

# The City Record

Official Publication of the City of Cleveland

---

May the Twenty-Eighth, Nineteen Hundred and Ninety-Seven

---

<b>Mayor</b>	
Michael R. White	
<b>President of Council</b>	
Jay Westbrook	
<b>Clerk of Council</b>	
Artha Woods	
<b>Ward</b>	<b>Name</b>
1	Charles L. Patton, Jr.
2	Robert J. White
3	Odelia V. Robinson
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	William W. Patmon
9	Craig E. Willis
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	John C. Skrha
14	Helen K. Smith
15	Merle R. Gordon
16	Larry Moran
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	8
Civil Service	11
Board of Zoning Appeals	11
Board of Building Standards and Building Appeals	12
Public Notices	12
Public Hearings	12
City of Cleveland Bids Adopted Resolutions and Ordinances	13
Committee Meetings	14
Index	22

FIRST-CLASS MAIL  
U. S. POSTAGE PAID  
CLEVELAND, OHIO  
Permit No. 1372

First Class Mail

RECYCLE.....Save the Future



Printed on Recycled Paper.....Council Cares

# DIRECTORY OF CITY OFFICIALS

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

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	John C. Skrha	5100 Broadway Avenue	44127
14	Helen K. Smith	3016 Carroll Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

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

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

**DEPT. OF FINANCE** - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit  
**DIVISIONS** - Accounts - A. Schneider, Commissioner, Room 19  
City Treasury - Mary Christine Jackman, Treasurer, Room 115  
Assessments and Licenses - Martin L. Carmody, Acting Commissioner, Room 122  
Purchases and Supplies - William A. Moon, Commissioner, Room 128  
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue  
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue  
Financial Reporting and Control - Keith D. Schuster, Controller, Room 18  
Information Systems Services - Hamid Manteghi, Acting Commissioner, 1404 E. 9th St.

**DEPT. OF PUBLIC UTILITIES** - Michael Konicek, Director, 1201 Lakeside Avenue  
**DIVISIONS** - 1201 Lakeside Avenue  
Water - Julius Ciaccia, Jr., Commissioner  
Water Pollution Control - Darnell Brown, Commissioner  
Utilities Fiscal Control - M. Blech, Commissioner  
Cleveland Public Power - Jim Majer, Acting Commissioner  
Street Lighting Bureau - Frank Schilling, Acting Chief.

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

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

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

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

**DEPT. OF PARKS, RECREATION & PROPERTIES** - Oliver B. Spellman, Jr., Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.  
**DIVISIONS** - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
Property Management - Vernon Robinson, Commissioner, E. 49th & Harvard

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

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

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

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

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

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

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

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

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

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

**BOARD OF REVISION OF ASSESSMENTS** - Law Director, Sharon Sobol Jordan; Pres. Finance Director, \_\_\_\_\_, Director Sec'y. Council President Jay Westbrook.

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

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

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

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

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

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

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

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

**CLEVELAND MUNICIPAL COURT JUSTICE CENTER-1200 ONTARIO CENTRAL SCHEDULING DEPARTMENT**  
JUDGE COURTROOM ASSIGNMENTS

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 84

WEDNESDAY, MAY 28, 1997

No. 4355

## CITY COUNCIL

MONDAY, MAY 26, 1997

### 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 \$6.00 per month  
Address all communications to

### ARTHA WOODS

Clerk of Council  
216 City Hall

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

#### MONDAY—Alternating

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

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

#### ORDINANCES

##### Ord. No. 1980-96.

By Councilmen Patton, Rybka and Rokakis (by departmental request).  
An emergency ordinance determining the method of making the public improvement of demolishing certain obsolete water towers and pump stations; authorizing the Director of Public Utilities to enter into contracts for the making of such improvements; authorizing the acquisition of various rights and interests in said property; authorizing the relocation or modification of fixtures on said property; and authorizing various professional service contracts.

##### Ord. No. 2218-96.

By Councilman Paulenske.  
An ordinance to change the Use and Area Districts of lands on the north side of Payne Avenue between E. 39 Street and E. 38 Street and the north side of Payne between E. 39 Street and the railroad overpass. (Map Change No. 1926, Sheets Nos 4 & 5)  
Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Use District of lands bounded and described as follows,

Beginning at the intersection of the center line of the Pennsylvania System Railroad tracks and the center line of Payne Avenue, N.E.; thence southwesterly along said center line of Payne Avenue, N.E. to the center line of East 39 Street; thence northwesterly along said center line of East 39 Street to the center line of Lemar Avenue, N.E.; thence northeasterly along said center line of Lemar Avenue, N.E. to said center line of said Pennsylvania Systems Railroad tracks; thence southeasterly along said center line of said Pennsylvania Systems Railroad

tracks to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a Residence-Industry District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1926, Sheets Nos. 4 & 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

**Section 3.** That the Use and Area Districts of lands bounded and described as follows,

Beginning at the intersection of the northeasterly extension of the northwesterly line of Sublot No. 162 in the J. K. Hitchcock Allotment as recorded in Volume 1, Page 27 of the Cuyahoga County Map Records and the center line of East 39 Street; thence southeasterly along said center line of East 39 Street to the center line of Payne Avenue, N.E.; thence southwesterly along said center line of Payne Avenue, N.E. to the center line of East 38 Street; thence northwesterly along said center line of East 38 Street to its intersection with the southeasterly extension of the northeasterly line of a parcel of land conveyed to Omura Masayoshi and Sugako and known as Permanent Parcel No. 103-30-020 (said northeasterly line of said parcel of land being located approximately seventy one (71) feet northeast of the northeasterly corner line of Payne Avenue, N.E. and East 38 Street); thence northwesterly along said southeasterly extension and along said northeasterly line of said parcel of land for a distance of one hundred two and twenty five hundredths (102.25) feet; thence from this point southwesterly to its intersection at a point on the northeasterly line of East 38 Street measuring ninety and forty nine hundredths (90.49) feet northwest of the intersection of the southeasterly line of Payne Avenue, N.E. and the northeasterly line of East 38 Street and along its southwesterly extension to its intersection with the southwesterly extension of the northwesterly line of Sublot No. 268 in said J. K. Hitchcock Allotment; thence northeasterly along said southwesterly extension and along a line of said Sublot No. 268 to its intersection with the southwesterly line of Sublot No. 159 in said J. K. Hitchcock Allotment; thence southeasterly along said northwesterly line of said Sublot No. 268 and continuing southeasterly along the southwesterly lines of Sublots Nos. 160 and 161 in said J. K. Hitchcock Allotment to its intersection with said northwesterly line of said Sublot No. 162; thence northeasterly

along said northwesterly line of said Sublot No. 162 and along its northeasterly extension to the place of beginning, and as outlined in green on the map hereto attached, be and the same is hereby changed to a Multi-Family Use District, and an 'E' Area District.

**Section 4.** That said changed designation of land described in Section 3 shall be identified as Map Change No. 1926, Sheets Nos. 4 & 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

**Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

**Ord. No. 2219-96.**

By Councilman Rybka.  
An ordinance to change the Use District of lands from E. 66 Street to E. 65 Street between Hoppensack Avenue, S.E. and Hubbard Avenue, S.E. (Map Change No. 1923, Sheets Nos. 5 & 6)

**Ord. No. 23-97.**

By Councilman Britt.  
**An emergency ordinance to change the Use, and Height Districts of lands on the northerly side of Euclid Avenue between E. 84 Street and E. 85 Street, (Map Change No. 1924, Sheet No. 5)**

**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 Use and Height Districts of lands bounded and described as follows,

Beginning at the intersection of the center line of East 85 Street and the center line of Euclid Avenue; thence northwesterly along said center line of Euclid Avenue to the center line of East 84 Street; thence northerly along said center line of East 84 Street to its intersection with the westerly extension of a line located forty four (44) feet south of the northerly line of Sublot No. 1 in the Fitch Raymond Subdivision as recorded in Volume 5, Page 47 of the Cuyahoga County Map Records (said line being located approximately two hundred fifty six (256) feet north of the northerly line of Euclid Avenue); thence easterly along said westerly extension and along said line which is parallel to and forty four (44) feet south of said northerly line of said Sublot No. 1 to its intersection with a line located one hundred thirty seven (137) feet east of the easterly line of East 84 Street; thence southerly along said line which is parallel to and one hundred thirty seven (137) feet east of said easterly line of East 84 Street to a point located one hundred forty eight and eighty one hundredths (148.81) feet north of said northerly line of Euclid Avenue; thence easterly from said point to a point at the westerly line of East 85 Street located one hundred fifty four and eighty five hundredths (154.85) feet north of said northerly line of Euclid Avenue and along its easterly extension to the center line of East 85 Street; thence southerly along said center line of East 85 Street to the place of beginning,

and as outlined in red on the map hereto attached, be and the same are hereby changed to a Multi-Family Use District and a '2' Height District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1924, Sheet No. 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

**Ord. No. 211-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of in-line fuel treatment devices for gasoline and diesel engines, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 264-97.**

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

An emergency ordinance determining the method of making the public improvement of replacing a sewer on Cooley Avenue, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

**Ord. No. 274-97.**

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Port Control to enter into an agreement for the purchase of telephones and related equipment, installation and maintenance and purchase or lease of installation, labor and maintenance, as needed, of a voice mail system, for the various division of the Department of Port Control.

**Ord. No. 324-97.**

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

An emergency ordinance to amend the title, Section 1 and Section 2 of Ordinance No. 1004-91, passed July 24, 1991, relating to consent of the City of Cleveland for participation in the repair and resurfacing of Rocky River Drive, thereto, to cause payment of Cleveland's share.

**Ord. No. 328-97.**

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

An emergency ordinance to appropriate property for the demolition and redevelopment of the blighted premises located at 2654 Lisbon Road, Cleveland, Ohio.

**Ord. No. 334-97.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with NorthStar

Equipment Corp., or its designee, to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to construct a new facility and to purchase machinery and equipment for its facility which will be located in the Cleveland Industrial Park.

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, NorthStar Equipment Corp. (the "Enterprise") has proposed to construct a new facility and to purchase machinery and equipment for its facility to be located in the Cleveland Industrial Park; 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 NorthStar Equipment Corp., or its designee(s), **provided that said designee(s) is wholly owned by NorthStar Equipment Corp.** for enterprise zone incentives on the basis that NorthStar Equipment Corp. 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 NorthStar Equipment Corp., or its designee(s), **provided that said designee(s) is wholly owned by NorthStar Equipment Corp.** to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to construct a new facility and to purchase machinery and equipment at their facility which will be located in the Cleveland Industrial Park; **said abatement shall not be transferrable or assignable by the enterprise to any entity without the prior authorization by this council, and 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. 334-97-A.

On page (4) of said Executive Summary, "development recommendation" number three (3) is deleted in its entirety, and the following provision is inserted in its place: **That NorthStar Equipment Corporation shall use its best efforts to employ 25% of the new hires from Ward 1, and the remainder of City of Cleveland hires from other City wards.**

**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 including provisions prohibiting (a) the Enterprise from assigning or transferring its rights under the Agreement to any entity without first receiving the approval of Cleveland City Council, and (b) changing the terms of the abatement without first receiving the approval of Cleveland City Council, which approvals shall be evidence by appropriate legislation.

**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.

**Ord. No. 381-97.**

By Councilman Jackson.  
An emergency ordinance to vacate a portion of East 39th Place, hereinafter described.

**Ord. No. 382-97.**

By Councilman Jackson.  
An emergency ordinance to vacate a portion of East 69th Street and East 70th Street, hereinafter described.

**Ord. No. 388-97.**

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the southeast corner of the intersection of Johnston Parkway and Seville Avenue to NorthStar Equipment Corp., or its designee.

**Ord. No. 389-97.**

By Councilman Paulenske.  
An emergency ordinance to vacate a portion of King Court N.E., hereinafter described.

