. 1036-97.**

By Director Guzman.

Whereas, Resolution No. 967-97, adopted, November 26, 1997, pursuant to the authority of Ordinance No. 1155-97, passed by the Cleveland City Council August 13, 1997, this Board of Control approved the bid of Perkins Motor Service, Ltd. as the lowest and best for a requirement contract for various automotive and truck parts item nos: 6B, 7D, 15 and 18; and

Whereas, in said Resolution No. 967-97, item #28 was incorrectly stated as item #18; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 967-97, adopted November 26, 1997, hereby is amended to read: Various automotive and truck parts item nos: 6B, 7D, 15 and 28.

Be it further resolved that all other provisions of said Resolution No 967-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.  
Nays: None.  
Absent: None.

JEFFREY B. MARKS,  
Secretary

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

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

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

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

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

FREDDIE J. FENDERSON,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS****MONDAY, DECEMBER 29, 1997****9:30 A.M.**

**Calendar No. 97-253:** 1215 West 10th Street

The Alexander Company Inc., c/o Natalie Bock, owner, and Alyce On The Left Bank Inc., c/o Alyce A. Derethik, tenant, appeal to change use to a brewery (approximately a 4,332 square feet area) a portion of the ground level and mezzanine area at the southwest portion of the six-and-eleven-story masonry irregular shaped nonconforming former warehouse building (National Terminals) located in a Limited Retail Business District on an irregular shaped through parcel to be known as 1215 West 10th Street and extending through to 1200 West 9th Street; said use as a brewery being contrary to the retail limitations of Section 343.22 but subject to the substitution provisions of Section 359.01 of the Codified Ordinances.

**Calendar No. 97-254:** 3430 Rocky River Drive, S.W.

Sisters of St. Joseph, c/o Sister Marietta Starrie, owner, appeals to remodel and convert to administrative offices (for the Sisters' Order) portions of the 150' x 200' 4-story masonry T-shaped convent building on the irregular shaped acreage parcel located in a One-Family District at 3430 Rocky River Drive; said use being contrary to the residence use limitations of Section 337.02 but subject to the approval authority of Section 337.02(f) and said offices to exceed the five persons limitations regulated by Section 337.02 and 343.01(b)(3) of the Codified Ordinances.

**Calendar No. 97-256:** 10011 Euclid Avenue  
Cleveland Clinic Foundation, owner, c/o Brian Smith, and United Cerebral Palsy Association of

Greater Cleveland Inc., c/o Susan Dean, tenant, appeal to erect a 235' x 239' one-and-two-story masonry learning center and administrative offices building (including a workshop, development center and classrooms for a Head Start Program) and to construct a 24-car offstreet parking lot all on the 277' x 282' irregular shaped corner parcel located in a Local Retail District on the northwest corner of East 101st Street and Euclid Avenue at 10011 Euclid Avenue; the 77-employee staff for the administrative offices (located mainly on the second floor) and the other uses on the first floor will exceed the five persons limitations regulated by Section 343.01 and said uses not to be in conformance with the 54-car offstreet parking minimum required by Section 349.04 of the Codified Ordinances.

HUNTER MORRISON,  
Acting Secretary

**REPORT OF THE BOARD OF ZONING APPEALS****MONDAY, DECEMBER 15, 1997**

At the Meeting of the Board of Zoning Appeals on, Monday, December 8, 1997, the following appeals were heard by the Board, and, on Monday, December 15, 1997 were decided by the Board.

The following appeals were **Granted:**

**Calendar No. 97-247:** 6022 and 6024 Superior Avenue

Roberta Jackson and Sonya Green, owners, appealed, under Sections 329.01 (e) and 329.02 (d) from the refusal to approve a lot split.

**Calendar No. 97-250:** 8931-33 Cedar Avenue, S.E.

Charles Scott, owner, and Los Chinos Management Group Inc., c/o Dan Chan, tenant, appealed to convert to a restaurant with 123 seats.

The following appeals were **Refused:**

**Calendar No. 97-241:** 16800 Brookpark Road

Elaine Troutman, owner, and W.P.T. Inc., c/o W. Troutman, tenant, appealed, to expand the usage of the existing tavern to an adult entertainment cabaret.

**Calendar No. 97-245:** 11824 Milan Avenue, S.W.

Annette Tabar, owner, appealed, to change use from a one-family dwelling house to a one-family and a convalescent home for a maximum of six individuals.

The following appeals were **Postponed:**

**Calendar No. 97-251:** 1489 E. 107th Street to January 20, 1998.

**Calendar No. 97-13:** 3741 Ridge Road to June 29, 1998.

**Calendar No. 97-219:** 2210 E. 89th Street to February 17, 1998.

**Calendar No. 97-237:** 7411 St. Clair Avenue, N.E. to January 12, 1998.

HUNTER MORRISON,  
Acting Secretary

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

Re: Report of the Meeting of  
December 10, 1997

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 the subject meeting is given for publication in the City Record:

\* \* \*

**Docket L-15-97.**

RE: Appeal of Ollie Smiley, from a LETTER OF DENIAL FOR RENEWAL OF MASTER PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated November 28, 1997, 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 to permit Mr. Smiley 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. Williams and seconded by Mr. Bowes.

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

\* \* \*

**Dockets A-141-97 to A-167-97.**

RE: Appeal of First Vanguard Corporation, Owner of the Properties located on the premises known as (Various Addresses) from a NOTICE OF VIOLATION — RES. MAINTENANCE of the Commissioner of the Division of Building and Housing dated May 28, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action this date; Dockets A-141-97 to A-167-97 will be rescheduled in approximately two months (2 mos.).

\* \* \*

**Dockets A-169-97 to A-171-97.**

RE: Appeal of Black Economic Union of Ohio, Owner of the Properties located on the premises known as 10510 Parklane Drive from a NOTICE OF VIOLATION — INTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated May 28, 1997, 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 10510 Parklane Drive to the Division of Building and Housing with the condition that the Appellant submit a time-line schedule for completion of the rehabilitation project within two weeks (2 wks.), noting that the City has the right to react to any violations of that schedule, and that the Appellant may readdress the Board on any issue that is appealable. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

**Docket A-310-97.**

RE: Appeal of Associated Estates Management Company, Owner of the Property located on the premises known as 5225 Superior Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated July 28, 1997, 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 consider the compliance date for abatement of the violations to be December 10, 1997. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Denk.

