

The City Record

Official Publication of the City of Cleveland

February the Tenth, Nineteen Hundred and Ninety-Nine

| | |
|-----------------------------|---------------------|
| Mayor | |
| Michael R. White | |
| President of Council | |
| Jay Westbrook | |
| Clerk of Council | |
| Cecelia R. Huffman | |
| Ward | Name |
| 1 | Joseph T. Jones |
| 2 | Robert J. White |
| 3 | Odelia V. Robinson |
| 4 | Kenneth L. Johnson |
| 5 | Frank G. Jackson |
| 6 | Patricia J. Britt |
| 7 | Fannie M. Lewis |
| 8 | William W. Patmon |
| 9 | Craig E. Willis |
| 10 | Roosevelt Coats |
| 11 | Michael D. Polensek |
| 12 | Edward W. Rybka |
| 13 | Joe Cimperman |
| 14 | Nelson Cintron, Jr. |
| 15 | Merle R. Gordon |
| 16 | Michael C. O'Malley |
| 17 | Timothy J. Melena |
| 18 | Jay Westbrook |
| 19 | 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 | Joseph T. Jones | 15601 Lotus Drive | 44128 |
| 2 | Robert J. White | 3760 East 126th Street | 44105 |
| 3 | Odelia V. Robinson | 3448 East 123rd Street | 44120 |
| 4 | Kenneth L. Johnson | 2948 Hampton Road | 44120 |
| 5 | Frank G. Jackson | 2327 East 38th Street | 44115 |
| 6 | Patricia J. Britt | 12402 Britton Drive | 44120 |
| 7 | Fannie M. Lewis | 7416 Star Avenue | 44103 |
| 8 | William W. Patmon | 867 East Boulevard | 44108 |
| 9 | Craig E. Willis | 11906 Beulah Avenue | 44106 |
| 10 | Roosevelt Coats | 1775 Cliffview Road | 44112 |
| 11 | Michael D. Polensek | 17855 Brian Avenue | 44119 |
| 12 | Edward W. Rybka | 6832 Indiana Avenue | 44105 |
| 13 | Joe Cimperman | 3053 West 12th Street | 44113 |
| 14 | Nelson Cintron, Jr. | 3032 Vega Avenue | 44113 |
| 15 | Merle R. Gordon | 1813 Tampa Avenue | 44109 |
| 16 | Michael C. O'Malley | 6710 Brookside Drive | 44144 |
| 17 | Timothy J. Melena | 6110 West Clinton Avenue | 44102 |
| 18 | Jay Westbrook | 10513 Clifton Boulevard | 44102 |
| 19 | 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 - Cecelia R. Huffman, 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 | | | |
| Laura Ann Williams, Director, Office of Equal Opportunity | | | |
| Milan T. Polacek, Executive Assistant for Legislative Affairs | | | |
| DEPT. OF LA W - Cornell P. Carter, Director, Lessie M. Milton, | | | |
| Chief Counsel, Room 106 | | | |
| George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice | | | |
| Center, 8th Fl., Court Towers, 1200 Ontario Street | | | |
| Karen E. Martines, Law Librarian, Room 100 | | | |
| DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean | | | |
| Alford, Manager, Internal Audit | | | |
| DIVISIONS - Accounts - Gayle Goodwin Smith, 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 - Robert Dolan, 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 - Morry Blech, Commissioner | | | |
| Cleveland Public Power - James F. Majer, Commissioner | | | |
| Street Lighting Bureau - Frank Schilling, Acting Chief. | | | |
| DEPT. OF PORT CONTROL - Solomon F. Balraj, Director, | | | |
| Cleveland Hopkins International Airport, 5300 Riverside Drive; | | | |
| Cleveland Hopkins International Airport - Mark D. Vanloh, Commissioner | | | |
| Burke Lakefront Airport - Michael C. Barth, Commissioner | | | |
| DEPT. OF PUBLIC SERVICE - Mark Ricchiuto, Director, Room 113 | | | |
| DIVISIONS - Waste Collection and Disposal - Randell T. Scott, Acting | | | |
| Commissioner, 5600 Carnegie Avenue. | | | |
| Streets - Randell T. Scott, Commissioner, Room 25 | | | |
| Engineering and Construction - JoMarie Wasik, Acting Commissioner, | | | |
| Room 518 | | | |
| Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, | | | |
| Harvard Yards | | | |
| Architecture - Kenneth Nobile, 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 - Eric Myles, Acting Commissioner, Mural Building, 1925 | | | |
| St. Clair Avenue | | | |
| Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 North- | | | |
| field Road | | | |
| DEPT. OF PUBLIC SAFETY - Henry Guzmán, Director, Room 230. | | | |
| DIVISIONS - Police - Martin L. Flask, Chief, Police Hdqtrs. Bldg., 1300 | | | |
| Ontario Street | | | |
| Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue | | | |
| Traffic Engineering & Parking - Mark Ricchiuto, Acting 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 - Nicholas P. Jackson, | | | |
| Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St. | | | |
| DIVISIONS - Convention Center & Stadium - James Glending, | | | |
| Commissioner, Public Auditorium, E. 6th and Lakeside Ave. | | | |
| Property Management - Vernon Robinson, Commissioner, East 49th & | | | |
| Harvard | | | |

| | | |
|---|-----------|--|
| Parking Facilities - Dennis Donahue, 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 - Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport | | |
| DEPT. OF COMMUNITY DEVELOPMENT - Linda M. Hudecek, Director, | | |
| 3rd Floor, City Hall. | | |
| DIVISIONS - Administrative Services - Terrence Ross, Commissioner. | | |
| Neighborhood Services - Louise V. Jackson, Commissioner. | | |
| Neighborhood Development - Donald T. Moss, Commissioner. | | |
| Building & Housing - 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 - Susan E. Axelrod, Director, Room 122 | | |
| COMMUNITY RELATIONS BOARD - Room 11, Dennis D. Dove, 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; Cynthia Sullivan, | | |
| 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, | | |
| Eugene Cranford, Jr., Secretary. | | |
| BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room | | |
| 516, J. F. Denk, Chairman; J. Bowes, James Williams, Alternate Members - | | |
| D. Cox, P. Frank, E. P. O'Brien, Richard Pace, Arthur Saunders, J.S. | | |
| Sullivan. | | |
| BOARD OF REVISION OF ASSESSMENTS - Law Director Cornell P. | | |
| Carter, President; Finance Director Martin L. Carmody, Jr., Secretary; | | |
| Council President Jay Westbrook. | | |
| BOARD OF SIDEWALK APPEALS - Service Director Mark Ricchiuto; | | |
| Law Director Cornell P. Carter; Councilman Roosevelt Coats. | | |
| BOARD OF REVIEW - (Municipal Income Tax) - Law Director Cornell | | |
| P. Carter; Utilities Director Michael Konicek; Council President Jay | | |
| Westbrook. | | |
| CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director; | | |
| Anthony J. Coyne, Acting Chairman; David Bowen, Lillian W. Burke, | | |
| Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Edward D. Small, | | |
| Councilman Odelia V. Robinson. | | |
| CLEVELAND BOXING AND WRESTLING COMMISSION - Robert Jones, | | |
| Chairman; Clint Martin, Mark Rivera. | | |
| MORAL CLAIMS COMMISSION - Law Director Cornell P. Carter; Chairman; | | |
| Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook; | | |
| Councilman Roosevelt Coats; Councilman Martin J. Sweeney. | | |
| 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, Chairman; | | |
| Earl S. Bumgarner, _____, Jozef Valencik, Martin Gallagher, | | |
| Laszlo V. Kemes, Secretary. | | |
| CLEVELAND LANDMARKS COMMISSION - Room 519 - Richard Schanfarber, | | |
| Chairman; Paul Volpe, Vice Chairman; James Gibans, Sandra Morgan, | | |
| Hunter Morrison, Kenneth Nobile, Theodore Sande, Galen Schuerlein, | | |
| Randall Shorr, Councilman Craig E. Willis, Councilman Joe Cimperman, | | |
| Robert Keiser, Executive Secretary. | | |
| CLEVELAND MUNICIPAL COURT JUSTICE CENTER-1200 ONTARIO | | |
| CENTRAL SCHEDULING DEPARTMENT | | |
| JUDGE COURTROOM ASSIGNMENTS | | |
| Judge | Courtroom | |
| Presiding and Administrative Judge Larry A. Jones | 13C | |
| Judge Ronald B. Adrine | 15A | |
| Judge Colleen C. Cooney | 14A | |
| Judge C. Ellen Connally | 15C | |
| Judge Mabel M. Jasper | 14D | |
| Judge Mary E. Kilbane | 14C | |
| Judge Kathleen A. Keough | 12C | |
| Judge Ralph J. Perk, Jr. | 14B | |
| Judge Raymond L. Pianka (Housing Court Judge) | 13B | |
| Judge Angela R. Stokes | 13A | |
| Judge Gerald F. Sweeney | 13D | |
| Judge Robert J. Triozzi | 12A | |
| Earle B. Turner - Clerk of Courts, Linda M. DeLillo-Court Administrator, | | |
| Robert C. Townsend, II-Bailiff; Kenneth Thomas-Chief Probation Officer, | | |
| Michelle L. Paris-Chief Magistrate | | |

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 86

WEDNESDAY, FEBRUARY 10, 1999

No. 4444

CITY COUNCIL

MONDAY, FEBRUARY 8, 1999

The City Record

Published weekly under authority of the Charter of the City of Cleveland
Subscription (by mail) \$75.00 a year
January 1 to December 31
Interim subscriptions prorated
\$6.25 per month
Address all communications to

CECELIA R. HUFFMAN
Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Jones, Chairman; White, Vice Chairman; Britt, Polensek, Sweeney, Willis, Zone.

9:30 A.M.—**Public Health Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Britt, Cintron, Dolan, Jackson, Robinson.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Sweeney, Chairman; Melena, Vice Chairman; Britt, Cintron, Johnson, Jones, O'Malley, Patmon, Polensek.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Cintron, Vice Chairman; Gordon, Johnson, Lewis, O'Malley, Rybka.

MONDAY

2:00 P.M.—**Finance Committee:** Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis.

TUESDAY

10:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Rybka.

1:30 P.M.—**Legislation Committee:** Zone, Chairman; Johnson, Vice Chairman; Britt, Cimperman, Jackson, Rybka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan, Lewis, Patmon, White.

10:00 A.M.—**Public Safety Committee:** Coats, Chairman; Zone, Vice Chairman; Gordon, Jackson, Jones, Melena, O'Malley, White, Willis.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Willis, Chairman; Coats, Vice Chairman; Britt, Jones, Melena, O'Malley, Robinson, Rybka, Sweeney.

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio February 8, 1999.

The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

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

Also present were Executive Assistant for Administration Withers and Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Guzman, Hudecek, Warren, Morrison and Acting Directors Dove, Whitlow, Miller, Patterson and Alexander.

Absent: Mayor White and Directors Jackson, Axelrod and Nolan.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rodney S. Thomas, Pastor of St. James A.M.E. Church, 8401 Cedar Avenue located in Ward 6. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 164-99.

From the Division of Purchases and Supplies re: Excess Property - Reference No. 001-99. Received.

File No. 165-99.

From the Cleveland Public Library re: Director's Report January 21, 1999. Received.

File No. 166-99.

From the Cuyahoga County Board of Elections re: Acceptance of nomination from Victor Phelan for Council, Ward 16 in the City of Cleveland. Received.

File No. 167-99.

From the Mayor Michael R. White re: Department of Public Health - Administrative Changes. Received.

File No. 168-99.