**Ord. No. 394-97.**

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

An emergency ordinance authorizing the Director of Community Development to lease real property located south and adjacent to the Main Avenue Bridge west of West Ninth Street and a platform attached and located underneath the Main Avenue Bridge from the Board of

County Commissioners of Cuyahoga County, and to then lease all or part of that same real property to the National Terminals Apartments Limited Liability Company, or its designee, for a term not to exceed fifty years to make parking available in support of a housing development project.

**Ord. No. 421-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Service to employ one or more firms of certified engineers, to provide professional services to perform geotechnical engineering, material testing, environmental assessments and construction inspection services for various public improvement projects.

**Ord. No. 423-97.**

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation & Properties to enter into a Concession Agreement with Holy Moses Water Taxi. In exchange for docking and operating privileges from the Settler's Landing site, Holy Moses Water Taxi will be responsible for the maintenance of the area from Settler's Landing, west of the RTA tracks, between St. Clair and Veteran's Memorial Bridge.

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

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

**Section 1.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Parks, Recreation & Properties is hereby authorized and directed to enter into a Concession Agreement with Holy Moses Water Taxi. In exchange for docking and operating privileges for the purpose of transporting, by watercraft, the general public to and from the east bank of the Cuyahoga River at the northern tip of Settler's Landing at the St. Clair Avenue right of way and to and from the west bank of the Cuyahoga River, Holy Moses Water Taxi will empty rubbish containers twice daily or as necessary, dispose of the rubbish via their trash receptacle located at their permanent docking facility at 1281 Main Avenue; pick up all litter and debris daily or as necessary; clean bird droppings from railings and walkways at least twice weekly with a pressure washer or other suitable means; remove debris from fountain area daily or as needed; secure life rings as needed, report any missing rings to Park Maintenance. Holy Moses Water Taxi's maintenance responsibilities include, and are limited to, Settler's Landing west of the RTA tracks, between St. Clair and Veteran's Memorial Bridge. The term shall commence on April 1, 1997 and shall expire on **October 31, 1998.**

**That the Director of Parks, Recreation and Properties shall provide an annual report to the Council on services rendered by Holy Moses Water Taxi pursuant to its contract.**

**Section 2.** That the Concession Agreement authorized herein shall be prepared by the Director of Law, and shall contain such additional provisions as he/she deems necessary to protect and benefit the public interest.

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

**Ord. No. 434-97.**

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more consultants or firms of consultants, to provide professional services necessary for testing and construction inspection services, for the various divisions of the Department of Port Control.

**Ord. No. 535-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair and replace automotive, truck and construction equipment glass, including related mechanical repairs, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 536-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair and maintain generators, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 537-97.**

By Councilman Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and maintain heavy duty construction equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 538-97.**

By Councilman Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Ford passenger car parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 539-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Ford tractor, mower and construction equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 540-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of International truck parts, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 541-97.**

By Councilmen Coats and Westbrook (by departmental request).

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

**Ord. No. 542-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of tire repair road service, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 543-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various types of batteries, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 544-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressor, and for emergency cleanup and replacement of leaking underground storage tanks and systems, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 545-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Chevrolet car, van, light, medium and heavy duty truck parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 546-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Cushman equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 550-97.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with NorthStar Equipment Corp., or its designee, to provide economic development assistance to partially finance the land acquisition and construction of a commercial/industrial building to be located in the Cleveland Industrial Park.

**Ord. No. 559-97.**

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to apply for and accept FAA grant funds.

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

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

**Section 1.** That the Director of Port Control is hereby authorized to apply for and accept grants from the United States of America, acting through its Federal Aviation Administration ("FAA"), to fund projects related to the operations of Cleveland Hopkins International Airport and Burke Lakefront Airport. The Director is further authorized to file all papers and execute all documents necessary to apply for, accept and receive funds under said grants; provided that the City shall follow all applicable federal regulations, required by the FAA; and that any grant funds be and are hereby appropriated for the purposes set forth in the applications for said grants, or any amendments thereto, provided that no funds may be expended unless the project or purpose has been first specifically authorized by ordinance of Council.

**Section 2.** That the Director of Port Control is further authorized to pay cash match funds for projects approved by the FAA for grant funding. Said matching funds shall be paid from funds appropriated for the use of the Department of Port Control and any existing or future revenue bond funds, grant proceeds and PFC authorizations.

**Section 3.** That the Director shall send notice to the Clerk of Council, the members of Council from Wards 20 and 21, and each member of the Aviation and Transportation Committee each time a grant is applied for under this ordinance, and each time any matching funds are expended in excess of ten thousand dollars (\$10,000) in accordance with this ordinance.

**That the Director of Port Control shall provide a quarterly report to the members of Council on public improvement and professional services contracts entered into pursuant to this ordinance and payable from the fund or funds to which are credited grant proceeds accepted pursuant to this ordinance.**

**Section 4.** That the provisions of this ordinance shall expire on December 31, 1998.

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

**Ord. No. 560-97.**

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance to authorize the Director of Port Control to enter into amendments to certain leases with various signatory airlines at Cleveland Hopkins International Airport; and to further authorize the Director to enter into an Assignment and Novation with the following: United Airlines, Inc. and Continental Airlines, Inc. to release United Airlines, Inc. from all duties and liabilities relative to its flight operations facility under Contract No. 30841 and to substitute Continental Airlines, Inc. under said contract; USAir, Inc. and Continental

Airlines, Inc. to release USAir, Inc. from all duties and liabilities relative to Gates A-2, A-4, A-6, A-9 and A-11 and associated support and operations space under City Contract No. 28672, and to substitute Continental Airlines, Inc. under said contract; and Continental Airlines, Inc. and TWA, Inc. to release Continental Airlines, Inc. from all duties and liabilities relative to Gates A-2, A-4 and A-6 and associated support and operations space under City Contract No. 28672, and to substitute TWA, Inc. under said contract, subject to TWA, Inc. demonstrating to the City the need for the use of all such gates.

**Ord. No. 571-97.**

By Councilmen Polensek and Westbrook (by departmental request).

**An emergency ordinance authorizing and directing the purchase by requirement contract of materials necessary to fabricate and install enlarged street name signs throughout the City of Cleveland, and other equipment and materials necessary for the production and installation thereof, for the Division of Traffic Engineering and Parking, Department of Public Safety for a two year period.**

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 and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **two years** for the necessary items of materials necessary to fabricate and install enlarged street name signs throughout the City of Cleveland, and other equipment and materials necessary for the production and installation thereof, in the estimated sum of \$500,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, 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 years** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire **two year period**.

**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 20468)

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

**Ord. No. 615-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to enter into contract without competitive bidding with E.J. Ward, Inc. for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for the Division of Motor Vehicle Maintenance, Department of Public Service.

**Ord. No. 618-97.**

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract with Clean-Land Ohio, to conduct a vacant lot maintenance program for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

**Ord. No. 624-97.**

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Port Control to enter into contract with Malcolm Pirnie, Inc. for various environmental services, for the various divisions of the Department of Port Control.

**Ord. No. 625-97.**

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more surveyors or firms of surveyors to provide professional services necessary to survey various parcels or portions of parcels of land.

**Ord. No. 627-97.**

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance, for the Cleveland Municipal Court, to enter into contract with the Legal Aid Society of Cleveland for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the Cleveland Municipal Court.

Whereas, in *Argersinger v. Hamlin* and *Scott v. Illinois*, the United States Supreme Court held that no indigent criminal defendant may be sentenced to a term of imprisonment unless he has been afforded the right to assistance of appointed counsel in his defense; and

Whereas, the City of Cleveland, through the Cleveland Municipal Court, is therefore obligated to provide an indigent defendant appointed counsel in order to permit the imposition of a sentence including a term of imprisonment; and

Whereas, it is the recommendation of the Cleveland Municipal Court, the district of which encompasses Bratenahl and the City of Cleveland, that such indigent defense should be provided by the Legal Aid Society of Cleveland; and

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

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

**Section 1.** That the Director of Finance, for the Cleveland Municipal Court, is hereby authorized and directed to enter into contract with the Legal Aid Society of Cleveland for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the period of one year beginning January 1, 1997 through December 31, 1997, at the estimated cost of **\$753,000.00**, payable from Fund No. 01-01-15-0320, Request No. 21816.

**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.

**Ord. No. 658-97.**

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

An emergency ordinance to amend Section 1 and 2 of Ordinance No. 81-96, passed April 1, 1996 relating to a contract with Fairfax Renaissance Development Corporation, or its designee, for economic development assistance to partially finance the acquisition of land in the Fairfax neighborhood and to finance the construction of new housing.

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

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

**Section 1.** That Section 1 and 2 of Ordinance No. 81-96 passed April 1, 1996 are hereby amended to read as follows:

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Fairfax Renaissance Development Corporation, or its designee, to provide economic development assistance to partially finance the acquisition of land in the Fairfax neighborhood between Cedar Avenue to the north, Quincy Avenue to the south, East 84th Street to the west, and East 89th Street to the east, and to finance the construction on said land of forty nine residential homes, Cleveland, Ohio. That the Director of Economic Development is authorized to enter into a contract, or to amend any existing contract, with Fairfax Renaissance Development Corporation, or its designee, to provide economic development assistance to partially finance the acquisition of land for the Villas At Woodhaven project in accordance with the terms of the Executive Summary referenced in Section 2 of this ordinance.

**Section 2.** That the term of said loan shall be accordance with the terms as set forth in the Executive Summary contained in File No. 81-96-B.

**Section 2.** That existing Section 1 and 2 of Ordinance No. 81-96, passed April 1, 1996 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.

**Ord. No. 660-97.**

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

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts to provide for the demolition, removal or the boarding up of structures within the City of Cleveland. CDBG Year XXIII.

**Ord. No. 661-97.**

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and Federal HOME Program funds for the administration of the Housing Rehabilitation Programs. CDBG Year XXII.

**Ord. No. 662-97.**

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

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Department of Community Development; and for reimbursement of non-profit subrecipients for the cost of the audits required by OMB Circular A-133. CDBG Year XXIII.

**Ord. No. 663-97.**

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and UDAG Repayment funds for the operation of the Storefront Renovation Program and Neighborhood Commercial Hub Program. CDBG Year XXIII.

**Ord. No. 664-97.**

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Code Enforcement and Demolition Programs. CDBG Year XXIII.

**Ord. No. 666-97.**

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed five vehicles, for the Division of Recreation, Department of Parks, Recreation and Properties.

**Ord. No. 786-97.**

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

An emergency ordinance giving consent of the City of Cleveland for the rehabilitation and/or reconstruction of Bosworth Road and Harvard Avenue to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvements; and to authorize the

Director of Public Service to cause payment of the City of Cleveland's share to the County of Cuyahoga for its portion of said improvements.

#### RESOLUTION

##### Res. No. 439-97.

By Councilman Paulenske.  
An emergency resolution declaring the intention to vacate a portion of East 3rd Street.

#### BOARD OF CONTROL

May 21, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 21, 1997, at 11:00 a.m., with Acting Mayor Sobol Jordan presiding.

Present: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Acting Director Alexander.

Absent: Mayor White, Director Warren.

Others: William Moon, Commissioner, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

##### Resolution No. 368-97.

By Director Carmody.  
Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of April, 1997 in the amount \$39,179.49, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, and Actor Director Alexander.

Nays: None.

Absent: None.

##### Resolution No. 369-97.

By Director Cunningham.  
Whereas, pursuant to the authority of Ordinance No. 1091-95 passed by Council of the City of Cleveland on June 19, 1995, the City of Cleveland entered into a Lease By Way of Concession (a "Lease"), City Contract No. 48824, with APCOA, Inc. for the purpose of operating a public parking facility at Burke Lakefront Airport ("Burke Parking Facility"); and Whereas, APCOA, Inc. desires to sublease the Burke Parking Facility to Spirit of Cleveland, Inc. to conduct the Great American Rib Cook-Off (the "Event"); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland (the "Board") that pursuant to the terms of Article XXII of the Lease, City Contract No. 48824, with APCOA, Inc., this Board does hereby approve the request of APCOA, Inc. to enter into a sublease with the Spirit of Cleveland, Inc. for the use by the Spirit of Cleveland, Inc. of the Burke Parking Facility for the conduct of the Event from June 19 to

22, 1997. The Spirit of Cleveland, Inc. shall pay directly to the City as a concession fee a guaranteed minimum fee of \$3,000.00 for the right to conduct the Event at the Burke Parking Facility. In the event that the weather is not inclement during the entire time of the Event when open to the public, then the Spirit of Cleveland, Inc. shall pay to the City an additional \$2,000.00. Said sublease shall not be in conflict with the terms of City Contract No. 48824.