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

\* \* \*

**Docket A-315-97.**

RE: Appeal of Associated Estates Management Company, Owner of the Property located on the premises known as 1990 Ford Avenue (aka 11309-45 Euclid Avenue) from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated July 15, 1997, 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 consider the compliance date for abatement of the violations to be December 10, 1997, with the following exceptions:

(1) That a six month (6 mo.) extension be granted, until June 1, 1998, for the penetration in the basement;

(2) That the improper walls and the stairwells be permitted to exist with the addition of automatic smoke detectors in the basement areas be connected;

(3) That a six month (6 mo.) extension be granted for the plywood bathroom panels;

(4) That the compliance date for repair of the ventilation in the approximate 100 bathrooms be February 1, 1998;

(5) That the masonry repairs begin in the spring and be completed by July 1, 1998;

(6) That the electrical and plumbing repairs in the basement be completed by February 1, 1998;

(7) That the time-lines for the work be submitted to the Division of Building and Housing for their use and approval in complying with these dates and that the time-lines be adhered to;

(8) That testimony be provided by the Fire Prevention Bureau and the Appellant on the construction of the fire doors; to be reviewed at the next Board meeting and acted upon as required. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Denk.

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

\* \* \*

**Docket A-339-97.**

RE: Appeal of Associated Estates Corporation, Owner of the Property located on the premises known as 1575 East Boulevard from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and

Housing dated August 21, 1997, 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 consider the compliance date for abatement of the violations to be December 10, 1997 with the following exceptions:

(1) That May 1, 1998 will be considered the compliance date for completion of the repairs of the roofing, the gutters, the removal and/or repair of the garages, and the proper placement of the bumper stops;

(2) That January 1, 1998 will be considered the compliance date for the painting and repair of the dry-wall in the penthouse and the boiler room. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Denk.

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

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**Docket A-350-97.**

RE: Appeal of Associated Estates Management Company, Owner of the Property located on the premises known as 6201 Franklin Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated September 2, 1997, 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 consider the compliance date for abatement of the violations to be December 10, 1997, with the exception that the replacement of the carpeting completion date is moved to March 1, 1998. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

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**Docket A-351-97.**

RE: Appeal of Associated Estates Corporation, Owner of the Property located on the premises known as 4221 Fulton Parkway Road (aka 4221-23-25 Fulton Parkway Road) from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated September 2, 1997, 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 consider the compliance date for abatement of the violations to be December 10, 1997. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

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**Docket A-352-97.**

RE: Appeal of Associated Estates Corporation, Owner of the Property located on the premises known as 4221-39 Fulton Parkway Road from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated September 2, 1997, 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 consider the compliance date for abatement of the violations to be December 10, 1997. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Denk.

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

\* \* \*

**Dockets A-355-97 to A-369-97.**

RE: Appeal of Vanguard Phase I Company, Owner of the Properties located on the premises known as (Various Addresses) from a NOTICE OF VIOLATION — NO PERMIT of the Commissioner of the Division of Building and Housing dated September 9, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action this date; Dockets A-355-97 to A-369-97 will be rescheduled in approximately two months (2 mos.).

\* \* \*

**Docket A-374-97.**

RE: Appeal of Spring Hill Villa Development Co., Owner of the Property located on the premises known as 4330 Jennings Road from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated September 24, 1997, 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 consider the compliance date for abatement of the violations to be December 10, 1997, with the exception of sprinkling of the common areas in lieu of smoke detectors, or requesting that the Division of Building and Housing review this for the possibility of an adjudication order. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

\* \* \*

**Docket A-390-97.**

RE: Appeal of Lakeshore Club Residence, Owner of the Property located on the premises known as 123 East 156th Street from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated October 16, 1997, 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 consider the compliance date for abatement of the violations and 123 East 156th Street to be December 10, 1997, with the following exceptions.

(1) That the repairs associated with window replacement and water damage be completed by July 1, 1998;

(2) That repairs to the driveway and parking lot be completed by July 15, 1998;

(3) That the exterior falling be extended to July 15, 1998;

(4) That the balcony railing be extended to May 1, 1998;

(5) That the fire door latches be extended to February 1, 1998;

(6) That the paint repairs be extended to March 1, 1998. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

\* \* \*

#### Docket A-391-97.

RE: Appeal of Lakeshore Villa, Owner of the Property located on the premises known as 125 East 156th Street from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated October 16, 1997, 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 consider the compliance date for abatement of the violations at 125 East 156th Street to be December 10, 1997, with the following exceptions, and noting that the time-line compliance schedule for the items not to be abated by December 10, 1997 be submitted to the Division of Building and Housing within two weeks and that the tenants affected by the balcony rails be notified immediately:

(1) That repair of the board fence be extended to February 1, 1998;

(2) That the access panels be extended to July 15, 1998;

(3) That window replacement be completed by July 1, 1998;

(2) That repairs to the driveway and parking lot be completed by July 15, 1998;

(3) That the exterior falling be extended to July 15, 1998;

(4) That repair of the balcony railing be extended May 1, 1998;

(5) That the fire door latches be extended to February 1, 1998;

(6) That the paint repairs be extended to March 1, 1998. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

\* \* \*

#### Docket A-396-97.

RE: Appeal of The Salvation Army, Owner of the Property located on the premises known as 5003 Euclid Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated October 30, 1997, 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 request for variance and require that the Codified Ordinance of the City of Cleveland be met to defer the development of the facility located at 5003 Euclid Avenue. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

\* \* \*

#### EXTENSION OF TIME:

##### Docket A-302-97 — Ted Page — 2323 East 76th Street:

A motion is in order at this time to grant the Appellant's request for a three month (3 mo.) "Extension of Time" on the permits, with the requirement that the property be maintained boarded and secured and the grounds debris free during that period of time; and that the Appellant is not allowed to occupy the premises until the electrical, plumbing and heating hazards have been abated in accordance with the inspector's comments. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

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

\* \* \*

#### APPROVAL OF RESOLUTIONS:

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

A-330-97—Sharon L. Hoey  
A-385-97—The Cleveland Clinic Foundation

A-389-97—Ann-Marie Olgetree

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

\* \* \*

#### APPROVAL OF MINUTES:

Separate motions were entered by Mr. Bowes and seconded by Mr. Saunders for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

November 25, 1997

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

\* \* \*

JOSEPH F. DENK,  
CHAIRMAN

#### PUBLIC NOTICE

The following are in violation of C.O. 623.14:

Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

Richard Norris, last known address, 10127 South Blvd., Apartment 2, Cleveland, Ohio 44108.