From the Cleveland Arcade Limited re: Parcels #s 101-36-050 and 101-36-045. Received.

File No. 169-99.

From the Playhouse Square Center re: C.I.P. Update. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 170-99.

Re: Transfer of Ownership Application - 9902850 - Julia Zegarac dba Julia's Cafe, 5401 St. Clair Avenue. (Ward 13). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 201-99—William W. Hitchcock.

Res. No. 202-99—Anderson Harris.

Res. No. 203-99—Lottie C. Glenn.

CONGRATULATORY RESOLUTIONS

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

Res. No. 204-99—Lieutenant Richard Rutt.

Res. No. 205-99—Theodore Melvin Mann, Jr.

Res. No. 206-99—81's Anniversary — Restoration of Lithuania's Independence.

WELCOME RESOLUTION

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

Res. No. 207-99—Lech Walesa.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 171-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of maintenance for computer system hardware, for the Division of Information System Services, Department of Finance.

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

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

Section 1. That the Director of Finance is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: maintenance for computer system hardware, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Information System Services, Department of Finance, for a period of one year and cancelable upon thirty days' written notice by said director.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 70 SF 140, Request No. 21621.

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

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

Ord. No. 172-99.

By Councilman Johnson (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1065-98, passed July 29, 1998, relating to the procurement by requirement contract of the rental of digital multi-functional copier/printers and analog copiers for the various divisions of City government.

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

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

Section 1. That the title and Section 1 of Ordinance No. 1065-98, passed July 29, 1998, is hereby amended to read, respectively, as follows:

An emergency ordinance authorizing and directing the procurement by requirement contract of the rental of **digital multi-functional copier/printers and analog copiers** for the various divisions of City government, for a period not to exceed three years, with two one-year options to renew.

Section 1. That the Director of Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **three years with two (2) options, exercisable by the Director of Finance, to extend for one year each, for the necessary items of digital multi-functional copier/printers and analog copiers** in the approximate amounts as procured during the preceding term, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. 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 term.

Section 2. That the existing title and Section 1 of Ordinance No. 1065-98, passed July 29, 1998, 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 Finance, Law; Committee on Finance.

Ord. No. 173-99.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to enter into contract with Cleveland Housing Network to provide various customer services to low income home owners or for rental property owners, for the Divisions of Water and Water Pollution Control, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to enter into contract with Cleveland Housing Network to provide the following services for low income home owners or for rental property owners whose owner meets the income guidelines and who are City of Cleveland Division of Water customers: install water conservation devices, to correct minor plumbing problems; and to repair or replace water service lines or broken sewer lines.

Section 2. That the costs of the contract authorized by Section 1 herein shall be paid from Fund No. 52 SF 001 or from such other funds of the Divisions of Water Pollution Control and Water, Department of Public Utilities deemed appropriate by the Director of Finance. (RL 24046)

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. 174-99.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to lease office space located on the ramp level of Cleveland Hopkins International Airport to Global Ground Services, for a term of 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 authorized to enter into a lease with Global Ground Services ("Lessee") for approximately 634 square feet of office space located on the ramp level of Concourse B at Cleveland Hopkins International Airport. The term of the lease shall not exceed two years and shall be effective June 1, 1999. Lessee shall pay a rental of \$25.45 per square foot subject to increase due to yearly rates and charges evaluation.

Section 2. That the lease authorized herein shall be prepared by the Director of Law and shall contain such other terms and conditions

as said Director deems necessary to protect and benefit the public interest.

Section 3. That the Director of Port Control and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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

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

Ord. No. 175-99.

By Councilmen Coats, Polensek, Sweeney, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire property located on East 152nd Street, for the purpose of widening the public right-of-way at East 152nd Street between Darwin Avenue and South Waterloo Road.

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire title to the property described below from Conrail Corp., a.k.a. Consolidated Rail Corporation for the public purpose of widening the public right-of-way at East 152nd Street between Darwin Avenue and South Waterloo Road, the following described property at no cost to the City of Cleveland:

0.0529 Acres Parcel

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Euclid Township Tract No. 16 and bounded and described as follows:

Commencing on the Easterly line of East 152nd Street, 60 feet wide, at its intersection with the Easterly prolongation of the Northerly right-of-way line of Darwin Avenue, 50 feet wide, said point being the Northwesterly corner of land conveyed to Consolidated Rail Corporation by Deed recorded in Volume 97-08546, Page 23 of Cuyahoga County Records, as shown on Plat Volume 292, Page 87;

Thence North 89° 27' 00" East a distance of 65.00 feet to a point;

Thence South 00° 33' 00" East a distance of 65.02 feet to a point and the Principal Place of beginning of land herein described;

Thence South 00° 33' 00" East a distance of 8.80 feet to a point;

Thence 37.23 feet along the arc of a curve deflecting to the left, having a radius of 51.00 feet and a chord distance of 36.41 feet that bears South 40° 53' 37" West to a point of compound curvature;

Thence 54.30 feet along the arc of a curve deflecting to the left, having a radius of 171.00 feet and a chord distance of 54.07 feet that bears South 10° 52' 58" West to a point of tangency;

Thence South 01° 51' 25" West a distance of 171.03 feet to a point;

Thence North 00° 33' 00" West a distance of 260.00 feet to a point;

Thence South 89° 28' 42" West a distance of 42.00 feet to the place of beginning and containing 0.0529 acres, more or less, and subject to all legal highways.

Said 0.0529 acre being part of Original Permanent Parcel 116-04-001.

0.0627 Acre Parcel

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Euclid Township Tract No. 16 and bounded and described as follows:

Beginning on the Easterly line of East 152nd Street, 60 feet wide, at its intersection with the Easterly prolongation of the Northerly right-of-way line of Darwin Avenue, 50 feet wide, said point being the Northwesterly corner of land conveyed to Consolidated Rail Corporation by Deed recorded in Volume 97-08546, Page 23 of Cuyahoga County Records, as shown on Plat Volume 292, Page 87;

Thence North 89° 27' 00" East a distance of 42.00 feet to a point;

Thence South 00° 33' 00" East a distance of 65.02 feet to a point;

Thence South 89° 28' 42" West a distance of 42.00 feet to a point;

Thence North 00° 33' 00" West a distance of 65.00 feet to the place of beginning and containing 0.0627 acres more or less, and subject to all legal highways. Said 0.0627 acres being part of Original Permanent Parcel 116-04-002.

Section 2. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire title to the property described below from Collinwood Properties, Co., LLC for the public purpose of widening the public right-of-way at East 152nd Street between Darwin Avenue and South Waterloo Road, the following described property at no cost to the City of Cleveland:

0.2669 Acre Parcel

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Euclid Township Tract No. 16 and bounded and described as follows:

Beginning on the Easterly line of East 152nd Street, 60 feet wide, at its intersection with the Easterly prolongation of the Northerly right-of-way line of Darwin Avenue, 50 feet wide, said point being the beginning point of land conveyed to Collinwood Properties Co., LLC by Deed recorded in Volume 97-02089, Page 13 of Cuyahoga County Records, as shown on Plat Volume 292, Page 87;

Thence North 00° 33' 00" West a distance of 638.99 feet to an angle point;

Thence North 06° 24' 45" East a distance of 96.73 feet to a point;

Thence North 47° 57' 21" East a distance of 20.95 feet to a point;

Thence South 06° 24' 45" West a distance of 110.72 feet to an angle point;

Thence South 00° 33' 00" East a distance of 536.52 feet to a point;

Thence 53.35 feet along the arc of a curve deflecting to the left, having a radius of 168.00 feet and a chord distance of 53.13 feet that bears South 09° 38' 51" East to a point of compound curvature;

Thence 32.68 feet along the arc of a curve deflecting to the left, having a radius of 48.00 feet and a chord distance of 32.05 feet that bears South 38° 14' 56" East to a point of tangency;

Thence South 00° 33' 00" East a distance of 24.65 feet to a point;

Thence South 89° 27' 00" West a distance of 42.00 feet to the place of beginning and containing 0.2669 acres, more or less, and subject to all legal highways.

Said 0.2669 acre being part of Original Permanent Parcel 116-04-004.

Section 3. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire title to such property and to employ and pay all fees for title companies, surveys, escrows, appraisals, and all other costs necessary for the acquisition of such property.

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

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

Ord. No. 176-99.

By Councilman Melena (by request)

An emergency ordinance authorizing the Director of Public Service to issue a permit to Advance Manufacturing Corp. to encroach into the right-of-way of Pear Avenue N.W. for a loading dock and other building expansion.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Advance Manufacturing Corp., 6800 Madison Avenue, Cleveland, Ohio 44102, its successors and assigns, for the construction, use and maintenance of a 40-foot x 104-foot loading dock facility and other building expansion, which will encroach into the right-of-way of Pear Avenue N.W. at the locations more fully described herein.

LEGAL DESCRIPTION / LOADING DOCK & BUILDING EXPANSION:

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

Beginning on the Southerly line of Pear Avenue N.W. at a point distant about 176.00 feet from the intersection of the Southerly line of Pear Avenue N.W. with the Westerly line of West 68th Street;

Thence Northerly at right angles to the Southerly line of Pear Avenue N.W. about 40.00 feet to a point;

Thence Westerly and parallel with the Southerly line of Pear Avenue N.W. about 104.00 feet to a point;

Thence Southerly at right angles to the last described line about 40.00 feet to the Southerly line of Pear Avenue N.W.;

Thence Easterly along the Southerly line of Pear Avenue N.W. to the place of beginning.

Section 2. That said loading dock and building expansion will be placed within the public rights-of-way as aforesaid in Section 1, and said loading dock and building expansion will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

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

Ord. No. 177-99.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Crane carrier, Caterpillar gradall and Case equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of Crane carrier, Caterpillar gradall and Case equipment parts, including labor if necessary in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 24159)

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. 178-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 1999 Title III-B G.O.W. / Supportive Services / Chore Worker Program.

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

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

Section 1. That the Director of Aging is hereby authorized to apply for and accept a grant in the amount of \$114,855.00, from the Western Reserve Area Agency on Aging, to conduct the 1999 Title III-B G.O.W./Supportive Services, Chore Worker Program, for the purposes set forth in the application and according thereto; that the Director of Aging is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 178-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 179-99.

By Councilmen Gordon and Johnson (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 1999 STD Control Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$62,409, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 1999 STD Control Program for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 179-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 180-99.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Federation for Community Planning from Ohio Department of Health for the 1999 Immunization Action Plan Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$112,838.00, and any other funds as they may become available during the grant year, from the Federation for Community Planning from Ohio Department of Health, to conduct the 1999 Immunization Action Plan Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 180-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 181-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of meals for prisoners at the Police Justice Center and district jails, for the Division of Police, Department of Public Safety, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of meals for prisoners at the Police Justice Center and district jails in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 24390)

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. 182-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept grants from the U.S. Department of Justice for the Local Law Enforcement Block Grant Program; and to enter into contract for the purchase by requirement contract of equipment and supplies needed to implement the program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept grants for the Local Law Enforcement Block Grant Program, each year for a period of three years, in the approximate amount of \$1,957,205.00 for the first grant, for the purposes set forth in the applications and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That the application for the first grant period, File No. 182-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds for the first grant period in the amount of \$217,467.00, from Fund No. 01-60-02-0455, and shall provide cash matching funds for each of the subject grant periods authorized herein, subject to annual appropriation, is hereby approved in all respects.