Be it further resolved that the Director of Port Control hereby is authorized to complete and execute any documents necessary and appropriate to effect the consent to sub-lettings hereby approved which documents shall contain such additional terms and conditions as the Director shall deem necessary to protect the City's interests.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, and Actor Director Alexander.

Nays: None.

Absent: Director Hamilton.

##### Resolution No. 370-97.

By Director Guzman.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Jones Equipment, Inc. for an estimated quantity of various salt spreader, inset and plow parts and labor if necessary (items #3, 5 and 6) (labor rate \$50.00 per hour) 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 the April 3, 1997, pursuant to the authority of Ordinance No. 2028-96, passed December 16, 1996, which on the basis of the estimated quantity would amount to approximately Forty Five Thousand and no/100 Dollars, (\$45,000.00) (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. 092359 which shall be certified against such contract in the sum of Two Thousand Two Hundred Fifty and no/100 Dollars (\$2,250.00).

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: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, and Actor Director Alexander.

Nays: None.

Absent: Director Hamilton.

##### Resolution No. 371-97.

By Director Guzman.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Concord Road Equipment Mfg., Inc. for an estimated quantity of various salt spreader, inset and plow parts and labor if necessary (item #7) (labor rate \$45.00 per hr.) 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 the April 3, 1997, pursuant to the authority of Ordinance No. 2028-96, passed December 16, 1996, which on the basis of the estimated quantity would amount to approximately Twenty Thousand and no/100 Dollars, (\$20,000.00) (Net) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 092361 which shall be certified against such contract in the sum of One Thousand and no/100 Dollars (\$1,000.00).

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: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, and Actor Director Alexander.

Nays: None.

Absent: Director Hamilton.

##### Resolution No. 372-97.

By Director Guzman.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Gibson-Stewart Company for an estimated quantity of various salt spreader, insert and plow parts and labor if necessary (item #1) (price list no. 10/1/96, trade discount 0%) (labor rate of \$52.50 per hour) 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 the April 3, 1997, pursuant to the authority of Ordinance No. 2028-96, passed December 16, 1996, which on the basis of the estimated quantity would amount to approximately Fifteen Thousand and no/100 Dollars, (\$15,000.00), (2% 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 092360 which shall be certified against such contract in the sum of One Thousand and no/100 Dollars (\$1,000.00).

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: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, and Actor Director Alexander.

Nays: None.

Absent: Director Hamilton.



**Resolution No. 373-97.**

By Director Staib.  
 Be it resolved by the Board of Control of the City of Cleveland that in accordance with the provisions of Resolution No. 828-95, adopted by the Board of Control on November 1, 1995, and in accordance with the provisions of City Contract No. 49330 with Danielle's Services, Inc., dba Critter Control of Cleveland-East for the trapping of skunks, raccoons, opossums, ground hogs, and cats within the limits of the City of Cleveland in the estimated sum of \$35,000, that Critter Control of Cleveland-East is hereby allowed to subcontract a portion of the services required by the contract to Critter Control of Cleveland-West.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Actor Director Alexander.

Nays: None.  
 Absent: None.

**Resolution No. 374-97.**

By Director Staib.  
 Resolved, by the Board of Control of the City of Cleveland that the bid of Mid American Security Services, Inc. for an estimated quantity of Security services and security guards for the various divisions of the Department of Public Health, for the period of one (1) year beginning with the date of execution of a contract received on the 18th day of April, 1997, pursuant to the authority of Ordinance No. 2163-94, passed March 6, 1995, which on the basis of the estimated quantity would amount to Fifty-Three Thousand Four Hundred Forty-Seven and 94/100 Dollars (\$53,447.94) (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 095237  
 Security services and security guards which shall be certified against such contract in the sum of Nine Thousand and 00/100 (\$9,000.00) Dollars.

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Actor Director Alexander.

Nays: None.  
 Absent: None.

**Resolution No. 375-97.**

By Director Spellman.  
 Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 317-97, adopted by this Board on April 25, 1997, as amended by Resolution No. 367-97, adopted May 14, 1997, approving Independence Excavating, Inc. as lowest responsible bidder for the

mass excavation and pilings for the new Cleveland Browns Stadium, is hereby amended by deleting Autumn Industries from the list of approved subcontractors appearing in the last paragraph of said resolution and revising the dollar amounts of such approved subcontractors as follows:

	Original	Revised
Granger Trucking (MBE)	\$1,375,000	\$1,525,000
Obon Trucking (MBE)	50,000	10,000
United Ready Mix (MBE)	- 0 -	1,500,000
LT Services (FBE)	20,000	49,400

Be it further resolved that all other provisions of said Resolution No. 317-97, as previously amended, not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, and Actor Director Alexander.

Nays: None.  
 Absent: Director Hamilton.

**Resolution No. 376-97.**

By Director Spellman.  
 Resolved by the Board of Control of the City of Cleveland that all bids received on September 20, 1996 for Oman Park Site Improvements for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, pursuant to the authority of Ordinance No. 1455-94, passed by the Council of the City of Cleveland on November 21, 1994, be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, and Actor Director Alexander.

Nays: None.  
 Absent: Director Hamilton.

**Resolution No. 377-97.**

By Director Spellman.  
 Resolved by the Board of Control of the City of Cleveland that the bid of Mussun Sales, Inc. for the following: Building Ventilation Equipment (All Items) for the Division of Property Management, Department of Parks, Recreation and Properties, received on the 18th day of April, 1997, pursuant to the authority of Ordinance No. 1028-93, passed June 7, 1993, which on the basis of order quantity would amount to \$21,645.00 (1% 10 Days) is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, and Actor Director Alexander.

Nays: None.  
 Absent: Director Hamilton.

**Resolution No. 378-97.**

By Director Spellman.  
 Resolved by the Board of Control of the City of Cleveland that the bid of Hogan Electric Co. for the following: Electrical Work (All Items) for the Division of Recreation, Department of Parks, Recreation and Properties, received on the 2nd day of May, 1997, pursuant to the authority of Ordinance No. 260-97, passed March 24, 1997, which on the basis of order quantity would amount to \$15,900.00 is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, and Actor Director Alexander.

Nays: None.  
 Absent: Director Hamilton.

**Resolution No. 379-97.**

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-20-067 located at 1438 West 84 Street in Ward 17; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Cathy Farmer and Theron R. Farmer, Jr., abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;
2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;
3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Cathy Farmer and Theron R. Farmer, Jr., for the sale and development of Permanent Parcel No. 002-20-067, located at 1438 West 84 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham,

Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Actor Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 380-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 118-22-107, northerly 30.17 feet, located at 2206 East 69 Street in Ward 5; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Elize Ridgeway, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Elize Ridgeway for the sale and development of Permanent Parcel No. 118-22-107, northerly 30.17 feet, located at 2206 East 69 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Actor Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 381-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 118-22-107, southerly 10 feet, located at 2206 East 69 Street in Ward 5; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Garden Village Housing Development, Inc., abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Garden Village Housing Development, Inc. for the sale and development of Permanent Parcel No. 118-22-107, southerly 10 feet, located at 2206 East 69 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Actor Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 382-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 107-13-167 under said Land Reutilization Program; and

Whereas, Ordinance No. 2194-96 passed April 21, 1997, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Viola Fuller has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2194-96 passed April 21, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Viola Fuller for the sale and development of Permanent Parcel No. 107-13-167, as described in said

Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Actor Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 383-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 106-22-130 under said Land Reutilization Program; and

Whereas, Ordinance No. 1975-96 passed April 21, 1997, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Michele J. and Elwood E. Clark have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1975-96 passed April 21, 1997, by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Michele J. and Elwood E. Clark for the sale and development of Permanent Parcel No. 106-22-130 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Actor Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 384-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 127-23-060, 130-06-038, 130-21-089, 137-01-062, 130-08-014 and 135-07-132 under said Land Reutilization Program; and

Whereas, Ordinance No. 171-97 passed April 21, 1997, authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Mt. Pleasant Now Development or designee has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 171-97 passed April 21, 1997, by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Mt. Pleasant Now Development or designee for the sale and development of Permanent Parcel No. 127-23-060, 130-06-038, 130-21-089, 137-01-062, 130-08-014 and 135-07-132 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Actor Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 385-97.**

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

Whereas, City has acquired Permanent Parcel No. 103-21-105 under said Land Reutilization Program; and

Whereas, Ordinance No. 216-97 passed April 21, 1997, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Greater Cleveland Habitat For Humanity, Inc. has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 216-97 passed April 21, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Greater Cleveland Habitat For Humanity, Inc. for the sale and development of Permanent Parcel No. 103-21-105, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Actor Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 386-97.**

By Director Konicek.  
Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1604-96, passed by the

Council of the City of Cleveland on October 28, 1996, Jerome H. Schmelzer & Associates is hereby selected upon the nomination of the Director of Public Utilities from a list of qualified public relation firms determined, after a full and complete canvass by said director, as the firm to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City of Cleveland in order to provide professional services necessary to perform research, writing, creative design, photography, artwork, layout, preparation of camera ready artwork and offset lithographic reproduction of the 1996 Annual Report for the Division of Cleveland Public Power, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a written contract with Jerome H. Schmelzer & Associates based upon its proposal dated February 21, 1997, which contract shall be prepared by the Director of Law and shall provide for furnishing of professional services as contained in such proposal and shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the work shall commence upon execution of said contract and shall further provide that the aggregate fee will not be in excess of \$33,900.00.

Be it further resolved that the employment of the following subcontractors to Jerome H. Schmelzer & Associates is hereby approved:

<b>SUB-CONTRACTORS</b>	<b>WORK</b>
Monarch Impressions	Printing, Supervision (8% MBE)
Penhallunck & Asso.	Research, Writing (9% FBE)
Polk Photography	Photography (9% MBE)

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, and Actor Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 387-97.**

By Director Guzman.  
Resolved by the Board of Control of the City of Cleveland that all bids received on February 21, 1997 for various vans (item #3) for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance Nos. 918-96, 1476-96, passed by the Council of the City of Cleveland on June 18, 1996, August 14, 1996 be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, and Actor Director Alexander.

Nays: None.  
Absent: Director Hamilton.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

FREDDIE J. FENDERSON,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, JUNE 9, 1997**

**9:30 A.M.**

Calendar No. 97-86: 12608 Rexford Ave., S.E.

Mary Banks and Harvey Banks, owners, to erect a 10' x 12' one story frame addition to the rear of the 24' x 29' 1.5 story one family dwelling house located in a B-Two Family District on a 40' x 150' lot at 12608 Rexford Ave.; said addition to reduce the rear yard to 13' instead of the 20' as required by Section 357.08 of the Codified Ordinances.

Calendar No. 97-87: 4533 State Rd., S.W.

Gloria Ltd., a partnership, owner, c/o Antoine Georges, partner, to erect a 63' x 43' one story masonry stores building on a 96' x 91' irregular shaped corner lot located in a Local Retail District on the southwest corner of State Rd. and Cypress Ave. and known as 4533 State Rd.; said building not being provided with sufficient proper accessory off-street parking spaces contrary to Section 349.04 and the access drives to the parking spaces provided being contrary to the location and number requirements of Section 349.07 and parking provided being located within the setback areas along both State Rd. and Cypress Ave. contrary to Sections 357.05 and 357.07 and the premises not conforming to the landscaping provisions of Sections 352.09 and 352.10 of the Codified Ordinances.

Calendar No. 97-89: 5712 Harvard Ave., S.E.