#### NOTICE OF PUBLIC HEARING

NONE

2054

#### 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."

#### TUESDAY, DECEMBER 30, 1997

Labor and Materials to Repair Water Mains and Appurtenances, for the Division of Water, Department of Public Utilities.

A MANDATORY PRE-BID MEETING WILL BE HELD ON FRIDAY, DECEMBER 19, 1997, 10:00 A.M. IN AUDITORIUM A OF THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 10, 1997 and December 17, 1997

#### WEDNESDAY, DECEMBER 31, 1997

Labor and Materials to Repair Tree Lawns, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

December 10, 1997 and December 17, 1997

#### WEDNESDAY, JANUARY 7, 1998

Crown Water Works Expansion - Rehabilitation and Expansion Auxiliary Space Heating For Administration Building, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 965-93, passed by the Council of the City of Cleveland, July 14, 1993.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON MONDAY, DECEMBER 22, 1997, 10:00 A.M. IN AUDITORIUM A. OF THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**Computer Horizontal Wiring**, for the Division of Information Systems Services, Department of Finance, as authorized by Ordinance No. 100-95, passed by the Council of the City of Cleveland, February 13, 1995.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, DECEMBER 18, 1997, 10:00 A.M. IN THE FINANCE DIRECTOR'S CONFERENCE ROOM, CITY HALL, 601 LAKESIDE AVENUE, ROOM 104.

**Rearrangement of Feeder "P" and Removal of Feeder "R,"** for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 1286-97, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON THURSDAY, DECEMBER 18, 1997, 10:00 A.M. IN THE ENGINEERING CONFERENCE ROOM, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

December 10, 1997 and December 17, 1997

#### THURSDAY, JANUARY 8, 1998

**Photo Supplies**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 221-97, passed by the Council of the City of Cleveland, April 14, 1997.

**Rehabilitation/Reconstruction of East 123rd St./Arlington Avenue/East 125th Street (Superior Avenue-St. Clair Avenue)**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1330-96 and 1471-96, passed by the Council of the City of Cleveland, July 17, 1996 and October 14, 1996, respectively.

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

**Various Safety Equipment (Breathing Apparatus)**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1167-97, passed by the Council of the City of Cleveland, August 13, 1997.

December 10, 1997 and December 17, 1997

#### FRIDAY, JANUARY 9, 1998

**Cleveland Water Waste Disposal Contract**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 974-93, passed by the Council of the City of Cleveland, June 14, 1993.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, DECEMBER 19, 1997, 2:00 P.M., IN THE DIRECTORS CONFERENCE ROOM, CARL B. STOKES UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 10, 1997 and December 17, 1997

#### WEDNESDAY, JANUARY 7, 1998

**Site Structures for the Consolidated Rental Car Facility**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 561-97, passed by the Council of the City of Cleveland.

A NON-REFUNDABLE FEE 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 TUESDAY, DECEMBER 30, 1997, 9:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

**Site Lighting for the Consolidated Rental Car Facility**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 561-97, passed by the Council of the City of Cleveland.

A NON-REFUNDABLE FEE 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 TUESDAY, DECEMBER 30, 1997, 10:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

**Signage Package for the Consolidated Rental Car Facility**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 561-97, passed by the Council of the City of Cleveland.

A NON-REFUNDABLE FEE 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 TUESDAY, DECEMBER 30, 1997, 11:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

December 17, 1997 and December 24, 1997

#### THURSDAY, JANUARY 8, 1998

**FRE Conduit and Fittings**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

**Pre-Sort Mail Service**, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 2225-96, passed by the Council of the City of Cleveland, December 16, 1996.

**Life Safety Rope Upgrade**, for the various divisions of the Department of Public Safety, as authorized by Ordinance No. 1167-97, passed by the Council of the City of Cleveland, August 13, 1997.

**Continental Airlines Structural Steel**, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

A DEPOSIT OF TWO HUNDRED FIFTY DOLLARS (\$250.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. DOCUMENTS ARE AVAILABLE FROM MORSE DIESEL INTERNATIONAL, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135 PHONE (216) 265-4880. BIDS WILL BE RECEIVED AT CONTINENTAL AIRLINES, INC., R.O.C. BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135 TO THE ATTENTION OF BILL FRASER UNTIL 3:00 P.M. THURSDAY, JANUARY 8, 1998.

December 17, 1997 and December 24, 1997

#### WEDNESDAY, JANUARY 14, 1998

**Upgrading Terminal HVAC Systems - Phase I - Refrigerant**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 2241-94, passed by the Council of the City of Cleveland, May 8, 1995.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 30, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

**Upgrading Terminal HVAC Systems - Phase I - Air Handlers**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 2241-94, passed by the Council of the City of Cleveland, May 8, 1995.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 23, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

December 17, 1997 and December 24, 1997

**ADOPTED RESOLUTIONS  
AND ORDINANCES**

**Res. No. 2159-97.**

**By Councilman Johnson.**

**An emergency resolution objecting to the stock transfer of a D5 Liquor Permit to 10201-03 Manor Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D5 Liquor Permit to Permit No. 1173221, C 2 Ardel Corp. Inc., DBA Bobs Bar & Deli, 10201-03 Manor Avenue, Cleveland, Ohio 44104; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the stock transfer of a D5 Liquor Permit to Permit No. 1173221, C 2 Ardel Corp. Inc., DBA Bobs Bar & Deli, 10201-03 Manor Avenue, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted December 8, 1997.