Section 3. That for each of the grant period of the grants authorized above, the Director of Public Safety is hereby authorized to make written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period which coincides with each grant periods of each grant authorized in Section 1 hereof for the necessary items of equipment and supplies needed to implement the program, as described in the applications, including the application for the first grant period contained in the file, and that said contract is payable from the fund or funds to which are credited the grant proceeds accepted annually pursuant to Section 1 of this ordinance. 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 each grant period may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

The cost of each contract shall be charged against the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance 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.

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

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

Ord. No. 183-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept grants from the Department of Treasury, Bureau of Alcohol, Tobacco and Firearms for the Gang Resistance Education and Training Program; and to enter into contract for the purchase of equipment and supplies needed to implement the program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept grants for the Gang Resistance Education and Training ("GREAT") Program, each year for a period of five years, in the approximate amount of \$300,000 for the first project year, for the purposes set forth in the applications and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That the application for the first project year of the grants, File No. 183-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That for each of the project years described above, the Director of Public Safety is authorized to enter into contract for such materials and equipment necessary to implement the GREAT Program as described in the application contained in the File, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

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

Ord. No. 184-99.

By Councilmen Cimperman, Jones, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Rotary Club Foundation, and other public and private entities, for constructing Rotary Plaza and site improvements to be located at East 9th and Erieside Avenue; and determining the method of making the public improvement of constructing Rotary Plaza and site improvements; authorizing said director to enter into contract for the making of such improvement; and authorizing the purchase by contract of maintenance services for the Plaza, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the approximate amount of \$133,000.00, from the Cleveland Rotary Foundation, for constructing and maintaining Rotary Plaza and site improvements which will be located at East 9th and Erieside Avenue, for the purposes set forth in the application and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept grants and gifts from public and private entities for the purpose of funding construction of Rotary Plaza, and site improvements, and for maintenance thereof. The Director is further authorized to file all papers and execute all documents necessary to receive the funds accepted pursuant to this ordinance and, upon acceptance of the funds by the Director, they shall be appropriated for the purposes set forth in this ordinance.

Section 3. That the application for said grant, File No. 184-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 4. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing Rotary Plaza and site improvements, to be located at East 9th and Erieside Avenue, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 5. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 6. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for maintenance services on the newly constructed Plaza, including but not limited to maintaining the site improvements, the grounds, the landscaping, and appurtenances, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Parks, Recreation and Properties.

Section 7. That the costs of said contracts authorized above shall be paid from the fund or funds to which are credited the grant and gift proceeds accepted pursuant to Sections 1 and 2 of this ordinance and from Fund No. 10 SF 038, Request No. 20569.

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

Ord. No. 185-99.

By Councilmen Jones, White and Johnson (by departmental request).

An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Personnel and Human Resources to employ one or more temporary employment agencies, to provide professional services to supply temporary and seasonal personnel for the Department of Parks, Recreation and Properties for a period of one year.

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

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

Section 1. That the Directors of Parks, Recreation and Properties and Human Resources are hereby authorized and directed to employ by contract one or more temporary employment agency or agencies for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to supply temporary and seasonal personnel for a period of one year for the Departments of Parks, Recreation and Properties and Personnel and Human Services from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Directors of Parks, Recreation and Properties and Personnel and Human Resources for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Directors of Parks, Recreation and Properties and Personnel and Human Resources, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 13 SF 708, 13 SF 800, 62 SF 001, 63 SF 001, 01-70-12-0380, Request No. 22473.

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

Referred to Directors of Parks, Recreation and Properties, Personnel and Human Resources, Finance, Law; Committees on Public Parks, Recreation and Properties, Employment, Affirmative Action and Training, Finance.

Ord. No. 186-99.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contract with Merrick House and Towards Employment, Inc. to provide services under Title II of the Job Training Partnership Act.

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

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

Section 1. That the Director of Personnel and Human Resources is authorized to enter into contract with Merrick House for the delivery of basic education skills and GED preparation training activities under the Job Training Partnership Act, in an amount not to exceed \$49,350.00.

Section 2. That the Director of Personnel and Human Resources is authorized to enter into contract with Towards Employment, Inc. for the delivery of central services under the Job Training Partnership Act, in an amount not to exceed \$297,650.00.

Section 3. That the cost of the contracts authorized above shall be paid from Fund No. 15 SF 081, Request Nos. 22973 and 22975.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

Ord. No. 187-99.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to apply for and accept a grant from the U.S. Department of Labor Employment and Training Administration for the Title IV D National Partnership and Special Training Program, Pilot and Demonstration Programs; and to enter into contract with Youth Opportunities Unlimited for the Quantum Opportunities Project.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to apply for and accept a grant in the amount of \$200,000, from the U.S. Department of Labor Employment and Training Administration, to conduct the Title IV D National Partnership and Special Training Program, Pilot and Demonstration Programs under the Job Training Partnership Act for the purposes set forth in the application and according thereto; that the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are

appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 187-99-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide in cash matching funds in the sum of \$200,000, from Fund Nos. 15 SF 090 and 15 SF 201, is hereby approved in all respects.

Section 3. That the Director of Personnel and Human Resources is hereby authorized to enter into contract with Youth Opportunities Unlimited, for the implementation of the Quantum Opportunities Project, payable from the fund or funds to which are credited the proceeds accepted pursuant to Section 1 of this ordinance.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

Ord. No. 188-99.

By Councilmen Cimperman, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Directors of Economic Development and/or Community Development to enter into various agreements relating to the provision of economic development financial assistance for the rehabilitation and redevelopment of the Old Arcade (the "Project"); authorizing the Mayor and/or the Director of Economic Development to apply for and accept loan and grant funds from the United States Department of Housing and Urban Development ("HUD") and to enter into agreements for the lending of such funds; authorizing the Commissioner of Purchases and Supplies to acquire title to certain property in the Euclid/Prospect Community Development Plan Area and to reconvey title to such property to those parties from whom it was acquired to effectuate the public purpose of the Plan and the Project; and authorizing the execution of various contracts, certifications, and other documents related thereto.

Whereas, the Euclid/Prospect Community Development Plan, approved and adopted by the Council of the City of Cleveland by Ordinance No. 2606-81, passed December 14, 1981 as amended by Ordinance No. 1766-87, passed November 16, 1987, and as further amended by Ordinance No. 2317-92, passed December 14, 1992, (the "Plan"), contemplates certain rehabilitation and/or redevelopment activities in the Euclid/Prospect Community Development Plan Area in accordance with the Plan; and

Whereas, Arcade, LLC has submitted a proposal for the rehabilitation and redevelopment of the property commonly known as the Old Arcade, which proposed redevelopment provides the best use and best carries out the intent of the Plan; and

Whereas, the acquisition, conveyance, and redevelopment of the Old Arcade has been determined to

be a satisfactory and desirable method for the elimination of blight and the prevention of the recurrence of blight in the Euclid/Prospect Community Development Plan Area; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public property, health, and safety in that the authorization of agreements with Arcade, LLC is necessary so that steps can be undertaken immediately to eliminate conditions of blight and deterioration and to achieve a redevelopment which will prevent the recurrence of blight and deterioration in the Euclid/Prospect Community Development Plan Area; now, therefore,

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

Section 1. That the proposal of Arcade, LLC (hereinafter the "Redeveloper") for the acquisition, conveyance and redevelopment of the property commonly known as the Old Arcade in the Euclid/Prospect Community Development Plan Area is hereby approved.

Section 2. That the Director of Economic Development is hereby authorized to enter into a contract with Redeveloper to provide economic development assistance for the rehabilitation and/or redevelopment of the Old Arcade located at 401 Euclid Avenue, Cleveland, Ohio, and as further described in File No. 188-99-A (the "Project"). The costs of said contract shall not exceed Seven Hundred Thousand Dollars (\$700,000) and shall be paid from Fund No. 17 SF 008, Request No. 24300.

Section 3. That the Directors of Community Development and/or Economic Development are hereby authorized to apply for and accept from the United States Department of Housing and Urban Development ("HUD") a HUD Section 108 grant and/or loan in the amount of Three Million Dollars (\$3,000,000.00) for the purposes set forth in the executive summary contained in the above referenced File, and such funds are hereby appropriated for the purposes described in said executive summary. Upon receipt of said Section 108 grant and/or loan, the Directors of Community Development and/or Economic Development is authorized to enter into one or more contracts for financial assistance for the Project in an amount not to exceed the funds received pursuant to the City's application. The costs of said contract shall not exceed the proceeds received pursuant to this section, and shall be paid from Fund No. 17 SF 047.

Section 4. That the terms of the loans described and authorized herein shall be in accordance with the executive summary contained in the above referenced File, and shall be in accordance with applicable federal, state, and local laws and regulations together with such other terms as the director shall deem necessary and appropriate to effectuate the intent of the Project.

Section 5. That the Directors of Community Development and/or Economic Development is hereby authorized to accept such collateral as such Directors shall deem necessary and/or appropriate to secure repayment of said loans, and any security interests or other documents related thereto shall be prepared and approved by the Director of Law.

Section 6. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan authorized and described in Sections 2 and 3 above and to deposit said monies in Fund No. 17 SF 006 and Fund No. 17 SF 042 and the fees from the loan authorized and described in Sections 2 and 3 shall be deposited in Fund No. 17 SF 305.

Section 7. That the Directors of Economic Development and Community Development are hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under applicable federal regulations and to expend such fees to cover costs incurred in the preparation of loan documents, closing and servicing costs, and other expenses related to the Project. Such fees for the loans authorized in Sections 2 and 3 shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 8. That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, as amended, the Commissioner of Purchases and Supplies is hereby authorized to acquire the title to all property comprising the Project as more fully described in the above mentioned file and to subsequently reconvey title to such property to the party from whom it was acquired, to comply with the requirements of Section 5709.41(B)(1) of the Ohio Revised Code, provided that the consideration for such conveyances shall be nominal consideration as determined by the Board of Control. The Mayor and Commissioner of Purchases and Supplies are hereby authorized to execute any and all documents necessary or appropriate to effectuate the transactions authorized herein.

Section 9. That the agreements authorized pursuant to this Ordinance shall be prepared and approved by the Director of Law and shall contain such provisions as he deems necessary or appropriate to protect the City's interest.

Section 10. That the Mayor, the Directors of Law, Finance, Community Development, and Economic Development are hereby authorized to execute such certifications and documents and to take such other actions as may be necessary or appropriate to carry out the terms of the agreements authorized in this Ordinance.

Section 11. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and any of its committees that resulted in such formal action were in meetings open to the public in compliance with the law.

Section 12. 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, Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 189-99.

By Councilmen Cimperman, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Arcade, LLC, to provide for service payments for the purpose of repayment of the revenue bonds to be issued for the purpose of assisting with the financing of the rehabilitation and redevelopment of the Old Arcade and to provide for payments to the Cleveland City School District, and to declare certain improvements to real property to be a public purpose.

Whereas, by Ordinance No. 2606-81, passed December 14, 1981, as amended by Ordinance No. 1766-87, passed November 16, 1987, and as further amended by Ordinance No. 2317-92, passed December 14, 1992, this Council designated the Euclid/Prospect Area ("Area") and approved the Euclid/Prospect Area Community Development Plan ("Plan"); and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, improvements to real property within the Area and consistent with the Plan, may be declared to be a public purpose where fee title to such real property was, at one time, held by the City of Cleveland; and

Whereas, pursuant to the authority of Ordinance No. _____, passed _____, the City acquired fee title to certain real property within the Area, which is more particularly described in the documents set forth in the file described in Section 1 of this ordinance (the "Real Property"), prior to adoption of this Ordinance; and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, such improvements so declared to be a public purpose may be exempt from real property taxation; and

Whereas, pursuant to Section 5709.42 of the Ohio Revised Code, the owners of such improvements may be required to make annual service payments in lieu of taxes that would have been paid had such improvements not been exempt; and

Whereas, pursuant to Section 5709.41 of the Ohio Revised Code, said exemption may exceed 75% of such improvements for up to thirty (30) years when a portion of the service payments so collected are distributed to the Cleveland City School District ("the District") in an amount equal to the amount the District would have received had the improvements not been exempt; and

Whereas, the Cleveland City School District has been notified of the intent to enter into the agreement authorized herein, in compliance with Sections 5709.41(C)(4) and 5709.83 of the Ohio Revised Code; 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 improvements to be constructed in the Area by Arcade, LLC ("Redeveloper"), as more fully described in the plans contained in File No. 189-99-A ("the Improvements"), on the Real Property, are hereby declared to be a public purpose, for purposes of Section 5709.41 and 5709.42 of the Ohio Revised Code.