Kim McDermott, owner, and Ray McDermott, tenant, to erect a 35' x 43' one story masonry contractor's storage garage on the rear of the

45' x 147' irregular shaped lot located in a General Retail District and occupied on the front by a store and suite building known as 5712 Harvard Ave.; said use being contrary to the retail use limitations of Section 343.11 of the Codified Ordinances.

Calendar No. 97-90: 4505 Fenwick Ave.

Pearl Triplett, owner, to erect a 8' x 22' open front porch attached to the front of the one family dwelling house located on the rear of the lot located in a Semi Industry District at 4505 Fenwick Ave.; said proposed front porch to project 8' instead of 6' maximum allowed by Sec. 357.13(B)(4) and proposed porch to be 30' from the rear of main building instead of 40' as required by Sec. 357.15(A) and request being contrary to the expansion limitations of Sec. 359.01(A) of the Codified Ordinances.

Calendar No. 97-94: 12100 Buckeye Rd.

James Grodin, owner and Patricia Vaughn, prospective tenant, request to change use from restaurant to daycare and request to erect an 1116 square foot addition to the existing one story masonry restaurant building located on a corner lot in a Local Retail District and Two Family District; said request being contrary to the sidestreet setback requirement of Section 357.05 and subject to the Boards approval authority of Section 337.02(3) of the Codified Ordinances.

**10:30 A.M.**

Calendar No. 97-95: 3873 Rocky River Dr.

Roger and Basem Salem, owner, request to change use to a Dental Prosthetic Laboratory and Offices, the former one story masonry grocery store building located on a corner lot in a Local Retail District; said request being contrary to the Local Retail use limitation of Section 343.11 and contrary to the setback and landscaping requirements of Sections 357.07, 357.14 and 352.10 of the Codified Ordinances.

HUNTER MORRISON,  
Acting Secretary

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**TUESDAY, MAY 27, 1997**

At the Meeting of the Board of Zoning Appeals, on, Monday, May 19, 1997, the following appeals were heard by the Board, and decided on Tuesday, May 27, 1997.

The following appeals were **Granted:**

Calendar No. 97-82: 2818 Chatham Ave., S.W.

St. Ignatius High School, owner, c/o Don Grace, to use as an athletic field.

Calendar No. 97-83: 2910 Chatham Ave., S.W.

St. Ignatius High School, owner, c/o Don Grace, to use as an athletic field.

Calendar No. 97-84: 3010 Chatham Ave., S.W.

St. Ignatius High School, owner, c/o Don Grace, to use as an athletic field.

Calendar No. 97-73: 9707 Steinway Ave., S.E.

Buckeye Homes II, a limited partnership, owner, c/o Mary Beth Monty, to erect a 30' x 40' two story frame one family dwelling house.

Calendar No. 97-66: 1848 W. 52nd St. Bridge Housing Corporation c/o Randall Shorr, owner, to consolidate sublots #346 and #347 and subdivide said parcel into three 36' x 122' lots and to construct a 21' x 34' two story frame one family dwelling and a 12' x 20' one story frame detached private garage.

Calendar No. 97-67: 1850 W. 52nd St. Bridge Housing Corporation c/o Randall Shorr, owner, to consolidate sublots #346 and #347 and subdivide said parcel into three 36' x 132' lots and to construct a 21' x 34' two story frame one family dwelling and 12' x 20' one story frame private garage.

Calendar No. 97-68: 1854 West 52nd Street

Bridge Housing Corporation c/o Randall Shorr, owner, to consolidate sublots #346 and #347 and subdivide said parcel into three 36' x 132' lots and to construct a 21' x 34' two story frame one family dwelling and a 14' x 20' one story frame private garage.

The following appeal was **Withdrawn:**

Calendar No. 97-12: 4141 West 130th Street.

The following appeal was heard on May 19, 1997 and **Postponed:**

Calendar No. 97-81: 9717 Lardner Avenue, N.W. to June 16, 1997.

The following appeals were **Postponed:**

Calendar No. 97-102: 1361 E. 55th Street to June 9, 1997.

Calendar No. 97-99: 1540 Columbus Court to June 23, 1997.

Calendar No. 97-100: Appeal of Richard A. Bias to June 9, 1997.

Calendar No. 97-69: 4001 Trent Ave. S.W. to June 16, 1997.

HUNTER MORRISON,  
Acting Secretary

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

NO MEETING

**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**

**Notice of Public Hearing  
By the Council Committee  
on City Planning**

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, June 11, 1997  
1:30 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, June 11, 1997, at 1:30 P.M., to consider the following ordinances now pending in the Council:

**Ord. No. 124-97.**

By Councilman Patmon.  
An ordinance to change the Use and Height Districts of lands on the southerly side of St. Clair Avenue, N.E. between E. 105 Street and Parkwood Drive. (Map Change No. 1933, Sheet No. 8)

**Ord. No. 629-97.**

By Councilman Polensek.  
An ordinance to change the Use, Area, and Height Districts of lands on both sides of St. Clair Avenue, N.E. between E. 152 Street and E. 166 Street. (Map Change No. 1909, Sheet No. 7)

**Ord. No. 675-97.**

By Councilman Moran.  
An ordinance to change the Use District of lands on the southerly side of Wetzel Avenue, S.W. from Pearl Road, S.W. to approximately 900.23' west of Pearl Road, S.W. (Map Change No. 1937, Sheet No. 3)

**Ord. No. 730-97.**

By Councilman Polensek.  
An Ordinance establishing the East 185 Street Business Revitalization District (BRD) (Map Change No. 1938, Sheet No. 7).

**Ord. No. 818-97.**

By Councilman Coats.  
An ordinance to change the Use, Area and Height Districts of lands bounded by E. 149 Street/E. 152 Street/St. Clair Avenue/approximately 950' south of St. Clair Avenue. (Map Change No. 1940, Sheet No. 7).

**Ord. No. 819-97.**

By Councilman Moran.  
An ordinance to change the Use and Area Districts of lands on the southwesterly corner of Oak Park Avenue, S.W. and the southeasterly corner of Pearl Road, S.W. (Map Change No. 1939, Sheet No. 3).

**Ord. No. 820-97.**

By Councilman Polensek.  
An ordinance to change the Use and Area Districts of lands on the northerly side of Damon Avenue, N.E. and East 161 Street. (Map Change No. 1941, Sheet No. 7).

**Ord. No. 821-97.**

By Councilman Rybka.  
An ordinance to change the Use and Height Districts of lands between Broadway, Aetna, and Forman. (Map Change No. 1945, Sheet No 6).

**Ord. No. 822-97.**

By Councilman Smith.  
An ordinance to change the Use and Area Districts of lands from West 28 Street to West 26 Street

between Carroll Avenue and McLean Court. (Map Change No. 1944, Sheet No 1).

**Ord. No. 823-97.**

By Councilman Sweeney.  
An ordinance to change the Use, Area, and Height Districts of lands on the westerly side of Rocky River Drive to Grayton Road from the north side of Forestwood to I-480 and on the easterly side of Rocky River Drive to the Freeway and from the north side of Drysdale Avenue to south side of Midvale Avenue. (Map Change No. 1942, Sheet No. 13).

**Ord. No. 824-97.**

By Councilman Sweeney.  
An ordinance to change the Use and Area Districts on both sides of Hilltop Drive in the Emerald Park site. (Map Change No. 1943, Sheet No. 13)

**Ord. No. 876-97.**

By Councilmen Rybka, Willis and Westbrook (by departmental request).  
An emergency ordinance to amend Section 347.07 and 347.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, respectively, by Ordinance Nos. 1463-91, passed June 17, 1991, and 1205-94, passed June 13, 1994, relating to adult entertainment and to amusement and recreation uses; and to supplement said codified ordinances by enacting new Section 331.04 thereof relating to measurement.

All interested persons are urged to be present or to be represented at the above time and place.

Edward W. Rybka,  
Chairman  
Committee on City Planning

May 28 and June 4, 1997

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status

**compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."**

**THURSDAY, JUNE 5, 1997**

**Reconstruction of Taxiway "J",** for the Division of Cleveland Hopkins International Airport, Department of Port Control.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 29, 1997, 10:00 A.M. IN THE ENGINEERING OFFICE CONFERENCE ROOM, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

**Continental Airlines, Inc., Cleveland 2000, Cleveland Hopkins International Airport "C" Concourse President's Club,** for the Department of Port Control.

PLANS AND SPECIFICATIONS. MAY BE OBTAINED FROM ROBERT P. MADISON, INTERNATIONAL, INC., 2930 EUCLID AVENUE, CLEVELAND, OHIO 44114 FOR A NON-REFUNDABLE FEE OF ONE HUNDRED TWENTY FIVE DOLLARS (\$125.00). A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, MAY 28, 1997, 10:00 A.M. AT THE ROC BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135. SEALED BIDS WILL BE RECEIVED UNTIL THE BID CLOSING DATE OF JUNE 5, 1997, 3:00 P.M. AT CONTINENTAL AIRLINES, INC., ROC BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135 — ATTENTION BILL FRASER.

May 21 and May 28, 1997

**FRIDAY, JUNE 6, 1997**

**Rebuilt Transmissions,** for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1968-96, passed by the Council of the City of Cleveland, December 16, 1996.

May 21 and May 28, 1997

**WEDNESDAY, JUNE 11, 1997**

**Disposal of Catch Basin Debris,** for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2151-96, passed by the Council of the City of Cleveland, February 10, 1997.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, JUNE 5, 1997, 10:00 A.M., AT

THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE.

**Meals for the Summer Food Service Program,** for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 217-97, passed by the Council of the City of Cleveland, April 14, 1997.

**Paper Stock and Envelopes,** for the Division of Printing and Reproduction, Department of Finance, as authorized by Ordinance No. 225-97, passed by the Council of the City of Cleveland, April 14, 1997.

May 21 and May 28, 1997

**THURSDAY, JUNE 12, 1997**

**Sewer Test Tee Installation and Snaking,** for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 541.13 of the Codified Ordinances of the City of Cleveland and Ordinance No. 643-90, passed by the Council of the City of Cleveland, June 11, 1990.

A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JUNE 4, 1997, 10:30 A.M., AT THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE.

May 21 and May 28, 1997

**FRIDAY, JUNE 13, 1997**

**Pool Chemicals,** for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 425-97, passed by the Council of the City of Cleveland, May 5, 1997.

**Photo Supplies,** for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 221-97, passed by the Council of the City of Cleveland, April 14, 1997.

**Masonry Restoration Work at Engine House #42,** for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1028-93, passed by the Council of the City of Cleveland, June 7, 1993.

May 21 and May 28, 1997

**WEDNESDAY, JUNE 18, 1997**

**C-15 Transmission Line to Pearl Road,** for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

May 21 and May 28, 1997

**ANNOUNCEMENT**

Engineering Services for the Reconstruction East 40th Street.  
The Division of Engineering and Construction has issued a Request for Proposal (RFP) for the Engineering Services necessary for the Reconstruction of East 40th Street.

Interested parties should contact J. Christopher Nielson, Commissioner, Division of Engineering and Construction, City Hall, Room 518, 601 Lakeside Avenue, Cleveland, Ohio 44114-1067 (216) 664-2381, for a Copy of the RFP. The Proposals are due no later than 12:00 noon on Friday, June 6, 1997 in the Commissioner's Office, Room 518.

May 21 and May 28, 1997

**WEDNESDAY, JUNE 11, 1997**

**Cleveland Memorial Gardens Site Improvements (Highland Park Cemetery Expansion Program - Phase I)**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1169-91 and 1107-92, passed by the Council of the City of Cleveland, June 17, 1991 and June 2, 1992, respectively.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON THURSDAY, JUNE 4, 1997, 9:00 A.M. AT BURKE LAKEFRONT AIRPORT, FIRST FLOOR CONFERENCE ROOM.

May 28 and June 4, 1997

**WEDNESDAY, JUNE 18, 1997**

**Maintenance, Repair and Testing of Elevators at Various Plants**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2934-96, passed by the Council of the City of Cleveland, December 2, 1996.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JUNE 11, 1997, 11:00 A.M. IN THE 5TH FLOOR CONFERENCE ROOM OF THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE.