Effective December 14, 1997.

**Res. No. 2163-97.**

**By Councilmen Coats and Polensek.**

**An emergency resolution urging CRES - COR Corporation to reconsider its decision to leave the City of Cleveland and urging the State of Ohio to deny the Company's request for tax abatement in the City of Mentor.**

Whereas, CRES - COR Corporation has announced its decision to leave the City of Cleveland and relocate its business operations to the City of Mentor; and

Whereas, this Council understands that the company has applied for tax abatement with the City of Mentor; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland hereby urges CRES - COR Corporation to reconsider its decision to leave the City of Cleveland and relocating its business in the City of Mentor and urges the State of Ohio to deny the Company's request for tax abatement.

**Section 2.** That the Clerk of Council be and she hereby is directed to transmit a certified copy of this resolution to the President of CRES - COR Corporation and the Director of Development, State of Ohio.

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

Adopted December 8, 1997.

Effective December 14, 1997.

**Ord. No. 2158-97.**

**By Councilman Skrha.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Tremont West Development Corporation to hang thirty-two (32) Christmas Wreaths on both C.E.I. and C.P.P. utility poles (by separate permission) on various streets in the Tremont Area for the period of December 1, 1997 to January 8, 1998, inclusive, to celebrate the Holiday Season.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to The Tremont West Development Corporation 2190 Professor Street, Cleveland, Ohio 44113; to install, maintain and remove thirty-two (32) Christmas Wreaths on portions of the following streets around Lincoln Park in the Tremont Area: Kenilworth Avenue, Starkweather Avenue, Literary Avenue, Tremont Avenue, Fairfield Avenue, Professor Avenue, West 10th Street, West 11th Street, and West 14th Street, and as more fully described in File No. 2158-97-A, filed with the Clerk of Council of the City of Cleveland; for the period from December 1, 1997 to January 8, 1998, inclusive. Said Wreaths shall be approved by the Director of Public Safety, as to type, method of affixing and location so as not inter-

fere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a wreath will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said wreaths and said wreaths shall be removed promptly upon the expiration of said permit.

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

Passed December 8, 1997.

Effective December 14, 1997.

**Ord. No. 2161-97.**

**By Councilman Westbrook.**

**An emergency ordinance to amend Section 11 of Ordinance No. 561-97, passed June 2, 1997, relating to the expansion and improvement of Cleveland Hopkins Municipal Airport**

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

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

**Section 1.** That Section 11 of Ordinance No. 561-97, passed June 2, 1997 is hereby amended to read as follows:

"Section 11. That the President of Council is hereby authorized to employ by contract one or more firms of consultants for the purpose of supplementing the regularly employed staff of the office of the Council in order to provide professional services necessary to monitor all noise abatement programs, and expansion, improvement and master plan activities to be undertaken at Cleveland Hopkins International Airport, including, but not limited to, the Expansion Program and the Expansion Program Improvements set forth in this ordinance and all activities contemplated to be undertaken with the proceeds of the financing authorized in Ordinance Nos. 923-97 and 2044-97. The selection of those consultants for such services shall be made by the President of Council after the use of requests for proposals for the purpose of determining and compiling a list of qualified consultants. The compensation to be paid for such services shall be fixed by the President. The contracts authorized by this Section 11 shall be certified by the Director of Finance and approved by the President of Council."

**Section 2.** That existing Section 11 of Ordinance No. 561-97, passed June 2, 1997 is hereby repealed.

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

Passed December 8, 1997.

Effective December 17, 1997, without the signature of the Mayor.



**Ord. No. 2162-97.**  
**By Councilmen Westbrook, Pat-**  
**mon, Patton, White, Robinson, John-**  
**son, Jackson, Britt, Lewis, Willis,**  
**Coats, Polensek, Rybka, Skrha,**  
**Smith, Gordon, Melena, Zone,**  
**Sweeney and Dolan.**

**An emergency ordinance author-**  
**ing and directing the Director of**  
**Economic Development to enter into**  
**a contract with The P. W. Publish-**  
**ing Company to provide economic**  
**development assistance to assist the**  
**company in continuing its opera-**  
**tions and retaining 50 jobs in the**  
**Empowerment Zone of the City of**  
**Cleveland.**

Whereas, The P. W. Publishing Company was established in 1916; and

Whereas, The P. W. Publishing Company is one of the largest, oldest and most respected African American publishing companies in the United States and is the publisher of The Call & Post newspaper, which publishes four separate editions in the state of Ohio. The Call & Post is one of only a handful of African American newspapers across the United States that has separate editions serving multiple markets; and

Whereas, The Call & Post has a circulation of approximately 33,000 statewide with a readership of approximately 120,000; and

Whereas, in December of 1995, The P. W. Publishing Company filed for Chapter 11 protection with the United States Bankruptcy Court and has since filed an original and amended plan of reorganization with the Court. The Court has recently appointed a Trustee in connection with this action (hereinafter the "Trustee"); and

Whereas, economic development financial assistance from the City of Cleveland is crucial to assisting The P. W. Publishing Company to continue its operations in the City of Cleveland and the retention of approximately 50 employees, all of whom are minority persons; and

Whereas, this economic development financial assistance to an African American business is appropriate to carry out the economic development project of retaining

approximately 50 jobs to minority persons in the Empowerment Zone of the City of Cleveland, with the additional public benefit of retaining a long-standing Cleveland corporate citizen and a public asset to the Cleveland community; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public property, health and safety and 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, subject to the conditions set forth in Section 2 of this ordinance, the Director of Economic Development is hereby authorized and directed to enter into a contract with The P. W. Publishing Company to provide economic development assistance in order to retain approximately 50 jobs to minority persons in the Empowerment Zone of the City of Cleveland.

**Section 2.** That, prior to entering into the contract authorized in Section 1 of this ordinance, The P. W. Publishing Company shall have: (a) received the approval of the Trustee, and, if required, the approval of the U.S. Bankruptcy Court, of a business/reorganization plan for the company, which plan includes payment plans dealing with delinquent taxes and which recognizes the conditions contained in Section 2 and Section 3 of this ordinance; and (b) received the prior consent of this Council of an event which changes the current ownership structure of The P. W. Publishing Co., including a sale, assignment, or transfer of the assets of the company.