Section 2. That one hundred percent (100%) of the Improvements are hereby declared exempt from

real property taxation for a period of thirty (30) years; and that in no event shall the exemption period extend beyond December 31, 2021.

Section 3. That, pursuant to Section 5709.42 of the Ohio Revised Code, Redeveloper (or the owners of the Improvements) shall make service payments for a period of thirty (30) years, or such other period necessary to redeem the bonds described in Section 6 of this Ordinance, in lieu of said exempt taxes to the Cuyahoga County Treasurer; said payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid, had the Improvements not been exempt from taxation.

Section 4. That pursuant to Section 5709.43 of the Ohio Revised Code there is hereby established an Old Arcade Urban Redevelopment Tax Increment Equivalent Fund (the "Fund").

Section 5. That a portion of the service payments collected pursuant to Section 3 hereof shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvements not been exempt from taxation.

Section 6. That the balance of the service payments collected pursuant to Section 3 hereof shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the City of Cleveland and deposited in the Arcades Urban Redevelopment Tax Increment Equivalent Fund created by Section 4 hereof to pay the principal (whether at maturity or by prior redemption) of, and interest on revenue bonds issued by the City, pursuant to additional, appropriate legislation of this Council, or other appropriate governmental issuer to finance a portion of the costs of the Improvements, and the costs attributable to the sale of the Bonds, inclusive of attorneys' fees, appraisals and other similar fees.

Section 7. That the Director of Economic Development is hereby authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described herein, including agreements securing the payments described in Section 3 of this Ordinance, which agreement or agreements shall contain those terms set forth in the Executive Summary contained in the file referenced in Section 1 of this ordinance and such other terms and conditions as the Directors of Economic Development and Law deem necessary to protect the public interest; and to enter into such other agreement or agreements with such other appropriate governmental issuer, necessary and appropriate to issue and redeem the bonds described in Section 6 of this Ordinance, which agreement or agreements shall contain those terms and conditions as the Directors of Economic Development and Law deem necessary to protect the public interest.

Section 8. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and any of its committees that resulted in such formal action were in meetings open to the public in compliance with the law.

Section 9. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

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

Ord. No. 190-99.

By Councilmen Jones, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Crest Masonry, Inc. to provide economic development assistance to partially finance land acquisition, construction and site improvements to their facility to be located at Cleveland Industrial Park, Johnston Parkway, Block H, 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 Crest Masonry, Inc. to provide economic development assistance to partially finance land acquisition, construction and site improvements to their facility to be located at Cleveland Industrial Park, Johnston Parkway, Block H, 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. 190-99-A.

Section 3. That the costs of said contract shall not exceed Two Hundred Eighty Thousand Dollars (\$280,000), and shall be paid from Fund No. 17 SF 008, Request No. 24301.

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 fees under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

Section 8. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

Ord. No. 191-99.

By Councilmen Sweeney, Jackson, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Kennametal, Inc. to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to relocate and consolidate its operations to 18105 Cleveland Parkway, Cleveland, Ohio in the Cleveland Area Enterprise Zone.

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

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

Whereas, Kennametal, Inc. (the "Enterprise") has proposed to relocate and consolidate its operations to 18105 Cleveland Parkway in the City of Cleveland; and

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

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

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

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

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Kennametal, Inc. to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to relocate and consolidate its operations to 18105 Cleveland Parkway in Cleveland, Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 191-99-A. The terms of said file notwithstanding, the terms of the tax abatement shall not be amended, nor shall the tax abatement be assignable or transferrable to any entity, without the prior legislative authorization by Cleveland City Council.

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

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

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

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

Ord. No. 192-99.

By Councilmen Cimperman, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept grants from the George Gund Foundation, the Cleveland Foundation, and Cleveland Tomorrow for the Cleveland Downtown Plan Implementation Studies Program; and authorizing the employment of consultants in conjunction with the Program.

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

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

Section 1. That the Director of the City Planning Commission is hereby authorized to apply for and accept grants in the total amount of \$200,000: \$75,000 from the George Gund Foundation, \$100,000 from the Cleveland Foundation, and \$25,000 from Cleveland Tomorrow, to conduct the Cleveland Downtown Plan Implementation Studies Program, for the purposes set forth in the applications and according thereto; that the Director of the City Planning Commission is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That the applications for said grants, File No. 192-99-A, made a part hereof as if fully rewritten herein, are hereby approved in all respects.

Section 3. That the Director of the City Planning Commission is hereby authorized to employ by contract

one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the program.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of the City Planning Commission from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of the City Planning Commission 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 the City Planning Commission, and certified by the Director of Finance.

Section 4. That the costs for such services herein contemplated shall be paid from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

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

Ord. No. 193-99.

By Councilmen Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept grants from the George Gund Foundation, the Cleveland Foundation, and from other public and private entities for the Census 2000 Complete Count Program; and to enter into contract with Neighborhood Centers Association of Cleveland to implement the program.

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

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

Section 1. That the Director of the City Planning Commission is hereby authorized to apply for and accept grants in the amount of \$50,000 from the George Gund Foundation, \$50,000 from the Cleveland Foundation and any other grants or gifts from public and private entities, to conduct the Census 2000 Complete Count Program, for the purposes set forth in the application and according thereto; that the Director of the City Planning Commission is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 193-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of the City Planning Commission is authorized to enter into contract with Neighborhood Centers Association of Cleveland to operate as the City's fiscal agent for the implementation of the program.

Section 4. That the cost of the agreement authorized above shall be paid from the fund or funds to which are credited the grant and gift proceeds accepted pursuant to Section 1 of this ordinance.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 194-99.

By Councilman Cimperman. An emergency ordinance consenting to and approving the issuance of a permit for the Walk for Hunger on May 8, 1999, sponsored by the Hunger Network of Greater Cleveland.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Walk for Hunger, sponsored by the Hunger Network of Greater Cleveland, on May 8, 1999, beginning at Burke Lakefront Airport and progresses to E. 9th St., south on E. 9th St. to Lakeside, west on Lakeside to W. 3rd St., south on W. 3rd to St. Clair, west on St. Clair to W. 9th St., south on W. 9th to Superior, east on Superior to Ontario, south on Ontario to Huron, east on Huron to Erie, east on Erie to E. 9th St., north on E. 9th St. to Huron, east on Huron to Euclid, west on Euclid back to E. 9th St., north on E. 9th to Superior, west on Superior to Mall, cross through Mall to Lakeside, east on Lakeside to E. 9th, north on E. 9th St. to North Coast Harbor, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

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

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

Ord. No. 195-99.

By Councilman Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1815 and 1817 East 79th Street to Paula Gist Shivers.

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 of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 119-01-004 and 119-01-005, as more fully described in Section 2 below, to Paula Gist Shivers.

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. 119-01-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublots 1 and 2 in L.M. Holt's Re-Subdivision of part of Original 100 Acre Lots 391 and 392, as shown by the recorded plat of said Re-Subdivision in Volume 5 of Maps, Page 29 of Cuyahoga County Records, and more particularly bounded and described as follows:

Beginning in the Westerly line of said Sublot No. 1, at a point distant 114-1/2 feet Southerly, (measured along said Westerly line), from the Northwesterly corner thereof, said Westerly line of said Sublot No. 1, being also the centerline of East 79th Street (50 feet wide), formerly known as East Madison Avenue and the Northerly line of said Sublots 1 and 2 being also the Southerly line of Hough Avenue, N.E.; thence Easterly parallel with the Southerly line of Hough Avenue, N.E., 150 feet to a point; thence Southerly parallel with the Westerly line of said Sublot No. 1, which is also the centerline of East 79th Street, a distance of 32-1/2 feet to a point in the Southerly line of said Sublot No. 2; thence Westerly along the Southerly line of said Sublots Nos. 2 and 1 to the Southwest corner of said Sublot No. 1, which is in the centerline of East 79th Street; thence Northerly along the centerline of

East 79th Street, a distance of 32-1/2 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Right-of-way from R. E. Burdick and Mary H. Burdick to Elizabeth Odbert, dated March 29, 1895, filed for record April 6, 1895 and recorded in Volume 597, Page 366 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

P.P. No. 119-01-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the easterly 207 feet of Sublot No. 4 in L.M. and A.J. Holt's Re-subdivision of part of Original 100 Acre Lot Nos. 391 and 392, as shown by the recorded plat in Volume 5 of Maps, Page 29 of Cuyahoga County Records, and being 50 feet front on the easterly side of East 79th Street, and extending back between parallel lines 207 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 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.

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. 196-99.

By Councilman Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1893, 1895, 1899 East 81st Street to Rhonda Bowman.

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 of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 119-01-069, 119-01-070 and 119-01-071, as more fully described in Section 2 below, to Rhonda Bowman.

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. 119-01-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 399, and bounded and described as follows:

Beginning on the Easterly line of East 81st Street (formerly Princeton Street) 45 feet wide, at its intersection with the Northerly line of land conveyed to Thomas Larter, by deed dated June 30, 1892, and recorded in Volume 517, Page 519 of Cuyahoga County Records; thence Easterly along the Northerly line of land so conveyed to Thomas Larter and parallel with the Northerly line of said Original Lot No. 399 about 87.36 feet to the Westerly line of land conveyed to Maria O. Barkwill by deed dated January 26, 1895, and recorded in Volume 589, Page 474 of Cuyahoga County Records; thence Northerly along the Westerly line of land so conveyed to Maria O. Barkwill, 25 feet; thence Westerly and parallel with the Northerly line of said Original Lot No. 399, about 87.36 feet to the Easterly line of East 81st Street; thence Southerly along the Easterly line of East 81st Street, 25 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 119-01-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot 399, bounded and described as follows: Beginning on the Easterly line of East 81st Street (45 feet wide) at the Southwesterly corner of a parcel of land conveyed to Gilbert P. Deering by deed dated December 4, 1939, and recorded in Volume 5043, Page 349 of Cuyahoga County Records; said place of beginning being also distant Southerly measured along the Easterly line of said East 81st Street, 923.04 feet from the Southerly line of Hough Avenue N.E. (66 feet wide); thence Southerly along the Easterly line of said East 81st Street 40 feet; thence Easterly parallel with the Southerly line of said parcel so conveyed to Gilbert P. Deering and the Easterly prolongation thereof, about 97 feet to the Westerly line of a parcel of land conveyed to the Bayer Goodman Company by deed dated March 1, 1933 and recorded in Volume 4292,

Page 51 of Cuyahoga County Records; thence Northerly along the Westerly line of said parcel so conveyed to the Bayer Goodman Company and along the Westerly line of a parcel of land conveyed to Robert Larter Nelson by deed dated November 1, 1928 and recorded in Volume 3735, Page 391 of Cuyahoga County Records 40 feet to the Northwesterly corner of said parcel and the Easterly prolongation of the Southerly line of the parcel conveyed to Gilbert P. Deering as aforesaid; thence Westerly along said Easterly prolongation and along the Southerly line of said parcel so conveyed to Gilbert P. Deering about 97.36 feet to the place of beginning be the same more or less, but subject to all legal highways.