**Sodium Fluorosilicate and Fluorosilicic Acid**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

**Liquid Chlorine**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

**Aluminum Sulfate and Aluminum Sulfate-Polyelectrolyte Blend Coagulant**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

**Corrosion Control Chemicals**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

May 28 and June 4, 1997

**THURSDAY, JUNE 19, 1997**

**Motorcycle Repairs and Parts**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 117-97, passed by the Council of the City of Cleveland, March 24, 1997.

**Fire Extinguishing Agents**, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 223-97, passed by the Council of the City of Cleveland, April 14, 1997.

**Paper and Cloth Wipers**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2207-96, passed by the Council of the City of Cleveland, January 13, 1997.

May 28 and June 4, 1997

**SPECIAL BID NOTICE**

Sealed bids will be received for the maintenance and landscaping of the Cleveland Theater District. Bid specs can be picked up at **Playhouse Square Foundation, 1501 Euclid Avenue, Suite 810, Cleveland, Ohio 44115**. Sealed bids must be received no later than noon, Monday, June 16th, 1997 at the above address. Inquiries can be made to Sarah at 348-5326.

May 21, 28 and June 4, 1997

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 908-97.**

**By Councilman Lewis.**

**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 9200 Wade Park Avenue Unit A30 & 40.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 9349510 WAK Grocery Inc., 9200 Wade Park Avenue Unit A30 & 40, Cleveland, Ohio 44106, to Permit No. 4155529; and

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

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

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

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

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it

substantially interferes with public decency, sobriety, peace or good order; and

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

Whereas, in the event IS Grocery, Inc., the transferee of the permit, executes a cooperation agreement with the City relating to said permit, the objection to the transfer of ownership of the C2 and C2X Liquor Permit set forth in this Resolution may be withdrawn; and

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 9349510 WAK Grocery Inc., 9200 Wade Park Avenue Unit A30 & 40, Cleveland, Ohio 44106, to Permit No. 4155529; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 1997.

Effective May 27, 1997.

**Res. No. 909-97.**

**By Councilman Lewis.**

**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1795 East 55th Street.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 3160612, Elias Ghazal, DBA Big Star Eagle Market, 1795 East 55th Street, Cleveland, Ohio 44103, to Permit No. 7705275; and

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

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

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

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

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

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

Whereas, in the event Sammor, Inc., the transferee of the permit, executes a cooperation agreement with the City relating to said permit, the objection to the transfer of ownership of the C2 and C2X Liquor Permit set forth in this Resolution may be withdrawn; and

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 3160612, Elias Ghazal, DBA Big Star Eagle Market, 1795 East 55th Street, Cleveland, Ohio 44103, to Permit No. 7705275; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 1997.  
Effective May 27, 1997.

---

**Res. No. 910-97.**  
**By Councilman Lewis.**  
**An emergency resolution objecting to the issuance of a C1 Liquor Permit to Ellanora Perry at 1210 East 79th Street.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Ellanora Perry at 1210 East 79th Street, Cleveland, Ohio 44103; and

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard

of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

Whereas, in the event Ellanora Perry executes a cooperation agreement with the City relating to said permit, the objection to the C1 Liquor Permit set forth in this Resolution may be withdrawn; and

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Ellanora Perry and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 1997.  
Effective May 27, 1997.

---

**Res. No. 911-97.**  
**By Councilman Melena.**  
**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3230 West 65th Street.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 18427740035, C S Ross Co., dba Big Lots 803, 3230 West 65th Street, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 18427740035, C S Ross Co., dba Big Lots 803, 3230 West 65th Street, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 1997.  
Effective May 27, 1997.

---

**Res. No. 912-97.**  
**By Councilman Willis.**  
**An emergency resolution objecting to the transfer of location of a C2 and C2X Liquor Permit to 11003 Superior Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 7184953, Ramis Food Market, Inc., dba Little FY Nest Market, 12419 Superior Avenue, 1st Floor and Basement, Cleveland, Ohio 44106, to Permit No. 4788115, Koons Inc., dba Koons Food & Beverage, 11003 Superior Avenue, Cleveland, Ohio 44106; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 7184953, Ramis Food Market, Inc., dba Little FY Nest Market, 12419 Superior Avenue, 1st Floor and Basement, Cleveland, Ohio 44106, to Permit No. 4788115, Koos Inc., dba Koos Food & Beverage, 11003 Superior Avenue, Cleveland, Ohio 44106, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 1997.  
Effective May 27, 1997.

**Res. No. 913-97.**

**By Councilman Skrha.**

**An emergency resolution objecting to the transfer of ownership of a D2, D2X and D3 Liquor Permit to 812 Huron Road, First Floor, Unit 6R3.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X and

D3 Liquor Permit to Permit No. 1346706, Caxton Cafe Inc., dba Caxton Cafe, 812 Huron Road, 1st Floor, Unit 6R3 to Permit No. 4143808, I 90 Ltd LLC, 812 Huron Road, 1st Floor, Unit 6R3, Cleveland, Ohio 44115; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D2, D2X and D3 Liquor Permit to Permit No. 1346706, Caxton Cafe Inc., dba Caxton Cafe, 812 Huron Road, 1st Floor, Unit 6R3 to Permit No. 4143808, I 90 Ltd LLC, 812 Huron Road, 1st Floor, Unit 6R3, Cleveland, Ohio 44115, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 1997.  
Effective May 28, 1997.

**Res. No. 914-97.**

**By Councilman Skrha.**

**An emergency resolution objecting to the transfer of location of a D1, D2, D3 and D3A Liquor Permit to 1575 Merwin Avenue, 1st Fl.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 00045080005, A Jay Inc., 3382 W. 44th St., 1st Fl. & Bmst., Cleveland, Ohio 44109, to Permit No. 000450800051, A Jay Inc., 1575 Merwin Ave., Cleveland, Ohio 44113; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of location of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 00045080005, A Jay Inc., 3382 W. 44th St., 1st Fl. & Bmst., Cleveland, Ohio 44109, to Permit No. 000450800051, A Jay Inc., 1575 Merwin Ave., Cleveland, Ohio 44113, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 1997.  
Effective May 28, 1997.



**Res. No. 915-97.**  
**By Councilman Skrha.**  
**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3133 Payne Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 8916979, 3133 Payne Inc., dba Amy Beverage & Deli, 3133 Payne Avenue, Cleveland, Ohio 44114, to Permit No. 7701687, Sam Khatib Inc., dba Amy Beverage & Deli, 3133 Payne Avenue, Cleveland, Ohio 44114; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 8916979, 3133 Payne Inc., dba Amy Beverage & Deli, 3133 Payne Avenue, Cleveland, Ohio 44114, to Permit No. 7701687, Sam Khatib Inc., dba Amy Beverage & Deli, 3133 Payne Avenue, Cleveland, Ohio 44114, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and

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

Adopted May 19, 1997.  
 Effective May 27, 1997.

**Res. No. 916-97.**  
**By Councilman Skrha.**  
**An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to 4301 Payne Ave., 1st Fl. & Bsmt.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3A and D6 Liquor Permit from Permit No. 3908913, Hoi Tin City Inc., dba Duffys Tavern, 4301 Payne Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44103, to Permit No. 7672461 Sahara Corp., dba Sahara Club, 4301 Payne Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44103; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D2, D2X, D3A and D6 Liquor Permit from Permit No. 3908913, Hoi Tin City Inc., dba Duffys Tavern, 4301 Payne Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44103, to Permit No. 7672461 Sahara Corp., dba Sahara Club, 4301 Payne Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44103, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two

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

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

Adopted May 19, 1997.  
 Effective May 28, 1997.

**Res. No. 917-97.**  
**By Councilman Skrha.**  
**An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit to 3528 Payne Avenue, 1st Fl.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit from Permit No. 0298862, Asia Inc., dba Payne Cafe, 3528 Payne Avenue, 1st Fl., Cleveland, Ohio 44114, to Permit No. 6773142, Payne Cafe Inc., dba Payne Cafe, 3528 Payne Avenue, 1st Fl., Cleveland, Ohio 44114; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit from Permit No. 0298862, Asia Inc., dba Payne Cafe, 3528 Payne Avenue, 1st Fl., Cleveland, Ohio 44114, to Permit No. 6773142, Payne Cafe Inc., dba Payne Cafe, 3528 Payne Avenue, 1st Fl., Cleveland, Ohio 44114; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 1997.  
Effective May 28, 1997.

**Res. No. 918-97.**  
**By Councilman Skrha.**  
**An emergency resolution objecting to the issuance of a D1 & D2 Liquor Permit to 2065 Scranton Rd.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a D1 & D2 Liquor Permit to Permit No. 5379240, MHYachting Inc., Fed Reg. #964804, DBA Moondance, 2065 Scranton Rd., Cleveland, Ohio 44113; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a D1 & D2 Liquor Permit to Permit No. 5379240, MHYachting Inc., Fed Reg. #964804, DBA Moondance, 2065 Scranton Rd., Cleveland, Ohio 44113; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 1997.  
Effective May 28, 1997.

**Res. No. 919-97.**  
**By Councilman Polensek.**  
**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 16300 Lake Shore Blvd.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 18427740040, C S Ross, Co., dba Big Lots 1048, 16300 Lake Shore Blvd., Cleveland, Ohio 44110-1014; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 18427740040, C S Ross, Co., dba Big Lots 1048, 16300 Lake Shore Blvd., Cleveland, Ohio 44110-1014; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 19, 1997.  
Effective May 27, 1997.

**Ord. No. 113-97.**  
**By Councilmen Coats and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the Director of Public Service to enter into one or more contracts with Clean-Land, Ohio to implement the City's Recycling, Litter Prevention Education, and Recycling Public Awareness Program and waste reduction activities for 1997.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to enter into one or more contracts with Clean-Land, Ohio to implement the City's Recycling, Litter Prevention Education, and Recycling Public Awareness Program and waste reduction activities for 1997, in an amount not to exceed \$142,672.00, to be paid from Fund No. 13 SF 208, Request No. 23155.

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

Passed May 19, 1997.  
Effective May 27, 1997.

**Ord. No. 115-97.**  
**By Councilmen Patmon, Jackson and Rokakis (by departmental request).**

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

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

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

Whereas, through Ordinance No. 56-94, passed June 13, 1994, as amended by Ordinance No. 2123-96, passed February 10, 1997, the City established the Neighborhood Development Investment Program and the Neighborhood Development Investment Fund (NDIF) for the purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; and

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into contract with CNDC to provide professional services necessary to administer the Program for the Program.

**Section 2.** That the costs of said contract shall not exceed One Hundred Eighty Thousand Dollars (\$180,000) and, provisions of Ordinance No. 56-94, passed June 13, 1994, as amended by Ordinance No. 2123-96, passed February 10, 1997, to the contrary notwithstanding, shall be from the NDIF, Fund No. 10 SF 501.

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

Passed May 12, 1997.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 431-97.  
By Councilmen Robinson and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1997 STD (Sexually Transmitted Disease testing) 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 notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$81,285.00 from the Ohio Department of Health, to conduct the 1997 STD 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. 431-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed May 19, 1997.

Effective May 27, 1997.

**Ord. No. 432-97.  
By Councilmen Robinson and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of pharmaceutical supplies, for the Divisions of Correction and Health, Department of Public Health.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized and directed to 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 pharmaceutical supplies in the estimated sum of \$50,000 as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Corrections and Health, Department of Public Health. 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 21805 and 21833)

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

Passed May 19, 1997.

Effective May 27, 1997.

**Ord. No. 569-97.  
By Councilmen Polensek, Willis and Westbrook (by departmental request).**

**An emergency ordinance to amend Section 135.063, as amended by Ordinance No. 1309-96, passed September 30, 1996, relating to uniform maintenance allowances.**

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 135.063 as amended by Ordinance No. 1309-96, passed September 30, 1996, is hereby amended to read as follows:

**Section 135.063 Uniform Maintenance Allowances**

The Director of Public Safety is hereby authorized to cause payment for a uniform maintenance allowance to employees in the classifications in the Safety Department for which the applicable collective bargaining agreement establishes a maintenance allowance, in the amount established in the agreements.