**Section 3.** That the costs of said contract shall not exceed \$400,000 of loan and/or grant funds and shall be paid from Fund No. 17 SF 008 (UDAG repayment funds). The terms of the authorized economic development assistance shall be presented to this Council immediately prior to the time the Trustee approves a business/reorganization plan for submittal to the U.S. Bankruptcy Court.

**Section 4.** That the Director of Economic Development is hereby authorized and directed to accept moneys in repayment and deposit said moneys in Fund No. 17 SF 006.

**Section 5.** That the Director of Law is hereby authorized and directed to prepare said contract and such other documents as are necessary and appropriate to complete the transaction authorized herein.

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

Passed December 8, 1997.

Effective December 17, 1997.

**COUNCIL COMMITTEE MEETINGS**

**Monday, December 15, 1997**

**Committee of the Whole: 9:30 A.M.** — Present: Westbrook, Chairman; Coats, Dolan, Gordon, Jackson, Johnson, Lewis, Melena, Moran, Patmon, Patton, Polensek, Robinson, Rybka, Skrha, Smith, Sweeney, Willis, Zone. Excused: Britt, White.

**Tuesday, December 16, 1997**

**Public Health Committee: 1:30 P.M.** — Present: Robinson, Chairman; Gordon, Jackson. Excused: Zone, Vice Chairman, Britt, Melena, Skrha.

**Legislation Committee: 1:30 P.M.** — Present: Willis, Chairman; Sweeney, Excused; Melena, Vice Chairman, Dolan, Johnson, Rybka, White.

**Wednesday, December 17, 1997**

**Aviation & Transportation Committee: 9:00 A.M.** — Present: Smith, Chairman; Sweeney, Vice Chairman; Dolan, Patmon, Skrha, Willis, White.

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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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East 110th Street, 2637 -- Gary Torme Powell (O 1863-97).....	2041
East 70th Street, 3435 -- John T. Russell Jr. (O 1656-97) .....	2041
East 71st Street, 2221 -- Rudolph and Gladys Y. Westbrook (O 1964-97).....	2043
East 72nd Place, 1225 -- Tahiuurah S. Mujahid (O 187-95) .....	<b>2046-T</b>
East 78th Street, 1157 -- Gregory A. Carter (O 1880-97).....	2042
East 98th Street, 1132 -- Arthur Lee Young (O 1312-97) .....	2040
Elston Avenue, 1514, 1518, and 1602 -- David Auldie Kennedy (O 1455-97).....	2040
Euclid Avenue, 8401-19 -- Fairfax Renaissance Development Corporation (O 2193-97).....	2031
Kinsman Road, S.E. 11701-07 -- Terry Kordiac (O 2034-93).....	<b>2045-T</b>
Kinsman Road, 11908 -- Jericho Missionary Baptist Church (O 487-94) .....	<b>2046-T</b>
Kinsman Road, 6822-28 -- Casell Moore (O 1653-97) .....	2041
Laisy Avenue, 9199 -- Clentana Y. Stewart (O 1654-97).....	2041
Lena Avenue, 12216 -- Kenneth M. and Lorraine M. Busler (O 1657-97) .....	2041
Medina Avenue, 8024 -- Willa Bailey and Gail Thomas (O 1882-97) .....	2042
Medina Avenue, 8208 -- Bonnie J. Jones (O 1883-97) .....	2042
Parkwood Drive, 998 -- Toya J. Johnson (O 1081-97).....	2040
West 36th Street, 3739 -- Joseph P. O'Donnell, III (O 2281-92).....	<b>2045-T</b>
West 50 Street, 3160 -- James E. and Ruth Ann Ogle (O 1778-97).....	2041

**Lead Paint**

Lead Program -- Detroit-Shoreway Community Development Organization - University Settlement -- Association of Parents to Prevent Lead Exposure -- Cleveland Housing Network -- contract to operate various lead abatement programs (O 2186-97) .....	2030
Lead Program subgrantees -- employ professional consultants to provide evaluations, effectiveness and longevity -- Health Department (O 2187-97) .....	2030

**Lease by Way of Concession**

Innovative Foods, Inc. -- operation of food and beverage concessions -- Gordon Park and Brookside Park -- Parks, Recreation and Properties Department (O 1862-97).....	2041
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**Leases**

Hough Multi-Service Center -- enter into and execute lease agreements for space -- Parks, Recreation and Properties Department (O 2192-97) .....	2041
Lease -- property at West Pier of the Cuyahoga River -- access to former Coast Guard Station -- Parks, Recreation and Properties Department (O 2230-94) .....	<b>2046-T</b>
Passenger carriers, electric -- lease with option to purchase -- Lehigh Municipal Leasing -- Cleveland Hopkins International Airport. (O 1967-97).....	2044

**Licenses**

Section 676.04 --junk dealer license, scrap metal processor license -- extend expiration dates for existing licenses until March 16, 1998 (O 2204-97).....	2034
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**Limousines**

Amend Sections 443.01, 443.011, 443.02, .023, .05, .08, .09, .10, .13, .131, .18, .20, .21, .32, .34, and 443.35 -- taxicabs and limousines -- 401.221 and 443.06 defining limousine and insurance -- repeal Sections 443.06, .07, .33 (O 1147-95) .....	<b>2046-T</b>
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**Liquor Permits**

Lorain Avenue, 9601 (Ward 18) -- object to transfer of ownership of D5 and D6 permit (R 2209-97) .....	2036
Manor Avenue, 10201-03 (Ward 4) -- objection to stock transfer of D-5 permit (R 2159-97) .....	<b>2056</b>
Payne Avenue, 3133 (Ward 13) -- withdraw objection to transfer of ownership of C1 and C2 permits -- repeal Res. No. 915-97 (R 2210-97) .....	2036
Quincy Avenue, 8502 (Ward 6) -- withdraw objection to transfer of ownership of C2 and C2X permit -- repeal Res. No. 328-96 (R 2208-97) .....	2036