P.P. No. 119-01-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 399, and bounded and described as follows: Beginning on the Easterly side of East 81st Street at the Northwesterly corner of land conveyed to Thomas J. McMurdie by Deed dated January 23, 1920, and recorded in Volume 2371, Page 50 of Cuyahoga County Records; thence Northerly along the Easterly line of East 81st Street, about 40 feet to the Southwesterly corner of land conveyed to Ida Isaacs by Deed dated October 27, 1941, and recorded in Volume 5419, Page 436 of Cuyahoga County Records; thence Easterly along the Southerly line of land so conveyed to Ida Isaacs, about 97 feet to the Westerly line of land conveyed to The Mac Seiber Realty Co. by Deed dated August 15, 1936, and recorded in Volume 4653, Page 691 of Cuyahoga County Records; thence Southerly along the Westerly line of land conveyed to The Mac Seiber Realty Co., about 40 feet to the Northerly line of land conveyed to Henry S. Johnson by Deed dated December 22, 1905, and recorded in Volume 1009, Page 576 of Cuyahoga County Records; thence Westerly along the Northerly line of land so conveyed to Henry S. Johnson and along the Northerly line of land conveyed to Thomas J. McMurdie, as aforesaid, about 96.75 feet to the place of beginning, be the same more or 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.

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. 197-99.

By Councilmen White, Britt and Cimperman.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2468 West 7th Street, 2478 West 5th Street, 10518 Grandview Avenue, 10512 Grandview Avenue and Gay Avenue to Cleveland Housing Network Limited Partnership XVI.

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 of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 004-17-026 as more fully described in Section 2 below, to Cleveland Housing Network Limited Partnership XVI.

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. 004-17-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northwesterly one-half of the Sublot No. 163 in William Slade Jr.'s Allotment of part of Original Brooklyn Township Lot No. 87, as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records and being 33 feet front on the Southwesterly side of West 7th Street (formerly University Street) and extending back of equal width 226 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Sup-

plies is hereby authorized to sell Permanent Parcel No. 004-19-101 as more fully described in Section 4 below, to Cleveland Housing Network Limited Partnership XVI.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P.P. No. 004-19-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 125 feet of Sublot No. 713 in S.S. Ston's College Tract Subdivision of the Original Brooklyn Township Lot No. 87. Said Sublot has a frontage of 33 feet on the Westerly side of West 5th Street and extends back of equal width 125 feet deep, and as found recorded in Volume 2 of Maps, Pages 31 and 32 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-075 as more fully described in Section 6 below, to Cleveland Housing Network Limited Partnership XVI.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P.P. No. 128-01-075

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

Namely being part of Original One Hundred Acre Lot No. 418 bounded and described as follows:

Beginning on the Southerly line of a proposed Street 40 feet wide to be called Grandview Avenue; the Southerly line of which is parallel with and distant 105 feet Northerly from the Southerly line of land set off to Clara Burroughs in the partition of lands belonging to the estate of Rudolph Edwards, as recorded in Cuyahoga County Common Pleas Records in Volume 40, Page 440, at a point on the Southerly line of proposed Grandview Avenue, 1058-91/100 feet Westerly from its intersection with the Easterly line of said Original Lot No. 418; thence Westerly, along the Southerly line of said proposed street 40 feet; thence Southerly, at right angles with the last described line 105 feet to the Southerly line of lands set off to Clara Burroughs as aforesaid; thence Easterly, along said line 40 feet; thence Northerly 105 feet to the place of beginning and being further known as Sublot No. 17 in Charles A. Bingham's proposed Luna Subdivision of part of Original One Hundred Acre Lots No. 417 and 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records; be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-02-111 as more fully described in Section 8 below, to Cleveland Housing Network Limited Partnership XVI.

Section 8. That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P.P. No. 128-02-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 34 in Charles L. Bingham's Luna Heights Subdivision of part of Original One Hundred Acre Lots Nos. 417 and 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records and being 40 feet front on the Southerly side of Grandview Avenue, S.E., and extending back of equal width 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 135-18-036 as more fully described in Section 10 below, to Cleveland Housing Network Limited Partnership XVI.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 135-18-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublots Nos. 110, 111 and 112 in A. Harris Subdivision of part of Original One Hundred Acre Lots Nos. 449 and 450, as shown by the recorded plat in Volume 4 of Maps, Page 16 of Cuyahoga County Records, and together forming a parcel of land 150 feet front on the Southerly side of Gay Avenue, S.E., and extending back of equal width 100 feet, the Westerly side of said premises, being the Easterly side of East 100 Street, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 135-18-037 as more fully described in Section 12 below, to Cleveland Housing Network Limited Partnership XVI.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 135-18-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublots Nos. 113, 114 and 115 in Ariel Harris Allotment of part of Original One Hundred Acre Lot No. 450, as shown by the recorded plat in Volume 4 of Maps, Page 16 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 150 feet on the Southerly side of Gay Avenue, S.E., and extending back of equal width 100 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 13. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not exe-

cuted within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 14. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 15. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 16. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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. 198-99.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 4464 Warner Rd., and repealing Res. No. 1508-98, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 4464 Warner Rd., by Res. No. 1508-98, adopted August 19, 1998; and

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

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

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

Section 1. That objection to the renewal of a C1 and C2 Liquor Permit to 4464 Warner Rd., be and the same is hereby withdrawn and Res. No. 1508-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 199-99.

By Councilman Lewis.

An emergency resolution urging the utility companies to discontinue certain collection practices in regard to HEAP participants.

Whereas, as the Home Energy Assistance Program (HEAP) is a federally funded program administered by the State of Ohio designed to help eligible low-income Ohioans meet the high costs of home heating; and

Whereas, the members of Cleveland City Council have received a number of complaints from HEAP participants regarding the utility companies referral of them to collection agencies, threat of foreclosure and other aggressive practices; and

Whereas, HEAP was not intended to cause such results and it being in the best interest of the City that these issues be addressed and resolved; and

Whereas, a meeting between representative(s) of the utility companies and members of Cleveland City Council to discuss these issues would help to resolve these issues for the benefit of the general public; now therefore

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

Section 1. That this Council urges the local utility companies to appear and meet with members of Cleveland City Council to resolve these issues.

Section 2. That the Clerk of Council is requested to transmit a copy of this resolution to the East Ohio Gas Co. and the Cleveland Electric Illuminating Co.

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. 200-99.

By Councilman Willis.

An emergency resolution urging the Mayor and his staff to join with other governmental entities for the purpose of purchasing natural gas at a decreased rate.

Whereas, the City of Cleveland, through the Department of Finance, purchases natural gas and contracts for the purchase of natural gas transportation from East Ohio Gas Company on an annual or biannual basis; and

Whereas, East Ohio Gas is the sole provider of natural gas for Cleveland; and

Whereas, since 1997, the City of Cleveland has utilized the services of a broker in order to purchase natural gas at a decreased rate, rather than purchasing natural gas directly from East Ohio Gas; and

Whereas, it may be possible for the City of Cleveland to realize a greater cost savings if other governmental entities in and around the City would work in a collaborative manner with the City to purchase natural gas; now, therefore,

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

Section 1. That the Council of the City of Cleveland urges the Directors of Finance and Public Utilities to examine the possibility of the City of Cleveland entering into or forming a consortium with other governmental entities in and around the City of Cleveland for the purpose of purchasing natural gas from East Ohio Gas Company at a decreased rate.

Section 2. That the Clerk of Council is requested to transmit a copy of this Resolution to Mayor Michael White and Directors Carmody and Konicek, Cuyahoga County Commissioners, President of the Cuyahoga County Mayors and Managers Association, General Manager of the Regional Transit Authority.

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.

SECOND READING EMERGENCY ORDINANCES

Ord. No. 1883-98.

By Councilman Coats.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12525 St. Clair Avenue to Roscoe, Incorporated.

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

Ord. No. 1957-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3709 East 57th Street to Broadway Area Housing Coalition or designee.

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

Ord. No. 1958-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8303 Goodman Avenue to Eric J. Stopar.

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

Ord. No. 2009-98.

By Councilmen Jones, Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with LH Development LLC, to provide for the purpose of repayment of NDIF funds used to partially finance certain improvements as part of the Lee Harvard

Shopping Center redevelopment project and to provide for payments to the Cleveland City School District, and to declare certain improvements to real property to be a public purpose.

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

Ord. No. 2058-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with West 25th Street Partners and Western Reserve Specialties, Inc., dba Euro-USA to provide for a ten year abatement for certain inventory and certain tangible personal property and real estate taxes as an incentive for the acquisition of a building, expansion, and the purchase of machinery and equipment for its facility located at Cleveland Industrial Park, Block A — Johnston Parkway located in the Cleveland Area Enterprise Zone.

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

Ord. No. 2102-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the STD — Diagnostic and Treatment Services Program.

Approved by Directors of Public Health, Finance, Law; Recommended by Committees on Public Health, Finance; when amended as follows:

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

"Section 2. That the Director of Public Health shall provide a report to the Public Health Committee every six months during the grant term which shall include the number of individuals tested under the program."

2. That existing Section 2 shall be renumbered as Section 3.

3. That existing Section 3 shall be renumbered as Section 4.

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. 2107-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace fencing for baseball diamond fields, parks and playgrounds, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

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

1. In Section 1, lines 7 and 8, strike "in the approximate amount as purchased during the preceding year" and insert in lieu thereof **"shall not exceed \$60,000 for the term of the contract"**.

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. 28-99.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with Dictaphone Corporation for the purchase of maintenance services for Dictaphone equipment, including logging and playback recorders, for the Division of Emergency Medical Service, Department of Public Safety.

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

Ord. No. 29-99.

By Councilmen O'Malley, Jones, Robinson and Johnson (by departmental request).

An emergency ordinance to appropriate property for the public purpose of expanding Brookside Park.

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

Ord. No. 93-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into a requirement contract without competitive bidding with East Ohio Gas Company for the purchase of natural gas transportation services, and authorizing the purchase by requirement contract of natural gas, for the various divisions of City government.

Approved by Directors of Finance, Law; Recommended by Committee on Finance; when amended as follows:

1. In Section 2, at the end, insert the following new sentence: **"Prior to the presentation of a resolution to the Board of Control for the selection of a contractor or contractors under this Section, the Director of Finance shall report to this Council, through its Clerk, as to the identity of the contractor or contractors recommended by the Director and the contract amount to be paid under each such contract."**

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.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried that the absence of Councilman Patricia J. Britt be and is hereby authorized.

The Council adjourned at 8:05 p.m. to meet on Monday, February 22, 1999 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

February 3, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 3, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Jackson, Hudecek, Nolan, Warren and Axelrod.

Absent: Directors Staib and Guzman.

Others: JoAnn Arki, Acting Commissioner, Purchases and Supplies, Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 65-99.