In addition, the Director of Public Safety is authorized to cause payment for a uniform allowance to employees in the following classifications in the amounts shown:

<u>Classification</u>	<u>Annual Maintenance Allowance</u>
(a) Police Chief	In the same amount as the amount established by collective bargaining agreement for Police; Supervisory
(b) Deputy Chief of Police	In the same amount as the amount established by collective bargaining agreement for Police; Supervisory
(c) Fire Chief	In the same amount as the amount established by collective bargaining agreement for Firefighters
(d) Assistant Chief of Fire	In the same amount as the amount established by collective bargaining agreement for Firefighters
(e) EMT Supervisors	In the same amount as the amount established by collective bargaining agreement for Emergency Medical Technicians
(f) Chief Dog Warden	In the same amount as the amount established by collective bargaining agreement for Dog Wardens
(g) Chief Dispatchers	In the same amount as the amount established by collective bargaining agreement for Dispatchers

**Section 2.** That existing Section 135.063 as amended by Ordinance No. 1309-96, passed September 30, 1996, is hereby repealed.

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

Passed May 19, 1997.  
Effective May 27, 1997.

**Ord. No. 620-97.**

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

**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to remove barrels containing toxic traffic paint materials and other services necessary to complete the remediation, for the Division of Traffic Engineering and Parking, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to remove barrels containing toxic traffic paint materials and other services necessary to complete the remediation, in the estimated sum of \$30,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** 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 20469)

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

Passed May 19, 1997.  
Effective May 27, 1997.

**Ord. No. 670-97.**

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

**An emergency ordinance to extend the retirement dates of five Division of Police employees for a one-year period for the Division of Police, Department of Public Safety.**

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

Whereas, Lieutenant Michael O'Malley, Patrolman Emil Cielec, Lieutenant Edward Lentz, Sergeant John Kaminski and Detective Arssie Taylor possess great wealth of knowledge and expertise in various areas and have proved invaluable in attaining the goals of the Division of Police; and

Whereas, the Director of Public Safety has approved the continuation on active duty by Lieutenant Michael O'Malley, Patrolman Emil Cielec, Lieutenant Edward Lentz, Sergeant John Kaminski and Detective Arssie Taylor for a period of one year; 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 Lieutenant Michael O'Malley of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on June 30, 1997, and that such continuation is hereby approved by this Council.

**Section 2.** That Patrolman Emil Cielec of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 20, 1997, and that such continuation is hereby approved by this Council.

**Section 3.** That Lieutenant Edward Lentz of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 14, 1997, and that such continuation is hereby approved by this Council.

**Section 4.** That Sergeant John Kaminski of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on July 29, 1997, and that such continuation is hereby approved by this Council.

**Section 5.** That Detective Arssie Taylor of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 26, 1997, and that such continuation is hereby approved by this Council.

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

Passed May 19, 1997.  
Effective May 27, 1997.

**Ord. No. 671-97.**

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

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1997 Hepatitis B Immunization Activity Assistance 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 Public Health is hereby authorized to apply for and accept a grant in the amount of \$47,250.00 from the Ohio Department of Health to conduct the 1997 Hepatitis B Immunization Activity Assistance Grant, 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. 671-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed May 19, 1997.  
Effective May 27, 1997.

**Ord. No. 724-97.**

**By Councilman Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of various data entry services to convert 1996 wage and tax statements from paper documents and magnetic tape to machine readable magnetic tapes, for the Division of Taxation, 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 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 keying and conversion of 1996 wage and tax statements from paper documents and magnetic tape to machine readable magnetic tapes per CCA specifications, including furnishing media, transportation and security 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 Taxation, Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a peri-

od 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 21206)

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

Passed May 19, 1997.  
Effective May 27, 1997.

**Ord. No. 725-97.**  
**By Councilman Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of plumbing materials and supplies, 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 Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of plumbing materials and supplies in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the 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 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 22981)

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

Passed May 19, 1997.  
Effective May 27, 1997.

**Ord. No. 845-97.**  
**By Councilman Westbrook.**  
**An emergency ordinance authorizing and directing the submission to the electors of the City of Cleveland of an initiative petition proposing to enact new Section 33-1 of the Charter of the City of Cleveland, relating to limitations on the power of Council to grant or consent to the granting of an exemption from taxation for real or tangible personal property.**

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

**Section 1.** That this Council hereby authorizes and directs the submission to the Electors of the City of Cleveland at the General Election to be held at the usual places of voting in said City on Tuesday, August 5, 1997, of an initiated proposal to enact new Section 33-1 of the Charter of the City of Cleveland which sections shall read as follows:

No ordinance or resolution or section thereof shall grant or consent to the granting of an exemption from taxation for real or tangible personal property (including without limitation any tax abatement, tax increment financing, or other financing arrangement), the effect of which is to diminish revenue that the Cleveland City School District General Fund would otherwise receive from an increase in the fair market value of property because of new construction, renovations, or additions, unless the same ordinance, resolution, or section thereof requires the owner of the improvement or the City of Cleveland or the owner and the City together, to reimburse in a timely manner the Cleveland City School District General Fund for the full amount of property taxes that would have been payable to the Cleveland City School District had the improvement not been exempted from taxation, dollar for dollar, with payments to be due and legally enforceable at the same time and in the same manner as the taxes that they purport to replace. This limitation shall not apply to ordinances or resolutions or sections thereof solely for the benefit of owner occupied property improved by new construction, renovations, or additions of single and/or double houses for a period not to exceed seven (7) years.

**Section 2.** That the foregoing proposed amendment to the Charter, upon receiving at least a majority of the votes cast thereon at the August 5, 1997 General Election shall become effective immediately upon its adoption.

**Section 3.** That the Clerk of the Council is hereby authorized and directed promptly to forward a certified copy of this ordinance to the Board of Elections of Cuyahoga County, Ohio.

**Section 4.** That the Board of Elections of Cuyahoga County, Ohio shall cause an appropriate notice to be duly given of the election to be held August 5, 1997 on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

**Section 5.** That the Clerk of this Council is hereby authorized and directed to cause the full text of

such proposed amendment to the Charter to be published once a week for two (2) consecutive weeks in a newspaper published in the City of Cleveland, with the first publication to be made at least fifteen (15) days prior to the regular municipal election to be held August 5, 1997 as provided in Article XVII, Section 9 of the Constitution of the State of Ohio, Section 731.211 of the Ohio Revised Code and Section 200 of the Charter of the City of Cleveland.

**Section 6.** That ballots submitting the question of the adoption of the aforesaid amendment shall read as follows:

PROPOSED CHARTER  
AMENDMENT - CITY  
OF CLEVELAND

A majority affirmative vote is necessary for passage.

Shall Section 33-1 be enacted to prohibit Council from enacting an ordinance or resolution or section thereof granting or consenting to an exemption from taxation for real or tangible personal property (including without limitation any tax abatement, tax increment financing, or other financing arrangement), the effect of which is to diminish revenue that the Cleveland City School District General Fund would otherwise receive from an increase in the fair market value of property because of new construction, renovations, or additions, unless the same ordinance, resolution, or section thereof requires the owner of the improvement or the City of Cleveland or the owner and the City together, to reimburse in a timely manner the Cleveland City School District General Fund for the full amount of property taxes that would have been payable to the Cleveland City School District had the improvement not been exempted from taxation, dollar for dollar, with payments to be due and legally enforceable at the same time and in the same manner as the taxes that they purport to replace. This limitation shall not apply to ordinances or resolutions or sections thereof solely for the benefit of owner occupied property improved by new construction, renovations, or additions of single and/or double houses for a period not to exceed seven (7) years.

**Section 7.** That for the reasons stated in the preamble hereto which is made a part hereof this ordinance shall take effect and be in force immediately upon its passage by the affirmative vote of two-thirds (2/3rds) of the members elected to Council.

Passed May 19, 1997.  
Effective May 19, 1997.

**Ord. No. 905-97.**  
**By Councilman Jackson.**  
**An emergency ordinance to amend Section 1 of Ordinance No. 777-97, passed May 7, 1997, relating to the issue of a permit to Young Audiences of Greater Cleveland Inc.**

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

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

**Section 1.** That Section 1 of Ordinance No. 777-97, passed May 7, 1997, is hereby amended to read as follows:

"That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Young Audiences of Greater Cleveland, Inc., to install, maintain and remove a banner on Carnegie Avenue at E. 65th Street for the period from May 12, 1997 to May 28, 1997, inclusive. Said banners shall be approved by the Director of Public Safety as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit."

**Section 2.** That existing Section 1 of Ordinance No. 777-97, passed May 7, 1997, is hereby repealed.

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

Passed May 19, 1997.  
Effective May 28, 1997.

**Ord. No. 906-97.**

**By Councilman Rybka.**

**An emergency ordinance granting permission and authority to the Merchant's Guild of Slavic Village to sell and dispense alcoholic beverages at Morgana Park on Sunday, June 29, 1997, in connection with their 4th of July Picnic.**

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

**Section 1.** That notwithstanding anything to the contrary contained in the Codified Ordinances of Cleveland, Ohio, 1976, permission and authority is hereby granted to the Merchant's Guild of Slavic Village to sell and dispense alcoholic beverages at Morgana Park on Sunday, June 29, 1997, in connection with their 4th of July Picnic, provided said selling and dispensing meets all requirements of state law.

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

Passed May 19, 1997.  
Effective May 27, 1997.

**Ord. No. 907-97.**

**By Councilman Westbrook.**

**An emergency ordinance to permit the Commissioner of Parking Facilities to provide parking at no charge on May 20, 1997 at Cleveland Municipal Parking Lot for participants at the Neighborhood Centers Association's May 20, 1997 event.**

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

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

**Section 1.** That notwithstanding anything to the contrary contained in the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties and the Commissioner of Parking

Facilities are hereby authorized and directed to permit the participants in the Neighborhood Centers Association event to be held on May 20, 1997 to park in Cleveland Municipal Parking Lot on May 20, 1997 at no charge.

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

Passed May 19, 1997.  
Effective May 27, 1997.

**COUNCIL COMMITTEE MEETINGS**

**Tuesday, May 27, 1997**

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

**Legislation Committee: 1:00 P.M.** — Present: Willis, Chrm.; Melena, Vice Chrm.; Dolan, Rybka, Sweeney, White. Excused: Johnson.

**WEDNESDAY, MAY 28, 1997**

**Committee of the Whole: 9:30 A.M.** — Present: Westbrook, Britt, Coats, Gordon, Jackson, Lewis, Melena, Patmon, Patton, Polensek, Rybka, Skrha, Smith, Sweeney, White, Willis, Zone. Excused: Dolan, Johnson, Moran, Robinson.

**City Planning Committee: 2:00 P.M.** — Present: Rybka, Chrm.; Britt, Vice Chrm.; Jackson, Skrha, White, Zone. Excused: Gordon.