**Luke Easter Park**

Luke Easter Park -- public improvements, pursuant to "Settlement Agreements" (O 1965-97).....	2043
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**Mayor's Appointments**

Swansinger, Patricia -- Fair Housing Board for term expiring March 31, 1998 -- Mayor's Appointment (F 2179-97).....2027

**Mayor's Office**

Section 613.99, amended -- Ordinance No. 1695-65, passed October 18, 1965 -- penalties for littering (O 1554-90)..... 2045-T

**Moral Claims**

Moral Claims -- pay claimants (O 2078-97) .....2044

**Motor Vehicle Maintenance Division (MVM)**

Vehicle seat repair -- Motor Vehicle Maintenance (O 2025-97) .....2043

**No Right Turn**

Section 413.10 -- Establish "No Right Turn" in Ward 14 at the intersection of State and Oakpark all directions -- amend File No. 106-76 in the Clerk of Council's Office. (O 2188-97).....2030

**Northern Ireland**

Section 181.36 of the Codified Ordinances as amended by Ord. No. 595-92 -- relating to the compliance with fair employment practice in Northern Ireland (O 858-92)..... 2045-T

**Ohio Bell Telephone Company**

Easement -- Ohio Bell Telephone Company -- Emery Playfield -- Parks, Recreation and Properties Department (O 148-93)..... 2045-T

**Ohio Department of Health**

1998 State Child Lead Poison Prevention Program -- apply for and accept grant --\$75,844,00--Ohio Department of Health (O 2040-97) .....2044

**Ohio Environmental Protection Agency**

Division of Environment -- apply for and accept grants for operation -- \$511,423 from U.S. Environmental Protection Agency, \$1,149,050, \$392,995 City's matching fund. (O 2043-97).....2044

**Ohio Revised Code**

Submission to the electors of City of Cleveland of an initiative petition proposing to enact new Section 23-1 of Charter -- limitations on campaign contributions and expenditures (O 381-94)..... 2045-T

**Parks Maintenance Division**

Landscaping and maintenance services -- various City properties -- contract of labor and materials -- Parks Maintenance and Properties Department (O 2191-97).....2031

**Parks, Recreation and Properties Department**

Amend 133.29 -- golf course rates (O 1787-96)..... 2047-T  
Contract -- Cleveland Board of Education to conduct recreational, cultural and extracurricular programs (O 1648-97) .....2041  
Easement -- Ohio Bell Telephone Company -- Emery Playfield -- Parks, Recreation and Properties Department (O 148-93)..... 2045-T  
Elevators and escalators -- labor and materials to service and maintain -- Convention Center and Stadium (O 2034-97) .....2043  
Enter into an agreement with Apcoa, Inc. to manage certain parking facilities (O 1786-96)..... 2047-T  
Hough Multi-Service Center -- enter into and execute lease agreementsfor space -- Parks, Recreation and Properties Department (O 2192-97) .....2041  
Innovative Foods, Inc. -- operation of food and beverage concessions -- Gordon Park and Brookside Park -- Parks, Recreation and Properties Department (O 1862-97) .....2041  
Landscaping and maintenance services -- various City properties -- contract of labor and materials -- Parks Maintenance and Properties Department (O 2191-97).....2031  
Lease -- property at West Pier of the Cuyahoga River -- access to former Coast Guard Station -- Parks, Recreation and Properties Department (O 2230-94) ..... 2046-T  
Lease by way of concession to the Buckeye Area Development Corporation -- not to exceed one year (O 427-97) ..... 2047-T

Luke Easter Park -- public improvements, pursuant to "Settlement Agreements" (O 1965-97).....	2043
Village of Highland Hills -- lease agreement -- Parks, Recreation and Properties (O 347-91).....	<b>2045-T</b>

**Permits**

Tremont Area, various streets -- Tremont West Development Corporation -- 32 Christmas wreaths (O 2158-97) .....	<b>2056</b>
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**Petitions**

Campaign contributions and expenditures limitations --submit to electors of the City new Charter Sections 23-1 through 23-8. (O 306-94) .....	<b>2045-T</b>
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**Police Division**

Police Records Management System -- contract -- Anacomp --archiving, conversion and retrieval services (O 2190-97) .....	2031
Sections 135.53 and 135.54 enact of the Codified Ordinances -- law enforcement information contracts and purchases -- Police Division (O 157-93).....	<b>2045-T</b>
Third District Police Station -- renovate and rehabilitate -- contract-- Amend Ord. No. 2053-97, Sections 1 and 2 (O 2189-97).....	2030

**Port Control Department**

Airfield signage -- labor and materials to install, replace or repair -- contract -- Port Control (O 2183-97).....	2028
Determining the method of making the public improvement of replacing various electric feeders, upgrading various electrical vaults and installing associated appurtenances (O 1286-97).....	2040
Employ one or more professional consultants -- provide engineering and environmental services -- design the construction of the consolidated airfield maintenance facility (O 1285-97).....	2040
Employ one or more professional consultants to provide engineering services -- design a truck parking area to provide spill prevention (O 1284-97) .....	2040
Employ one or more professional consultants to provide engineering and environmental services -- provide updated airfield mapping at Cleveland Hopkins International Airport (O 1289-97) .....	2040
Improvement of repairing and refurbishing the spectator deck (O 1464-97) .....	2041
Passenger carriers, electric -- lease with option to purchase -- Lehigh Municipal Leasing -- Cleveland Hopkins International Airport. (O 1967-97).....	2044

**Public Hacks**

Section 443.261 of Codified Ordinances, amend -- Public Hacks -- capping expenses -- (O 2207-97).....	2035
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**Purchases**

Breathing apparatus, gas testers, and explosive meters -- labor and materials to repair -- Fire Division. (O 1933-97).....	2042
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**Purchases and Supplies Department**

NorthStar Equipment Corp. -- Cleveland Industrial Parkway -- sell property on southeast corner of the intersection of Johnston Parkway and Seville Avenue to NorthStar Industrial Development Company Ltd. -- amend Ord. No. 388-97 (O 2201-97) .....	2033
Purchase seven sites for land assembly and future redevelopment -- locations in the City of Cleveland (O 383-97).....	2037