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of Euclid Transmission, Inc. for an estimated quantity of Remanufactured Transmissions (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 January 8, 1999, pursuant to the authority of Ordinance No. 554-98, passed May 18, 1998, which on the basis of the estimated quantity would amount to approximately Forty Nine Thousand Nine Hundred Fifty Eight and 05/100 Dollars (\$49,958.05), (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. 30610 which shall be certified against such contract in the sum of Fifteen Thousand and no/100 Dollars (\$15,000.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Jackson, Hudecek, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 66-99.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Vandra Brothers Construction for the public improvement of the reconstruction of East 40th Street from Central Avenue to Superior Avenue for the Division of Engineering and Construction, Department of Public Service, received on January 14, 1999, pursuant to the authority of Ordinance No. 1258-97, passed July 16, 1997, upon a unit

basis for the improvement in the aggregate amount of Three Million Seven Hundred Thirty-Eight Thousand Four Hundred Thirty-Four and 40/100 Dollars (\$3,738,434.40), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Service 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 Vandra Brothers Construction for the aforementioned Public Improvement is hereby approved:

The Collinwood Shale Brick Co.
12400 Broadway Avenue
Garfield Heights, Ohio 44125
\$125,000.00 — FBE

Cuyahoga Supply and Tool Co.
5340 Perkins Road
Bedford Heights, Ohio 44146
\$15,000.00 — FBE

Barrow Sign Company
12904 Lorain Avenue
Cleveland, Ohio 44111
\$1,800.00 — FBE

Cook Paving and Construction
11360 Brookpark Road
Cleveland, Ohio 44130
\$179,109.00 — MBE

Wilson Contracting
25446 Bryden Road
Beachwood, Ohio 44122
\$395,000.00 — MBE

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Jackson, Hudecek, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 67-99.

By Director Staib.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Section 141.37 of the Codified Ordinances of Cleveland, Ohio 1976, NEIL M. CONWAY, PH.D. is hereby selected upon the nomination of the Director of Public Health, after inquiry and investigation, as the person best qualified to be employed by contract for the purpose of providing professional services for the City of Cleveland's high-complexity blood lead testing laboratory in the Division of Environment, Department of Public Health.

Be it further resolved that the Director of Public Health is hereby authorized to enter into a written contract with Neil M. Conway, Ph.D. based on his proposal dated November 20, 1998 for a period not to exceed one (1) year with an option, exercisable by the Director, to renew for an additional year on the same terms, for compensation not to exceed \$14,000 per year, which contract shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Jackson, Hudecek, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 68-99.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. J. Platten Contracting Company for the public

improvement of Grdina Playground Fence Improvements, for Base Bid Items B1 - B2, including the 5% contingency line item, for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on December 23, 1998, pursuant to the authority of Ordinance No. 1264-97, passed July 16, 1997, upon a unit basis for the improvement in the aggregate amount of Twenty Two Thousand, Ninety Two and 00/100 Dollars (\$22,092.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for R. J. Platten Contracting Company on the public improvement of Grdina Playground Fence Improvements are hereby approved:

SUBCONTRACTORS RESPONSIBILITY

Ballast Fence (FBE) Fence

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Jackson, Hudecek, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 69-99.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter into concession agreement with APCOA, Inc. for the operation of the Gateway Garages consisting of the East Garage, located at 650 Huron Road, and the North Garage, located at 2151 Ontario Avenue, for a period not exceeding thirty (30) days commencing February 7, 1999, for such payment as mutually acceptable to APCOA, Inc. and the Director of Parks, Recreation and Properties.

Be it further resolved that concession agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as he deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Jackson, Hudecek, Nolan, Warren and Axelrod.

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 Com-

mission 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

CIVIL SERVICE NOTICE

ANNOUNCEMENT - 1999

| Announcement No. | Classification |
|------------------|----------------|
|------------------|----------------|

| | |
|-------|---|
| 124-A | Assistant School Building Custodian (Open) Cleveland Board of Education |
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**CIVIL SERVICE ANNOUNCEMENT
ANNOUNCEMENT NO. 124-A**

**ASSISTANT SCHOOL BUILDING
CUSTODIAN (OPEN) CLEVELAND
BOARD OF EDUCATION**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by the Cleveland Board of Education is \$13.40 to \$15.42 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 1701 East 13th Street. No other form will be accepted. **APPLICATIONS WILL BE RECEIVED FOR ENTRANCE TO THIS EXAMINATION FROM 8:30 A.M. ON TUESDAY, FEBRUARY 16 UNTIL 4:30 P.M. ON MONDAY, FEBRUARY 22, 1999.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FEBRUARY 22, 1999.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Under supervision of the custodian, performs unskilled and semi-skilled maintenance tasks related to the care and operation of school facilities; monitors heating, ventilation and air conditioning systems to provide temperatures appropriate to the

season and ensures economical use of fuel, water and electricity; operates boilers, pumps and related equipment under the supervision of the custodian.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CLEVELAND BOARD OF EDUCATION ARE AS FOLLOWS:

EDUCATION: High School Diploma or GED required. High School Diploma or GED certificate must be presented at the time of filing application or application will be rejected.

EXPERIENCE: All requisite experience must be included on Civil Service application. Experience must be verifiable. If required experience cannot be verified, the application will be rejected.

Two (2) years documented experience performing building maintenance and repair with general maintenance skills in the area of carpentry, electricity, plumbing and glazing.

Two (2) years documented experience operating a boiler or assisting in the operation of a boiler.

Two (2) years experience operating and maintaining HVAC units preferred.

Possession of a certificate from a bona fide vocational custodial service program recognized by the Department of Education of the State in which received, may be substituted for one (1) year of building maintenance experience providing that there are a minimum of 270 class hours completed. Certificate from a bona fide vocational custodial service program must be submitted at the time of filing application.

Good work record (rating of satisfactory or better in previous positions) and good attendance/punctuality record required.

**SPECIAL QUALIFICATIONS
(LICENSES, CERTIFICATES,
ETC.):**

Valid current High Pressure Boiler Operator's License issued by the State of Ohio must be presented at the time of filing application.

VETERAN'S CREDIT: Military credit will be awarded to applicants in accordance with Section 124.23 of the Ohio Civil Service Rules. Applicants eligible for military credit MUST present discharge or disability papers at the time of filing application.

CRIMINAL RECORDS CHECK: Ohio Senate Bill 38 requires criminal record checks of job applicants under final consideration for positions. This records check is through the Ohio Bureau of Criminal Identification and/or the Federal Bureau of Investigation. The records check is performed at the applicant's expense and any employment offer is contingent upon the satisfactory completion of the check.

PHYSICAL EXAMINATION: All new hires are required to undergo a physical examination, at the employees expense, as a condition of

employment. Examinations which have been performed within ninety days prior to date of employment are acceptable. Any employment offer is contingent upon satisfactory completion of this exam.

RESIDENCY: The following Resolution was passed by the Cleveland Board of Education and is effective as of 8-13-86:

"except as otherwise provided by a majority rule of the Board of Education, every regular non-teaching employee of the Cleveland City School District, including but not limited to certificated, classified or unclassified, who are initially appointed after the effective date of this Resolution, shall at the time of his/her appointment or within one year thereafter, be or become a bona fide resident of the Cleveland City School District and shall remain as such while employed by the Cleveland City School District."

NOTE: Applicants will be required to pay a nonrefundable \$10.00 filing fee. Board of Education employees are exempt. Applicants employed by the Board of Education must present proof of employment (I.D. paycheck stub) at the time of filing.

AN EQUAL OPPORTUNITY EMPLOYER

FREDDIE J. FENDERSON,
President
February 10, 1999

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, FEBRUARY 22, 1999

9:30 A.M.

Calendar No. 99-13: 3425 Roehl Avenue

Ripepi Funeral Homes, Inc., owner, and Clark Metro Development Corporation, prospective purchaser c/o Frank Johaneck and Anthony Ripepi, appeal to construct a three-story, 30 unit (2-bedroom) elderly housing apartment building on an approximate 198' x 206' irregular shaped parcel and located in a Two-Family District at the south-easterly corner of Fulton Road and Roehl Avenue at 3425 Roehl Avenue; said construction being contrary to Section 337.03 where a 30 unit apartment building is not permitted in a Two-Family District but first permitted in a Multi-Family District and Section 355.04 of the Area Requirements Regulations where the maximum gross floor area in a "B" District cannot exceed 1/2 of the lot area and 18,000 maximum gross floor area is permitted and 35,000 gross floor area is proposed, contrary to the Dwelling Unit Regulations where a minimum of 2,400 sq. ft. of lot area are required per dwelling unit, for a total of 72,000 sq. ft. and 36,000 sq. ft. are provided as pursuant to Section 355.04 of the Codified Ordinances.

Calendar No. 99-15: 7008-7058 Broadway

Third Federal Savings and Loan, owners, appeal to construct a three-story, 42 unit (2-bedroom) elderly housing apartment building on an approximate 184' x 287' irregular

shaped parcel and located in a General Retail Business District and a Two-Family District at the southeasterly corner of Forman Avenue and Broadway at 7008-7058 Broadway; said construction being contrary to Section 337.03 where a 30 unit apartment building is not permitted in a Two-Family District but first permitted in a Multi-Family District and Section 355.04 of the Area Requirements Regulations where the maximum gross floor area in a "B" District cannot exceed 1/2 of the lot area and 33,483 maximum gross floor area is permitted and 45,980 gross floor area is proposed and contrary to the Dwelling Unit Regulations where a minimum of 2,400 sq. ft. of lot area are required per dwelling unit for a total of 100,800 sq. ft. and 6,695 sq. ft. are provided, as pursuant to Section 355.04 of the Codified Ordinances.

Calendar No. 99-16: 12702 Bellaire Road

Thomas Padgett, owner, appeals to change the use of an existing 44' x 28' one-story, masonry garage and an 18' x 16' storage shed into a limousine service for vehicle dispatching, parking and repairs all located in a General Retail Business District and situated on a 133' x 126' triangular shaped corner parcel at the southwesterly corner of Wanda Avenue and Bellaire Road; said change of use being contrary to Section 343.11 where auto repair is not permitted and Section 345.03 of the Semi-Industry District Regulations where auto repair is first permitted provided that such use is not located less than 100' from a residence district, and contrary to the Landscaping and Screening Regulations where a 6' medium strip is required along Wanda Avenue and Bellaire Road and 0' is proposed, pursuant to Section 352.10 of the Codified Ordinances.

Calendar No. 99-17: 12432 St. Clair Avenue

Giltz and Associates and Save-a-Lot Food Stores, tenant c/o Sheldon Gross of Applebrook Design, appeal to construct a 105' x 160' one-story 18'-8" high food store building and a parking lot for 71 cars located in a Local Retail District and situated on an approximate 251' x 282' parcel on the southeasterly corner of East 124th Street and St. Clair Avenue, said use being contrary to the Off-Street Parking and Loading Requirements of Section 349.04 where 109 parking spaces are required and 71 are proposed and Section 349.07(2) where no driveway shall be so located that there would be less than 15' between the point of tangency of the driveway apron radius and the outside crosswalk line at the intersection when such driveway is on the approach side of an intersection, and 357.07(a) where a 10' setback along East 125th Street is required and 9.45' is proposed and contrary to Section 337.03 where a grocery store or a supermarket is not permitted in a Two-Family District and said construction being contrary to the Off-Street Parking and Loading Requirements where no such parking shall be located within 10' of a residential building and 8' is proposed, pursuant to Section 349.05 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, FEBRUARY 8, 1999

At the Meeting of the Board of Zoning Appeals on Monday, February 8, 1999, the following appeals were heard by the Board:

The following appeal was **Approved**:

Calendar No. 98-266: 4280 West 150th Street

Super America L.L.C., owner c/o David L. Thomas, appealed to erect a one-story "motorist service" convenience store fuel center and a "T" shaped canopy on a vacant parcel in a Residence Office District.

The following appeal was **Denied**:

Calendar No. 99-9: 10411-13 Prince Avenue

Virginia and Timothy Edwards, owners, appealed under Section 329.01(e) and 329.02(d) from refusal to approve a lot split for a 40' x 173' parcel in a Two-Family District.