**Index to Council Proceedings**

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

**Block Grants**

Expend Community Development Block Grant funds administrative expenses — Community Development Department — reimbursement of nonprofit subrecipients for the cost of audits — OMB Circular A-133 — CDBG Year XXIII (O 662-97) . . . . . 803

Expend Community Development Block Grant funds — UDAG repayment funds for operation of Storefront Renovation Program — Neighborhood commercial Hub Program CDBG Year XXIII (O 663-97) . . . . . 803

Expend Community Development Block Grant funds — Federal Home Program funds for administration — Housing Rehabilitation Program CDBG Year XXIII (O 661-97) . . . . . 803

Expend Community Development Block Grant funds — Code Enforcement and Demolition Program CDBG Year XXIII (O 664-97) . . . . . 803

**City Planning Commission**

Amend Section 347.07 and 347.12 of the Codified Ordinances, as amended respectively by Ordinance Nos. 1463-91, passed June 17, 1991 and 1205-94, passed June 13, 1994 — relating to adult entertainment and amusement and recreation uses (O 876-97) . . . . . 809

Amend title, Section 1 and Section 2 of Ordinance No. 1004-91 passed July 24, 1991 — relating to consent of the City of Cleveland — repair and resurfacing of Rocky River Drive (O 324-97) . . . . . 800

Change Use District of lands — both sides of St. Clair Avenue, N.E. between E. 152nd Street and E. 166th Street (O 629-97) . . . . . 808

Change Use District of lands — southerly side of Wetzel Avenue S.W. from Pearl Road — approximately 900.23 west of Pearl Road S.W. (O 675-97) . . . . . 808

Change the Use District of lands from E. 66th Street to E. 65th Street (O 2219-96) . . . . . 800

Change the Use and Area Districts of lands from West 28 Street to West 26 Street between Carroll Avenue and McLean Court (O 822-97) . . . . . 808

Change the Use and Area Districts of land on the north side of Payne Avenue between E. 39 Street and E. 38th (O 2218-96) . . . . . 799

Change the Use and Area Districts of lands southwesterly corner of Oak Park Avenue, S.W., and southeasterly corner of Pearl Road (O 819-97) . . . . . 808

Change the Use and Area Districts of lands northerly side of Damon Avenue (O 820-97) . . . . . 808

Change the Use and Area Districts on both sides of Hilltop Drive — Emerald Park Site (O 824-97) . . . . . 809

Change the Use and Height Districts lands on the southerly side of St. Clair Avenue between E. 105 Street and Parkwood Drive (O 124-97) . . . . . 808

Change the Use and Height Districts of lands between Broadway, Aetna and Forman (O 821-97) . . . . . 808

Change the Use and Height Districts of lands on the northerlyside of Euclid Avenue between E. 84th Street (O 23-97) . . . . . 800

Change the Use, Area and Height Districts of lands by E. 149 Street/E. 152 Street/St. Clair Avenue (O 818-97) . . . . . 808

Change the Use, Area and Heights Districts of lands on westerly side of Rocky River Drive to Grayton Road — I-480 and easterly side of Rocky River Drive (O 823-97) . . . . . 809

Contract with NorthStar Equipment Corp. — provide economic development assistance to partially finance the land acquisition and construction (O 550-97) . . . . . 802

Demolition and redevelopment of the blighted premises — located at 2654 Lisbon Road (O 328-97) . . . . . 800

Determining method making public improvement of demolishing certain obsolete water towers and pump station (O 1980-96) . . . . . 799

Determining the method of public improvement of replacing a sewer on Cooley Avenue (O 264-97) . . . . . 800

East 185 Street — Establishing Business Revitalization District (O 730-97) . . . . . 808

Enter into Enterprise Zone Agreement with NorthStar Equipment Corp. — provide ten year abatement for certain tangible personal property and real estate taxes (O 334-97) . . . . . 800

Lease real property located south and adjacent to Main Avenue Bridge —located underneath the Main Avenue Bridge — Board of County Commissioners of Cuyahoga County (O 394-97) . . . . . 801

Purchases and Supplies to sell City-owned property — located at southeast corner of intersection of Johnston Parkway and Seville Avenue (O 388-97) . . . . . 801

Submission to the electors — City of Cleveland of an initiative petition proposing —enact new Section 33-1 of Charter of the City of Cleveland — relating to limitations on the power of Council to grant or consent (O 845-97) . . . . . 817

Vacate a portion of East 39th Place (O 381-97) . . . . . 801

Vacate a portion of East 69th Street (O 382-97) . . . . . 801

Vacate a portion of King Court N.E. (O 389-97) . . . . . 801

**Cleanland, Ohio**

Enter into one or more contracts with Clean-Land Ohio — implement City’s Recycling, Litter Prevention Education (O 113-97) . . . . . 814

**Cleveland Hopkins International Airport**

Enter into Amendments to certain leases with — various signatory airlines at Cleveland Hopkins International Airport — Assignment and Novation with — United Airlines, Inc. (O 560-97) . . . . . 802

**Cleveland Municipal Court**

Legal Aid Society of Cleveland — legal services necessary to defend indigents — Cleveland Municipal Court (O 627-97) . . . . . 803

**Cleveland Neighborhood Development Corporation**

Enter into Contract with Cleveland Neighborhood Development Corporation — administer an industrial (O 115-97) . . . . . 814

**Community Development**

Amend Section 1 of Ordinance No. 81-96 — passed April 1, 1996 relating to a contract with  
 — Fairfax Renaissance Development Corporation (O 658-97) . . . . . 803

Contracts — providing demolition removal — boarding up structures within City of  
 Cleveland — CDBG Year XXIII (O 660-97) . . . . . 803

Demolition and redevelopment of the blighted premises — located at 2654 Lisbon Road  
 (O 328-97) . . . . . 800

Expend Community Development Block Grant funds — UDAG repayment funds for operation of  
 Storefront Renovation Program — Neighborhood commercial Hub Program CDBG Year XXIII  
 (O 663-97) . . . . . 803

Expend Community Development Block Grant funds — Code Enforcement and Demolition Program  
 CDBG Year XXIII (O 664-97) . . . . . 803

Expend Community Development Block Grant funds administrative expenses — Community  
 Development Department — reimbursement of nonprofit subrecipients for the cost of  
 audits — OMB Circular A-133 — CDBG Year XXIII (O 662-97) . . . . . 803

Expend Community Development Block Grant funds — Federal Home Program funds  
 for administration — Housing Rehabilitation Program CDBG Year XXIII (O 661-97) . . . . . 803

Lease real property located south and adjacent to Main Avenue Bridge —located underneath  
 the Main Avenue Bridge — Board of County Commissioners of Cuyahoga County  
 (O 394-97) . . . . . 801

Purchases and Supplies to sell City-owned property — located at southeast corner  
 of intersection of Johnston Parkway and Seville Avenue (O 388-97) . . . . . 801

**Economic Development Department**

Contract with NorthStar Equipment Corp. — provide economic development assistance  
 to partially finance the land acquisition and construction (O 550-97) . . . . . 802

Enter into Enterprise Zone Agreement with NorthStar Equipment Corp. — provide ten year  
 abatement for certain tangible personal property and real estate taxes (O 334-97) . . . . . 800

Submission to the electors — City of Cleveland of an initiative petition proposing  
 —enact new Section 33-1 of Charter of the City of Cleveland — relating  
 to limitations on the power of Council to grant or consent (O 845-97) . . . . . 817

**Fairfax Renaissance Development Corporation**

Amend Section 1 of Ordinance No. 81-96 — passed April 1, 1996 relating to a contract with  
 — Fairfax Renaissance Development Corporation (O 658-97) . . . . . 803

**Finance Department**

Amend Section 1 of Ordinance No. 81-96 — passed April 1, 1996 relating to a contract with  
 — Fairfax Renaissance Development Corporation (O 658-97) . . . . . 803

Apply and accept grant — FAA grant funds (O 559-97) . . . . . 802

Contract of Chevrolet car, van light medium and heavy duty truck parts (O 545-97) . . . . . 802

Contract of Ford passenger car parts (O 538-97) . . . . . 801

Contract of Ford tractor, mower and construction equipment parts (O 539-97) . . . . . 801

Contract of International truck parts (O 540-97) . . . . . 801

Contract of Labor and materials to repair and maintain heavy duty construction equipment  
 (O 537-97) . . . . . 801

Contract of labor and materials needed to repair and replace automotive, truck and  
 construction equipment glass (O 535-97) . . . . . 801

Contract of labor and materials needed to repair and maintain generators  
 (O 536-97) . . . . . 801

Contract of oil and filter changes, valve body recalibration, and rebuilt automatic  
 Allison transmissions (O 541-97) . . . . . 802

Contract of pharmaceutical supplies (O 432-97) . . . . . 815

Contract of plumbing materials and supplies — Division of City Government  
 (O 725-97) . . . . . 817

Contract of tire repair road service (O 542-97) . . . . . 802

Contract of various types of batteries (O 543-97) . . . . . 802

Contracts — providing demolition removal — boarding up structures within City of  
 Cleveland — CDBG Year XXIII (O 660-97) . . . . . 803

Employ one or more consultants or firms of consultants — provide professional services  
 for testing and construction inspection services (O 434-97) . . . . . 801

Employ one or more firms of certified engineers — provide professional services to  
 perform geotechnical engineering, material testing, environmental assessments and  
 construction inspection (O 421-97) . . . . . 801

Enter into Amendments to certain leases with — various signatory airlines at Cleveland  
 Hopkins International Airport — Assignment and Novation with — United Airlines,  
 Inc. (O 560-97) . . . . . 802



Enter into a Concession Agreement with Holy Moses Water Taxi — In exchange for docking and operating privileges from Settler's Landing site — Holy Moses Water Taxi — West of the RTA tracks, between St. Clair (O 423-97) ..... 801

Enter into Contract with Cleveland Neighborhood Development Corporation — administer an industrial (O 115-97) ..... 814

Enter into one or more contracts with Clean-Land Ohio — implement City's Recycling, Litter Prevention Education (O 113-97) ..... 814

Expend Community Development Block Grant funds — Code Enforcement and Demolition Program CDBG Year XXIII (O 664-97) ..... 803

Expend Community Development Block Grant funds administrative expenses — Community Development Department — reimbursement of nonprofit subrecipients for the cost of audits — OMB Circular A-133 — CDBG Year XXIII (O 662-97) ..... 803

Expend Community Development Block Grant funds — Federal Home Program funds for administration — Housing Rehabilitation Program CDBG Year XXIII (O 661-97) ..... 803

Expend Community Development Block Grant funds — UDAG repayment funds for operation of Storefront Renovation Program — Neighborhood commercial Hub Program CDBG Year XXIII (O 663-97) ..... 803

Legal Aid Society of Cleveland — legal services necessary to defend indigents — Cleveland Municipal Court (O 627-97) ..... 803

Malcolm Pirnie, Inc. — Environmental Services (O 624-97) ..... 803

Purchases and Supplies to sell City-owned property — located at southeast corner of intersection of Johnston Parkway and Seville Avenue (O 388-97) ..... 801

Remove barrels containing toxic traffic paint materials — Traffic Engineering and Parking Department (O 620-97) ..... 816

Various data entry services convert 1996 wage and tax statements from paper documents and magnetic tape to machine readable magnetic tapes — Division of Taxation (O 724-97) ..... 816

**Health Division**

Accept Grant from Ohio Department of Health for 1997 STD (Sexually Transmitted Disease testing) (O 431-97) ..... 815

Contract of pharmaceutical supplies (O 432-97) ..... 815

Grant — 1997 Hepatitis B Immunization Activity Assistance Grant (O 671-97) ..... 816

**Law Department**

Legal Aid Society of Cleveland — legal services necessary to defend indigents — Cleveland Municipal Court (O 627-97) ..... 803

**Liquor Permits**

East 55th Street, 1795 — objecting transfer of ownership (R 909-97) ..... 810

East 79th Street, 1210 — objecting to issuance of C1 (R 910-97) ..... 811

Huron Rd. 1st Fl. Unit 6R3, 812 — objecting transfer of ownership (R 913-97) ..... 812

Lake Shore Blvd., 16300 — objecting — issuance of C1 (R 919-97) ..... 814

Merwin Avenue, 1575 — objecting — transfer of location (R 914-97) ..... 812

Payne Avenue, 3133 — objecting — transfer of ownership (R 915-97) ..... 813

Payne Avenue, 3528 — objecting — transfer of ownership (R 917-97) ..... 813

Payne Avenue, 4301 — objecting — transfer of ownership (R 916-97) ..... 813

Scranton Rd., 2065 — Objecting — issuance of D1 & D2 (R 918-97) ..... 814

Superior Ave., 11003 — Objecting — transfer of location (R 912-97) ..... 811

W. 65th Street, 3230 — objecting to issuance of C1 (R 911-97) ..... 811

Wade Park Avenue, 9200 — objecting transfer of ownership (R 908-97) ..... 810

**Merchant's Guild of Slavic Village**

Merchant's Guild of Slavic Village — to sell and dispense alcoholic beverages at Morgana Park — June 29, 1997 (O 906-97) ..... 818