**Purchases/Contracts**

Contract No. 47152 -- Morse Diesel International -- Cleveland Public Power -- Utilities Department (O 1817-95).....	<b>2046-T</b>
Inmate clothing, bedding and shoes -- Correction Division -- Health Division (O 1861-97).....	2044

**Real Estate**

NorthStar Equipment Corp. -- Cleveland Industrial Parkway -- sell property on southeast corner of the intersection of Johnston Parkway and Seville Avenue to NorthStar Industrial Development Company Ltd. -- amend Ord. No. 388-97 (O 2201-97) .....	2033
Village of Highland Hills -- lease agreement -- Parks, Recreation and Properties (O 347-91).....	<b>2045-T</b>

**Recognitions**

Evans, Ewatis (R 2230-97) ..... 2028

**Recreation Division**

Luke Easter Park -- public improvements, pursuant to "Settlement Agreements"  
(O 1965-97)..... 2043

**Regional Transit Authority**

East 159th Street and Chagrin Boulevard in Shaker Heights to the Regional Transit  
Authority -- sell air rights (O 1176-94)..... 2046-T

**Repealed Ordinances and Resolutions (Noncodified)**

Amend title and Section 4 of Ordinance No. 1097-85, passed June 24, 1985 -- designating  
area as proposed Urban Jobs and Enterprise Zone -- Economic Development Department  
(O 1872-94)..... 2046-T

**Resolutions -- Miscellaneous**

Council's support for continued State Head Start funding for the Economic Opportunities  
in Greater Cleveland (CEOGC) Head Start Program (R 1866-93) ..... 2045-T  
Endorsing the "must carry" provision of U.S. Senate Bill No. 12 and opposing Breaux  
amendment to S.B. 12 (R 2060-91) ..... 2045-T

**Safety Department**

Accept grant -- Ohio Department of Public Safety 1997-98 Fire EMT Training Grant  
(O 1779-97)..... 2041  
Amend Section 111.08 as amended by Ordinance No. 81-56, passed March 12, 1956 -- refusal  
to obey subpoena or produce evidence -- Safety Department (O 521-95) ..... 2046-T  
Amend Sections 443.01, 443.011, 443.02, .023, .05, .08, .09, .10, .13, .131, .18, .20,  
.21, .32, .34, and 443.35 -- taxicabs and limousines -- 401.221 and 443.06 defining  
limousine and insurance -- repeal Sections 443.06, .07, .33 (O 1147-95) ..... 2046-T  
Amend Sections 628.02, 628.03, 628.04, 628.99, 674.01, 674.02, 674.04, 674.05, 674.06,  
674.09 -- enacting new Sections 674.041, 674.051 and 674.052 -- regulating firearms  
(O 52-94)..... 2045-T  
Amend Sections 668.02 and 668.12, as amended by various ordinances -- enacting new Section  
668.13 -- billiard rooms -- Safety Department (O 1661-95) ..... 2046-T  
Amend Sections 698.02, 698.03, 698.05 and 698.06 -- enacted by Ordinance No. 1290-A-43  
-- passed October 22, 1945 -- ticket brokers (O 1085-95)..... 2046-T  
Breathing apparatus, gas testers, and explosive meters -- labor and materials to repair  
-- Fire Division. (O 1933-97)..... 2042  
Enacting Section 629.09 -- retail sale off premises of glass beverages -- Safety  
Department (O 2288-A-95)..... 2036  
Enacting new Chapter 686, Sections 686.01 to 686.10, and 686.99 -- Ambulance Service  
(O 1022-90)..... 2045-T  
Enacting new Section 123.09 -- establishment of an office and director of internal affairs  
(O 1114-94)..... 2046-T  
Enacting new Section 451.32 -- parking exemption for the Mayor -- Safety Department  
(O 2226-94)..... 2046-T  
Enacting new Section 607.21 -- telephone signaling devices; sale to minors -- Safety  
Department (O 464-95)..... 2046-T  
Enacting new Section 613.16 -- improper disposal of glass containers -- Safety Department  
(O 1129-96)..... 2046-T  
Establish "No Right Turns" at specific intersections -- amend schedule on file No. 107-76,  
pursuant to Section 413.06 -- full-time prohibitions (O 879-89)..... 2045-T  
Grant -- Law Enforcement for the Police Accreditation Grant -- Safety Department  
(O 1182-94)..... 2046-T  
Police Records Management System -- contract -- Anacomp --archiving, conversion and  
retrieval services (O 2190-97) ..... 2031  
Section 613.99, amended -- Ordinance No. 1695-65, passed October 18, 1965 -- penalties  
for littering (O 1554-90)..... 2045-T  
Third District Police Station -- renovate and rehabilitate -- contract-- Amend Ord. No.  
2053-97, Sections 1 and 2 (O 2189-97)..... 2030

**Service Department**

Amend Section 2 of Resolution No. 483-95 passed June 5, 1995 -- relating to the formation  
of the Cleveland Theater District as a special improvement District (R 1746-97)..... 2044  
Disposal of construction and demolition debris -- contract of labor and materials -- Waste  
Collection and Disposal Division (O 2184-97)..... 2028  
Solid waste disposal services --contract -- Waste Collection and Disposal Division  
(O 2185-97)..... 2029  
Vacate portions of W. 44th Pl. -- 1st Alley North -- of Detroit & East of W. 44th  
Pl. (R 1662-97)..... 2044  
Vehicle seat repair -- Motor Vehicle Maintenance (O 2025-97) ..... 2043

**Sewers**

Erieside and West 3rd Street area pump station, force mains and sanitary sewer -- construct and reconstruct-- public improvement (O 2020-97) .....	2043
West 10th Street and St. Clair -- construct and reconstruct -- public improvement (O 2021-97).....	2043

**Special Revenue Funds**

\$4,374,899 -- various divisions of the General -- \$1,200,000 -- within the Special Revenue Fund --\$203,512 Internal Service Fund -- \$3,818,584 --Enterprise Fund -- \$386,575 --transfer (O 2098-97) .....	2044
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**State of Ohio**