The following appeal was **Withdrawn**:

Calendar No. 99-6: 1832 West 58th Street

Kim Priest-Reis, d.b.a. Great Lakes Redevelopment Corp., owner, appealed to change use of an existing two-story, three family dwelling house into an adult group home to provide assisted living for up to 10 senior citizens and a 24 hour, 7 days a week live-in caretaker in a B-Two-Family District.

The following appeal was **Dismissed**:

Calendar No. 98-252: 1230 East 152nd Street

Sanford S. Malkin, owner, and Little Hands and Feet Day Care c/o Victoria Smith, tenant, appealed to change use of an existing 153' x 40' building into a day care center facility for approximately 125 children and 10 employees in a General Industry District.

The following appeals were **Postponed**:

Calendar No. 99-5: 787 East 185th Street postponed to March 1, 1999.

Calendar No. 99-8: 1519 Lakeview Road postponed to March 15, 1999.

Calendar No. 98-251: 10022 Madison Avenue postponed to February 22, 1999.

On Monday, February 8, 1999, in Executive Session:

The following appeals were heard on Monday, February 1, 1999, and said decisions to **GRANT** were approved and adopted by the Board on Monday, February 8, 1999:

Calendar No. 99-2: 2114 West 6th Street

Sutton Builders LLC, owner c/o Keith Sutton, appealed to erect a 20' x 40' three-story, two family dwelling house with full basement and a 20' x 20' detached garage on a 25' x 100' lot in a B-Multi-Family District.

Calendar No. 99-3: 2118 West 6th Street

Sutton Builders LLC, owner c/o Keith Sutton, appealed to erect a 20' x 40' three-story, two family dwelling house with full basement and a 20' x 20' detached garage on a 25' x 100' lot in a B-Multi-Family District.

Calendar No. 99-4: 18210 St. Clair Avenue

Ed Intihar, owner, and Sievers Company Inc., c/o Robert Sievers, tenant, appealed to erect a 12' x 17', 6'-8" x 22', 16' x 20' and (2) 16' x 25' sheds for a total of 5 sheds for storage next to a 61' x 45' one-story masonry storage building on an 88' x 130' corner parcel in a Local Retail District; conditional approval.

The following appeals were heard on Monday, February 1, 1999, and said decisions to **DENY** were approved and adopted by the Board on February 8, 1999:

Calendar No. 98-206: 3520 East 116th Street

Wise Crymes-Shabazz, owner, and Cynthia Dawan, tenant, appealed to change use of the first floor of an existing 24' x 45' two and a half story wood frame house into a Child Care Center on an 80' x 150' lot in a Two-Family District.

Calendar No. 98-261: 3127-3129 West 25th Street

Donald Ksiezzyk, owner, appealed from a Notice of Violation issued on July 10, 1998 by the City of Cleveland Department of Community Development, Division of Building and Housing, related to operation of an Adult Cabaret.

EUGENE CRANFORD, JR.,
Secretary

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

Re: Report of the Meeting of
February 3, 1999

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

* * *

Docket A-185-98.

RE: Appeal of Paris Foods Corp., Owner of the Property located on the premises known as 2742 Grand Avenue from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated September 15, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).
Docket A-185-98 has been POSTPONED; to be rescheduled for March 3, 1999.

* * *

Docket A-186-98.

RE: Appeal of F&B Product LLC c/o The Final Cut, Owner of the Property located on the premises known as 2752 Grand Avenue from a NOTICE OF VIOLATION — FIRE

CODE of the Chief of the Division of Fire dated September 15, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-186-98 has been POSTPONED; to be rescheduled for March 3, 1999.

* * *

Docket A-201-98.

RE: Appeal of Society of St. Vincent de Paul, Owner of the Property located on the premises known as 875 East 40th Street from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated October 5, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-201-98 has been POSTPONED; to be rescheduled for March 3, 1999.

* * *

Docket A-210-98.

RE: Appeal of Carol Suva, Owner of the Residential Property and 15' Above Ground Private Swimming Pool located on the premises known as 3462 East 52nd Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated November 17, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the ten foot requirement and permit the pool to remain as erected, noting the concurrence of the adjacent neighbor, and to waive the late filing fees. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-211-98.

RE: Appeal of S.G.K Development Corporation, Owner of the Three Story Frame Mixed Use Property located on the premises known as 3617-25 Detroit Avenue from a 3 DAY VACATE ORDER (STORE)/30 DAY CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated November 12, 1998, 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 modify the Commissioner's 3 DAY VACATE ORDER (STORE)/30 DAY CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant five months (5 mos.) in which to obtain permits and abate the violations, the property is to remain in a safe condition for the occupants during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the 3 DAY VACATE ORDER (STORE)/30 DAY CONDEMNATION ORDER and LETTER

OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by July 17, 1999. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-212-98.

RE: Appeal of Delmar Gogol, Owner of the Multi-Family Residential Property located on the premises known as 12401 Fairview Court from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated November 12, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to R-210 CABO; R211.1, and 3121.02(k) and permit the third floor level to be modified as requested, noting conformance with the CABO requirements and with the request by the Board of Building Standards and Building Appeals interpretation dated June 24, 1998.

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

* * *

Docket A-214-98.

RE: Appeal of The Provident Bank, Mortgagee of the Two Story Frame Residential Property located on the premises known as 3789 West 39th Street from a CONDEMNATION ORDER 30 DAY MS & GARAGE of the Commissioner of the Division of Building and Housing dated July 8, 1998, 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 modify the Commissioner's CONDEMNATION ORDER 30 DAY MS & GARAGE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to obtain permits and abate the violations, the property is to remain in a safe condition for the occupants during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION ORDER 30 DAY MS & GARAGE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by August 17, 1999. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

Docket A-215-98.

RE: Appeal of Schmidt Mortgage Company, Mortgagee of the One Story Frame Commercial Property located on the premises known as 4050 East 143rd Street from a COMMERCIAL CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 2, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action required by the Board at this time, noting that the property has been demolished and the property is cleaned.

* * *

Docket A-218-98.

RE: Appeal of A.R. Muhammad, Owner of the Two & One-half Story Masonry 15 Dwelling Unit Property located on the premises known as 5817 Quimby Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated November 20, 1998, 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 modify the Commissioner's CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to obtain permits and abate the violations, the Board is requesting a progress report from the inspector within three months (3 mos.), the property must remain secured and the grounds debris free and groomed during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by August 17, 1999. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-220-98.

RE: Appeal of IMC Mortgage Company, Mortgagee of the Two Story Residential Property located on the premises known as 8212 Simon Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated March 25, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action; Docket A-220-98 will be rescheduled for March 3, 1999.

* * *

Docket A-227-98.

Appeal of Gregory Patrick, Owner of the Masonry Structure Five Dwelling Units and Four Stores located on the premises known as 12408-16 Superior Avenue from a

CONDEMNATION I-6/CONDEMNATION ORDER/ERECT WITHOUT PERMIT of the Commissioner of the Division of Building and Housing dated November 30, 1998, 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 modify the Commissioner's CONDEMNATION I-6/CONDEMNATION ORDER/ERECT WITHOUT PERMIT and LETTER OF INTENTION TO DEMOLISH by permitting the Appellant to maintain occupancy of the approved areas of the property, and to require that the Appellant secure the other areas of the building from the occupied areas by leaving it groomed, cleaned, securing the walls and roof from the weather within three months (3 mos.). Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at this time for supervision and further action. All other provisions of the CONDEMNATION I-6/CONDEMNATION ORDER/ERECT WITHOUT PERMIT and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by May 17, 1999. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-228-98.

Appeal of Seventeenth Street Association, Inc., Owner of the Parking Lot located on the premises known as 13300 Drexmore Road from a NOTICE OF VIOLATION/WORK WITHOUT PERMIT (FENCE) of the Commissioner of the Division of Building and Housing dated November 16, 1998, 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 13300 Drexmore Road to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

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

* * *

Docket A-199.

Appeal of Case Western Reserve University, Owner of the Property/Millis Atrium located on the premises known as 2074 Adelbert Road from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated December 21, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action, the docket will be rescheduled for February 17, 1999 and to request that the Appellant present other methods in which to protect either the other side of the roof or the opening of the adjacent windows.

APPROVAL OF RESOLUTIONS:

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

- A-139-96—Alan Landy.
- A-180-98—Prime Properties Limited Partnership.
- A-181-98—Associated Estates Corporation.
- A-190-98—Quality Home Furniture Company.
- A-205-98—CNF Properties Inc.
- A-209-98—R.A. Murphy Co.
- A-230-98—City of Cleveland (Cleveland Hopkins Int'l. Airport).

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Williams and seconded by Mr. Sullivan for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

January 20, 1999

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

* * *

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

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, FEBRUARY 17, 1999

Computer Related Hardware and Equipment, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1471-97, passed by the Council of the City of Cleveland, October 13, 1997.

Moreland Boulevard Median Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1605-98, passed by the Council of the City of Cleveland, October 19, 1998.

A DEPOSIT OF TWENTY FIVE DOLLARS (\$25.00) CERTIFIED CHECK OR MONEY ORDER 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.

February 3, 1999 and February 10, 1999

FRIDAY, FEBRUARY 19, 1999

Renovation of the Carl B. Stokes Public Utilities Building — Exterior Renovation, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 1254-92 and 2096-92, passed by the Council of the City of Cleveland, June 15, 1992 and December 14, 1992, respectively.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER 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 FRIDAY, FEBRUARY 12, 1999, 10:00 A.M., AT THE PUBLIC UTILITIES BUILDING, FOURTH FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

February 3, 1999 and February 10, 1999

WEDNESDAY, FEBRUARY 24, 1999

Horse Supplies, for the Division of Police, Department of Public Service, as authorized by Ordinance No. 1952-98, passed by the Council of the City of Cleveland, December 14, 1998.

Battery Charger/Analyzers, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 14, 1998.

Storage Magazine, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1154-98, passed by the Council of the City of Cleveland, December 14, 1998.

IBM Tape Drive and Equipment, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 2051-98, passed by the Council of the City of Cleveland, December 22, 1998.

Jail Cell Mattresses, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1954-98, passed by the Council of the City of Cleveland, December 14, 1998.

February 3, 1999 and February 10, 1999

THURSDAY, FEBRUARY 25, 1999

Air Analyzer Equipment, for the Department of Public Health, as authorized by Ordinance No. 1724-98, passed by the Council of the City of Cleveland, November 16, 1998.

Labor and Materials for Substation Switchgear and Breaker Repair/Replacement, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1223-98, passed by the Council of the City of Cleveland, October 12, 1998.
A **MANDATORY PRE-BID CONFERENCE WILL BE HELD ON THURSDAY, FEBRUARY 18, 1999, 10:00 A.M. AT CLEVELAND PUBLIC POWER, 1300 ONTARIO STREET, CLEVELAND, OHIO 44113.**

Maintenance, Repair and/or Replacement of HVAC Systems at Various Locations, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1943-98, passed by the Council of the City of Cleveland, December 14, 1998.

A **MANDATORY PRE-BID CONFERENCE WILL BE HELD ON THURSDAY, FEBRUARY 18, 1999, 10:00 A.M. AT THE CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

Uniform Clothing Supplies — 1999, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

Grinding of Pavement, for the Division of Street Maintenance, Department of Public Service, as authorized by Ordinance No. 1002-98, passed by the Council of the City of Cleveland, June 8, 1998.