**Motor Vehicle License Tax**

Rehabilitating and reconstruction of Bosworth Road and Harvard Avenue — Accept allocation of County Motor Vehicle License Tax Funds — City of Cleveland's share County of Cuyahoga (O 786-97) ..... 803

**Motor Vehicle Maintenance Division (MVM)**

Contract labor and material to repair or replace the fuel dispensing pumps and systems — for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment stationary air compressor and for emergency cleanup and rep (O 544-97) ..... 802

Contract of Chevrolet car, van light medium and heavy duty truck parts (O 545-97) .....	802
Contract of Cushman equipment parts (O 546-97).....	802
Contract of Ford passenger car parts (O 538-97).....	801
Contract of Ford tractor, mower and construction equipment parts (O 539-97) .....	801
Contract of International truck parts (O 540-97) .....	801
Contract of Labor and materials to repair and maintain heavy duty construction equipment (O 537-97) .....	801
Contract of labor and materials needed to repair and replace automotive, truck and construction equipment glass (O 535-97) .....	801
Contract of labor and materials needed to repair and maintain generators (O 536-97) .....	801
Contract of oil and filter changes, valve body recalibration, and rebuilt automatic Allison transmissions (O 541-97) .....	802
Contract of tire repair road service (O 542-97) .....	802
Contract of various types of batteries (O 543-97) .....	802
E.J. Ward, Inc. — spare replacement parts for fuel control terminals and telephone consultation (O 615-97) .....	803
In-line fuel treatment devices for gasoline and diesel engines (O 211-97).....	800
 <b>Neighborhood Centers Association</b>	
Permits — Commissioner of Parking Facilities — provide parking no charge May 20, 1997 — Cleveland Municipal Parking (O 907-97) .....	818
 <b>Ohio Department of Health</b>	
Grant — 1997 Hepatitis B Immunization Activity Assistance Grant (O 671-97) .....	816
 <b>Parks Maintenance Division</b>	
Clean-Land Ohio — conduct vacant lot maintenance program (O 618-97) .....	803
 <b>Parks, Recreation and Properties Department</b>	
Clean-Land Ohio — conduct vacant lot maintenance program (O 618-97) .....	803
Contract not to exceed five vehicles — Parks, Recreation and Properties Department (O 666-97) .....	803
Enter into a Concession Agreement with Holy Moses Water Taxi — In exchange for docking and operating privileges from Settler's Landing site — Holy Moses Water Taxi — West of the RTA tracks, between St. Clair (O 423-97) .....	801
 <b>Permits</b>	
Amend Section 1 of Ordinance No. 777-97 — passed May 7, 1997 — permit to Young Audiences of Greater Cleveland (O 905-97).....	817
 <b>Police Division</b>	
Extend retirement dates of five division — Police employees one-year period — Police Division (O 670-97).....	816
 <b>Port Control Department</b>	
Apply and accept grant — FAA grant funds (O 559-97) .....	802
Employ one or more consultants or firms of consultants — provide professional services for testing and construction inspection services (O 434-97).....	801
Employ surveyors or firms of surveyors — survey parcels or portions of parcels of land (O 625-97) .....	803
Enter into Amendments to certain leases with — various signatory airlines at Cleveland Hopkins International Airport — Assignment and Novation with — United Airlines, Inc. (O 560-97) .....	802
Enter into agreement for purchase of telephones and related equipment installation and maintenance — purchase or lease of installation (O 274-97) .....	800
Malcolm Pirnie, Inc. — Environmental Services (O 624-97) .....	803
 <b>Safety Department</b>	
Amend Section 135.063 — Ordinance No. 1309-96 passed September 30, 1996 — uniform maintenance allowances (O 569-97) .....	815
Contract of labor and materials — fabricate and install enlarged street name sign throughout the City of Cleveland (O 571-97) .....	802

Extend retirement dates of five division — Police employees one-year period — Police  
 Division (O 670-97) . . . . . **816**

Remove barrels containing toxic traffic paint materials — Traffic Engineering and Parking  
 Department (O 620-97) . . . . . **816**

**Service Department**

Amend title, Section 1 and Section 2 of Ordinance No. 1004-91 passed July 24, 1991  
 — relating to consent of the City of Cleveland — repair and resurfacing of Rocky  
 River Drive (O 324-97) . . . . . 800

Contract labor and material to repair or replace the fuel dispensing pumps and systems  
 — for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing  
 equipment stationary air compressor and for emergency cleanup and rep (O 544-97) . . . . . 802

Contract of Chevrolet car, van light medium and heavy duty truck parts (O 545-97) . . . . . 802

Contract of Cushman equipment parts (O 546-97) . . . . . 802

Contract of Ford passenger car parts (O 538-97) . . . . . 801

Contract of Ford tractor, mower and construction equipment parts (O 539-97) . . . . . 801

Contract of International truck parts (O 540-97) . . . . . 801

Contract of Labor and materials to repair and maintain heavy duty construction equipment  
 (O 537-97) . . . . . 801

Contract of labor and materials needed to repair and replace automotive, truck and  
 construction equipment glass (O 535-97) . . . . . 801

Contract of labor and materials needed to repair and maintain generators  
 (O 536-97) . . . . . 801

Contract of oil and filter changes, valve body recalibration, and rebuilt automatic  
 Allison transmissions (O 541-97) . . . . . 802

Contract of tire repair road service (O 542-97) . . . . . 802

Contract of various types of batteries (O 543-97) . . . . . 802

Declaring the intention to vacate a portion of East 3rd Street (R 439-97) . . . . . 804

E.J. Ward, Inc. — spare replacement parts for fuel control terminals and telephone  
 consultation (O 615-97) . . . . . 803

Employ one or more firms of certified engineers — provide professional services to  
 perform geotechnical engineering, material testing, environmental assessments and  
 construction inspection (O 421-97) . . . . . 801

Enter into one or more contracts with Clean-Land Ohio — implement City's Recycling,  
 Litter Prevention Education (O 113-97) . . . . . **814**

In-line fuel treatment devices for gasoline and diesel engines (O 211-97) . . . . . 800

Rehabilitating and reconstruction of Bosworth Road and Harvard Avenue — Accept allocation  
 of County Motor Vehicle License Tax Funds — City of Cleveland's share County  
 of Cuyahoga (O 786-97) . . . . . 803

Vacate a portion of East 39th Place (O 381-97) . . . . . 801

Vacate a portion of East 69th Street (O 382-97) . . . . . 801

Vacate a portion of King Court N.E. (O 389-97) . . . . . 801

**Settler's Landing Park**

Enter into a Concession Agreement with Holy Moses Water Taxi — In exchange for docking  
 and operating privileges from Settler's Landing site — Holy Moses Water Taxi — West  
 of the RTA tracks, between St. Clair (O 423-97) . . . . . 801

**Street—Vacation**

Declaring the intention to vacate a portion of East 3rd Street (R 439-97) . . . . . 804

Vacate a portion of East 39th Place (O 381-97) . . . . . 801

Vacate a portion of East 69th Street (O 382-97) . . . . . 801

Vacate a portion of King Court N.E. (O 389-97) . . . . . 801

**Traffic Engineering and Parking Division**

Contract of labor and materials — fabricate and install enlarged street name sign  
 throughout the City of Cleveland (O 571-97) . . . . . 802

**Utilities Department**

Determining method making public improvement of demolishing certain obsolete water towers  
 and pump station (O 1980-96) . . . . . 799

Determining the method of public improvement of replacing a sewer on Cooley Avenue  
 (O 264-97) . . . . . 800

**Water Pollution Control Division**

Determining the method of public improvement of replacing a sewer on Cooley Avenue  
(O 264-97) ..... 800

**Zoning**

Amend Section 347.07 and 347.12 of the Codified Ordinances, as amended respectively by  
Ordinance Nos. 1463-91, passed June 17, 1991 and 1205-94, passed June 13, 1994 —  
relating to adult entertainment and amusement and recreation uses (O 876-97)..... 809

Change Use District of lands — both sides of St. Clair Avenue, N.E. between E. 152nd  
Street and E. 166th Street (O 629-97) ..... 808

Change Use District of lands — southerly side of Wetzel Avenue S.W. from Pearl Road —  
approximately 900.23 west of Pearl Road S.W. (O 675-97) ..... 808

Change the Use District of lands from E. 66th Street to E. 65th Street (O 2219-96)..... 800

Change the Use and Area Districts of lands from West 28 Street to West 26 Street between  
Carroll Avenue and McLean Court (O 822-97) ..... 808

Change the Use and Area Districts of land on the north side of Payne Avenue between E.  
39 Street and E. 38th (O 2218-96) ..... 799

Change the Use and Area Districts of lands southwesterly corner of Oak Park Avenue, S.W..  
and southeasterly corner of Pearl Road (O 819-97) ..... 808

Change the Use and Area Districts of lands northerly side of Damon Avenue  
(O 820-97) ..... 808

Change the Use and Area Districts on both sides of Hilltop Drive — Emerald Park Site  
(O 824-97) ..... 809

Change the Use and Height Districts lands on the southerly side of St. Clair Avenue  
between E. 105 Street and Parkwood Drive (O 124-97) ..... 808

Change the Use and Height Districts of lands between Broadway, Aetna and Forman  
(O 821-97) ..... 808

Change the Use and Height Districts of lands on the northerlyside of Euclid Avenue between  
E. 84th Street (O 23-97) ..... 800

Change the Use, Area and Height Districts of lands by E. 149 Street/E. 152 Street/St.  
Clair Avenue (O 818-97)..... 808

Change the Use, Area and Heights Districts of lands on westerly side of Rocky River Drive  
to Grayton Road — I-480 and easterly side of Rocky River Drive (O 823-97) ..... 809

East 185 Street — Establishing Business Revitalization District (O 730-97) ..... 808

**Zoning—Public Hearings—City Planning Committee**

Amend Section 347.07 and 347.12 of the Codified Ordinances, as amended respectively by  
Ordinance Nos. 1463-91, passed June 17, 1991 and 1205-94, passed June 13, 1994 —  
relating to adult entertainment and amusement and recreation uses (O 876-97)..... 809

Change Use District of lands — both sides of St. Clair Avenue, N.E. between E. 152nd  
Street and E. 166th Street (O 629-97) ..... 808

Change Use District of lands — southerly side of Wetzel Avenue S.W. from Pearl Road —  
approximately 900.23 west of Pearl Road S.W. (O 675-97) ..... 808

Change the Use District of lands from E. 66th Street to E. 65th Street (O 2219-96)..... 800

Change the Use and Area Districts of lands from West 28 Street to West 26 Street between  
Carroll Avenue and McLean Court (O 822-97) ..... 808

Change the Use and Area Districts of land on the north side of Payne Avenue between E.  
39 Street and E. 38th (O 2218-96) ..... 799

Change the Use and Area Districts of lands southwesterly corner of Oak Park Avenue, S.W..  
and southeasterly corner of Pearl Road (O 819-97) ..... 808

Change the Use and Area Districts of lands northerly side of Damon Avenue  
(O 820-97) ..... 808

Change the Use and Area Districts on both sides of Hilltop Drive — Emerald Park Site  
(O 824-97) ..... 809

Change the Use and Height Districts lands on the southerly side of St. Clair Avenue  
between E. 105 Street and Parkwood Drive (O 124-97) ..... 808

Change the Use and Height Districts of lands between Broadway, Aetna and Forman  
(O 821-97) ..... 808

Change the Use and Height Districts of lands on the northerlyside of Euclid Avenue between  
E. 84th Street (O 23-97) ..... 800

Change the Use, Area and Height Districts of lands by E. 149 Street/E. 152 Street/St.  
Clair Avenue (O 818-97)..... 808

Change the Use, Area and Heights Districts of lands on westerly side of Rocky River Drive  
to Grayton Road — I-480 and easterly side of Rocky River Drive (O 823-97) ..... 809

East 185 Street — Establishing Business Revitalization District (O 730-97) ..... 808