CRES - COR Corporation -- reconsider decision to relocate in City of Mentor -- request State of Ohio to deny request for Tax abatement (R 2163-97).....	2056
Endorsing the "must carry" provision of U.S. Senate Bill No. 12 and opposing Breaux amendment to S.B. 12 (R 2060-91) .....	2045-T

**Statement of Work Acceptance**

Contract No. 50646 for City Hall Carpeting, Phase I from the Division of Architecture. (F 2178-97) .....	2027
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**Street-Vacation**

Vacate portions of W. 44th Pl. -- 1st Alley North -- of Detroit & East of W. 44th Pl. (R 1662-97) .....	2044
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**Streets - Vacation**

East 3rd Street (formerly Hickox Street) -- vacate a portion. (O 1938-97) .....	2043
Elk Avenue, N. E., -- intention to vacate a portion (R 2203-97).....	2034
Penn Court S. W. and Unnamed Alley West of West 30th Street -- intention to vacate a portion (R 2196-97).....	2034

**Streets Division**

Establish "No Right Turns" at specific intersections -- amend schedule on file No. 107-76, pursuant to Section 413.06 -- full-time prohibitions (O 879-89).....	2045-T
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**Tax Abatement**

CRES - COR Corporation -- reconsider decision to relocate in City of Mentor -- request State of Ohio to deny request for Tax abatement (R 2163-97).....	2056
NorthStar Equipment Corp.-- consent to assignment of Enterprise Zone Agreement pursuant to Ord. No. 334-97 -- provide for tax abatement for facility to be located in Cleveland Industrial Park -- Economic Development Department (O 2202-97).....	2034
West 25th Street, 1899 -- Metzner Building, L.L.P. -- economic development assistance -- Economic Development Department (O 1867-97) .....	2042

**Terrace Construction Co.**

Sewer replacement -- Contract No. 49485 alterations and modifications -- Terrace Construction Co.-- Public Square Sewer Replacement Project. (O 1936-97) .....	2042
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**Third District Police Headquarters**

Third District Police Station -- renovate and rehabilitate -- contract-- Amend Ord. No. 2053-97, Sections 1 and 2 (O 2189-97).....	2030
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**Ticket brokers**

Section 698.06 of the Codified Ordinances, enacted by Ord. No. 120-A-43, enact -- ticket brokers' regulations (O 26-93) .....	2045-T
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**U.S. Environmental Protection Agency**

Division of Environment -- apply for and accept grants for operation -- \$511,423 from U.S. Environmental Protection Agency, \$1,149,050, \$392,995 City's matching fund. (O 2043-97).....	2044
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**Utilities Department**

Computer system, International Business Machines AS 400 -- contract -- Division of Water  
(O 2182-97).....2028

Concrete rock saw -- rental contract -- Division of Water (O 2181-97)..... 2028

Contract No. 47152 -- Morse Diesel International -- Cleveland Public Power -- Utilities  
Department (O 1817-95)..... **2046-T**

Doan Brook Project, Phase II -- Contract No. 49347 -- make alterations and modifications  
-- Able/SS, Inc. (O 2019-97)..... 2043

Erieside and West 3rd Street area pump station, force mains and sanitary sewer --  
construct and reconstruct-- public improvement (O 2020-97) ..... 2043

PCB oils and contaminated materials, testing and disposing of, and retrofill or filter  
contaminated transformers -- purchase labor and materials -- Cleveland Public Power  
(O 2013-97)..... 2043

Section 523.36, enact -- Council approval for utility expansion outside City boundaries  
(O 1643-92)..... **2045-T**

Sewer replacement -- Contract No. 49485 alterations and modifications -- Terrace  
Construction Co.-- Public Square Sewer Replacement Project. (O 1936-97) ..... 2042

Sidewalks, curbs, driveways and various concrete areas -- repair or replace --contract  
labor and materials -- Cleveland Public Power (O 2015-97)..... 2043

Underground duct line, streetlighting bases, pull boxes -- labor and materials to install  
or repair -- Cleveland Public Power (O 2018-97)..... 2043

Water mains and appurtenances -- labor and materials to repair -- Division of Water  
(O 1935-97)..... 2042

Welders with trailers. three -- contract -- Division of Water (O 2180-97) ..... 2028

West 10th Street and St. Clair -- construct and reconstruct -- public improvement  
(O 2021-97)..... 2043

**Waste Collection and Disposal Division**

Disposal of construction and demolition debris -- contract of labor and materials -- Waste  
Collection and Disposal Division (O 2184-97)..... 2028

Solid waste disposal services --contract -- Waste Collection and Disposal Division  
(O 2185-97)..... 2029

**Water Division**

Computer system, International Business Machines AS 400 -- contract -- Division of Water  
(O 2182-97)..... 2028

Concrete rock saw -- rental contract -- Division of Water (O 2181-97)..... 2028

Water mains and appurtenances -- labor and materials to repair -- Division of Water  
(O 1935-97)..... 2042

Welders with trailers. three -- contract -- Division of Water (O 2180-97) ..... 2028

**Willard Park Garage**

Special Parking Rates at Willard Park Garage for January 5, 1998, only (O 2206-97) ..... 2035

**Zoning**

Establishing Little Italy Historic Landmark District and repealing Ordinance No. 2265-91,  
passed December 16, 1991 (O 1681-94)..... **2046-T**

Puritas Avenue, S. W. north side -- Change the zoning of lands. (O 1533-92)..... **2045-T**

**Zoning--Public Hearings--City Planning Committee**

Aetna Road, S.E. East 71st Street Railroad tracks, Ackley Road, S.E. Morgana Avenue, S.  
E. and East 65th Street (O 914-90) ..... **2045-T**

Amend Section 241.05 -- amended ordinances No. 2015-95 passed December 18, 1995 -- food  
shop licenses and fees (O 932-96) ..... **2046-T**

South of Maplewood Avenue, S.W. to I-480 between Rocky River Drive and Grayton Road, S.W.  
-- change Use and Area Districts (O 1113-94)..... **2046-T**