February 3, 1999 and February 10, 1999

FRIDAY, FEBRUARY 26, 1999

One (1) Single Axle Cab and Chassis with Flag Bed/Dump Body, for the various divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

One (1) Backhoe Hoe/Loader, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 918-96, 1476-96, 323-97 and 799-97, passed by the Council of the City of Cleveland, June 18, 1996, August 14, 1996, March 24, 1997 and June 2, 1997, respectively.

One (1) Utility Tractor, Two (2) Mower Decks and One (1) Hydroseeder, for the various divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

Six (6) Rotary Mowers, Two (2) Off-Road Trucksters and One (1) Brush Chipper, for the various divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

February 3, 1999 and February 10, 1999

WEDNESDAY, FEBRUARY 24, 1999

Check Signing, Folding and Sealing Equipment, for the Department of Finance, as authorized by Ordinance No. 1744-97, passed by the Council of the City of Cleveland, October 20, 1998.

Maplewood Ball Diamond Complex Fence Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1605-98, passed by the Council of the City of Cleveland, October 19, 1998.

A **DEPOSIT OF TWENTY FIVE DOLLARS (\$25.00) CERTIFIED CHECK OR MONEY ORDER 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.**

North Coast Harbor Improvements — Erie Side Avenue Rotary Plaza Project, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 184-99.

A **DEPOSIT OF TWENTY FIVE DOLLARS (\$25.00) CERTIFIED CHECK OR MONEY ORDER 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.

February 10, 1999 and February 17, 1999

WEDNESDAY, MARCH 3, 1999

Rental of Digital, Multi-Functional Copier/Printers and Analog Copiers, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1065-98, passed by the Council of the City of Cleveland, July 29, 1998.

A **PRE-BID MEETING WILL BE HELD ON FRIDAY, FEBRUARY 19, 1999, 2:30 P.M. IN ROOM 514, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

February 10, 1999 and February 17, 1999

THURSDAY, MARCH 4, 1999

Messenger Services, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1812-98, passed by the Council of the City of Cleveland, November 16, 1998.

Painting Roadways, Runways and Other Paved Areas, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 2149-97, passed by the Council of the City of Cleveland, February 2, 1998.

Installation of Siding on the Tactical Training House, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1855-98, passed by the Council of the City of Cleveland, November 23, 1998.

Ammunition, for the Division of Police, Department of Public Safety, as authorized by Section 135.065 of the Codified Ordinances of the City of Cleveland, 1976.

February 10, 1999 and February 17, 1999

WEDNESDAY, MARCH 17, 1999

North Royalton Pump Station and Tank, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1239-92, passed by the Council of the City of Cleveland, June 15, 1992.

A **DEPOSIT OF TWO HUNDRED FIFTY DOLLARS (\$250.00) CERTIFIED CHECK OR MONEY ORDER 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 **MANDATORY PRE-BID MEETING WILL BE HELD ON FRIDAY, FEBRUARY 24, 1999, 10:00 A.M., AT THE DIVISION OF WATER, ENGINEERING CONFERENCE ROOM, 75 ERIEVIEW PLAZA, CLEVELAND, OHIO.**

February 10, 1999 and February 17, 1999

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 152-99.

By Councilmen Willis and Cintron.
An emergency resolution urging the Regional Transit Authority to continue usage of buses fueled by compressed natural gas and to conduct further studies prior to purchasing diesel powered vehicles.

Whereas, the Regional Transit Authority (RTA) buses provide service to thousands of passengers in and around the City of Cleveland; and

Whereas, in a progressive effort to ensure a cleaner environment, RTA became a leader in the transit industry by purchasing and using buses powered by natural gas, as opposed to diesel buses; and

Whereas, diesel powered buses release a greater number of carcinogenic particulates than buses powered by CNG; and

Whereas, RTA currently has 166 buses, or 22 percent of its fleet, which are powered by compressed natural gas (CNG); and

Whereas, RTA is considering the suspension of purchase and use of CNG powered buses in favor of increased use of diesel buses; and

Whereas, discontinuance of buses fueled by CNG would adversely impact the air quality of the City of Cleveland and could negatively impair the health of the residents of our neighborhoods; now, therefore,

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

Section 1. That the Council of the City of Cleveland urges RTA to continue its progressive efforts to purchase and utilize buses powered by compressed natural gas and requests that RTA be mindful of the impact that diesel fuel has on the environment and health of the residents of the City of Cleveland.

Section 2. That the Council of the City of Cleveland requests that RTA conduct further studies of the costs and benefits of use of buses fueled by compressed natural gas before purchasing additional diesel powered buses.

Section 3. That the Clerk of Council is requested to transmit a copy of this Resolution to Ronald Tober, President of the Regional Transit Authority and U.S. Congress Representatives Kucinich and Jones.

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

Adopted February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Res. No. 153-99.

By Councilmen Cimperman, Westbrook, Sweeney and Cintron.
An emergency resolution urging Giant Eagle to continue the surplus food donation policy established by Riser Foods and Stop-N-Shop Supermarkets.

Whereas, Riser Foods and Stop-N-Shop Supermarkets established a surplus food donation policy in 1992,

whereby surplus food that is appropriate for distribution is made available to agencies that feed the hungry in Cleveland and Northeast Ohio; and

Whereas, food that would otherwise be wasted is provided to hungry men, women and children; and

Whereas, the Council of the City of Cleveland strongly encourages Giant Eagle, successor to Riser Foods and Stop-N-Shop Supermarkets, to continue this humanitarian policy; now, therefore,

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

Section 1. That the Council of the City of Cleveland strongly encourages Giant Eagle to continue the surplus food donation policy of Riser Foods and Stop-N-Shop Supermarkets, in order to alleviate hunger of numerous men, women and children in Cleveland and Northeast Ohio.

Section 2. That the Clerk of Council is requested to transmit a copy of this Resolution to Mark Packer, Vice President of Giant Eagle.

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2048-98.

By Councilmen Patmon and Westbrook (by departmental request).

An emergency ordinance authorizing the purchase by contract of not to exceed twenty-two shields and appurtenances, 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 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 twenty-two (22) hydraulic shoring shields and appurtenances, 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. 24036.

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2094-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of maintenance of Digital Equipment Corporation computer equipment, for the Division of Financial Reporting and Control, Department of Finance.

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

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

Section 1. That the Director of Finance is hereby authorized 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: maintenance of Digital Equipment Corporation computer equipment, for a period of one year with an option exercisable by the Director of Finance for an additional one (1) year term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Financial Reporting and Control, Department of Finance.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-15-10-0610, Request No. 23256.

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2096-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of exterminating services, for the various divisions of City government, 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 Finance is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of exterminating services in the estimated sum of \$70,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. 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 Direc-

tor 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 22998)

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2097-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install and repair fencing at various locations, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to install and repair fencing at various locations 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 Water Pollution Control, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 23035)

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2099-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of rebuilt or remanufactured automatic Allison transmissions, including installation if necessary, recalibration of valve bodies, and oil and filter changes, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of rebuilt or remanufactured automatic Allison transmissions, including installation if necessary, recalibration of valve bodies, and oil and filter changes, 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 Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 24154)

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2106-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to replace the air conditioning chiller at the First District Police Station, including removal and disposal of existing chiller, for the Division of Property Management, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to replace the air conditioning chiller at the First District Police Station, including removal and disposal of existing chiller, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Property Management, Department of Parks, Recreation and Properties.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 20 SF 351, Request No. 21707.

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2108-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept grants from the Cuyahoga Metropolitan Housing Authority for the Midnight Basketball Grant.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept grants from the Cuyahoga Metropolitan Housing Authority, each year for a period of five (5) years, in the approximate amount of \$25,000 for the first project year, to conduct the Midnight Basketball Grant, for the purposes set forth in the program description and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the program description for said grant.

Section 2. That the program description for said grant, File No. 2108-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2109-98,
By Councilmen Willis and Johnson
(by departmental request).**

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to replace exterior and interior doors, frames, including hardware and miscellaneous materials, and installation if necessary, for the Division of Property Management, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to replace exterior and interior doors, frames, including hardware and miscellaneous materials, and installation if necessary, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Property Management, Department of Parks, Recreation and Properties.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 20 SF 354, Request No. 21708.

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2110-98,
By Councilmen Willis and Johnson
(by departmental request).**

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair or replace damaged safety surfaces in playgrounds, 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 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 repair or replace damaged safety surfaces in playgrounds in the estimated sum of \$25,000, 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 (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 22468)

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2164-98,
By Councilmen Patmon and Johnson
(by departmental request).**

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to fabricate ring and pinion gears, 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 to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to fabricate ring and pinion gears 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 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 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 24040)

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2168-98,
By Councilmen Patmon and Johnson
(by departmental request).**

An emergency ordinance authorizing the procurement by requirement contract of the rental of one concrete 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 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 concrete 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 24041)

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2169-98,
By Councilmen Patmon and Johnson
(by departmental request).**

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to replace the generator at the Pearl Road Pumping Station, including installation, if necessary, 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 to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to replace the generator at the Pearl Road Pumping Station, including installation, if necessary, 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 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 24040)

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 February 1, 1999.

Awaiting the approval or disapproval of the Mayor.

Section 1. That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to replace the generator at the Pearl Road Pumping Station, including installation, if necessary, 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 229, Request No. 24042.

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 February 1, 1999.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 2170-98.
By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to enter into contract without competitive bidding with International Business Machines for the purchase of maintenance and support of an IBM computer system and appurtenances, 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than International Business Machines ("IBM"). Therefore, the Director of Public Utilities is hereby authorized to make a written contract with said IBM for maintenance and support of an IBM computer system and appurtenances, to be purchased by the Com-

missioner 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. 24044.

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 February 1, 1999.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 139-99.
By Councilman Westbrook.

An emergency ordinance to amend Section 455.061 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 552-90, passed June 18, 1990 parking spaces at Willard Park Garage.

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 455.061 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 552-90, passed June 18, 1990 is hereby amended to read as follows:

Section 455.061 Reserved Parking Spaces at Willard Park Garage

The Commissioner of Parking Facilities shall designate parking spaces in the Willard Park Garage to be reserved at no charge for members of Council and such members of Council staff as the President shall designate, the Clerk of Council, the Mayor and such members of his staff as the Mayor shall designate, the directors of the departments, and the Chiefs of Police and Fire. When signs are posted giving notice of such reserved parking spaces, no other person shall park in such reserved parking spaces on Mondays from 8:00 a.m. to 10:00 p.m., and on other weekdays and Saturdays from 8:00 a.m. to 6:00 p.m.

Section 2. That existing Section 455.061 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 552-90, passed June 18, 1990, 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 February 1, 1999.
Awaiting the approval or disapproval of the Mayor.

COUNCIL COMMITTEE MEETINGS

Monday, February 8, 1999

Public Parks, Property & Recreation Committee: 9:30 A.M. — Present: Jones, Chairman; White, Vice Chairman; Polensek, Sweeney, Zone. Excused: Britt, Willis.

Public Service Committee: 11:00 A.M. — Present: Sweeney, Chairman; Cintron, Jones, O'Malley, Patmon, Polensek. Excused: Melena, Vice Chairman; Britt, Johnson.

Finance Committee: 2:00 P.M. — Present: Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Gordon, Lewis, Patmon, Robinson, Sweeney, Willis. Excused: Coats, Melena.

Tuesday, February 9, 1999

Community and Economic Development Committee: 9:00 A.M.—Present: Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Rybka.

Wednesday, February 10, 1999

Public Utilities Committee: 1:30 P.M.—Willis, Chairman; Coats, Vice Chairman; Britt, Jones, Melena, O'Malley, Robinson, Rybka, Sweeney.

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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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City Planning Department

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