

The City Record

Official Publication of the City of Cleveland

May the Thirteenth, Nineteen Hundred and Ninety-Eight

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	1428 Fairfield Avenue	44113
14	Nelson Cintron, Jr.	3032 Vega 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			
Laura Ann Williams, Director, Office of Equal Opportunity			
Milan T. Polacek, Executive Assistant for Legislative Affairs			
DEPT. OF LAW - Sylvester Summers, Jr., Director, Lessie M. Milton, Chief Counsel, Room 106			
George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street			
Karen E. Martines, Law Librarian, Room 100			
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DIVISIONS - Accounts - Gayle Goodwin Smith, Commissioner, Room 19 City Treasury - Mary Christine Jackman, Treasurer, Room 115			
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122			
Purchases and Supplies - William A. Moon, Commissioner, Room 128			
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue			
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue			
Financial Reporting and Control - _____, Controller, Room 18			
Information Systems Services - Hamid Manteghi, Commissioner, 1404 E. 9th St.			
DEPT. OF PUBLIC UTILITIES - Michael Konicek, Director, 1201 Lakeside Avenue			
DIVISIONS - 1201 Lakeside Avenue			
Water - Julius Ciaccia, Jr., Commissioner			
Water Pollution Control - Darnell Brown, Commissioner			
Utilities Fiscal Control - Morry Blech, Commissioner			
Cleveland Public Power - James F. Majer, Commissioner			
Street Lighting Bureau - Frank Schilling, Acting Chief.			
DEPT. OF PORT CONTROL - LaVonne Sheffield-McClain, Acting Director, Cleveland Hopkins International Airport, 5300 Riverside Drive;			
Cleveland Hopkins International Airport - Stephen Sheehan, Commissioner			
Burke Lakefront Airport - Michael C. Barth, Commissioner			
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Streets - Randell T. Scott, Commissioner, Room 25			
Engineering and Construction - JoMarie Wasik, Acting Commissioner, Room 518			
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards			
Architecture - Kenneth Nobilio, Commissioner, Room 517			
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DIVISIONS - Health - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue			
Environment - Eric Myles, Acting Commissioner, Mural Building, 1925 St. Clair Avenue			
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 North- field Road			
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Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue			
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.			
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street			
Emergency Medical Service - Bruce Shade, Commissioner, 1708 South Pointe Drive			
DEPT. OF PARKS, RECREATION & PROPERTIES - Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.			
DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.			
Property Management - Vernon Robinson, Commissioner, East 49th & Harvard			

Parking Facilities - Alfred T. Miller, Jr., Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.

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

Recreation - Michael Cox, Acting Commissioner, Room 8

Research, Planning & Development - Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT - Terri Hamilton, Director,
3rd Floor, City Hall.

DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
Neighborhood Services - Louise V. Jackson, 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 - Susan E. Axelrod, Director, Room 122

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

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

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman;
Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek,
Eugene Cranford, Jr., Secretary.

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

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Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS - Service Director Henry Guzmán;
Law Director Sylvester Summers, Jr.; Councilman Roosevelt Coats.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director Sylvester
Summers, Jr.; Utilities Director Michael Konicek; Council President 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 - Law Director Sylvester Summers, Jr.;
Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay
Westbrook; Councilman Roosevelt Coats; Councilman Martin J. Sweeney.

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

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, 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,
Councilman Craig E. Willis.

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 85

WEDNESDAY, MAY 13, 1998

No. 4405

CITY COUNCIL

MONDAY, MAY 11, 1998

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Patmon, Chairman; Coats, Vice Chairman; Britt, Cintron, Dolan, Jones, Lewis, Moran, Polensek.

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Robinson, Vice Chairman; Cimperman, Jackson, White, Willis, Zone.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio May 11, 1998.

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

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

Also present were Mayor White and Directors Summers, Carmody, Konicek, Guzman, Denihan, Jackson, Nolan, Hamilton, Warren, Axelrod, Morrison, and Acting Directors Sheffield-McClain.

Absent: Director Staib.

Pursuant to Ordinance No. 2926-76, the Council meeting was opened with a prayer offered by Father Joe Fortuna of Ascension Church in Ward 20. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 849-98.

From the Civil Service Commission re: request made to establish the classification of Contract and Monitoring Specialist. Received.

File No. 850-98.

From the Civil Service Commission re: request made to establish the classification of Senior Contract

and Monitoring Specialist. Received.

File No. 851-98.

From the Department of Public Utilities re: Contract No. 48632 for Engle Road Pump Station, has been completed and accepted as of March 27, 1998. Received.

File No. 852-98.

From Coopers & Lybrand L.L.P. re: City of Cleveland Annual Report for the year 1996. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 853-98.

Re: New Application - 4000829 - Hotz Cafe Inc., 2529 West 10th Street, first floor and basement. (Ward 13). Received.

File No. 854-98.

Re: New Application - 3466077 - H. & H. Food Services LLC, A Partnership, 651-703 Huron Road. (Ward 13). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 855-98.

Fannie Johnson.

Res. No. 878-98.

Rosetta Wade.

Res. No. 879-98. Monroe Albert Bogan, Jr.

Res. No. 880-98. James Otis Braxton.

Res. No. 881-98. Dan Tyler Moore, Jr.

Res. No. 882-98. Judge David T. Matia.

CONGRATULATORY RESOLUTIONS

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

Res. No. 856-98. Tenth Annual Dunbar-Carver High School Reunion.

Res. No. 883-98. Global March Against Child Labor.

Res. No. 884-98. Rev. Timothy L. Eppinger.

Res. No. 885-98. The International Brotherhood of Painters and Allied Trades District Council No. 6.

Res. No. 886-98. Gus Petelinkar.

Res. No. 887-98. Lurlene G. Davidson.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 857-98.**By Councilman Johnson (by departmental request).****An emergency ordinance to amend Sections 16 and 41 of Ordinance No. 436-97, passed April 14, 1997, as may be amended by Ordinance No. 1474-97, passed October 13, 1997, relating to compensation for various classifications.**

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 16 of Ordinance No. 436-97, passed April 14, 1997, and Section 41 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 1997, are hereby amended to read, respectively, as follows:

Section 16. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Auto Body Repair Unit Leader.....	\$12.44 per hour	\$18.03 per hour
2. Auto Body Repair Worker	\$10.49 per hour	\$14.99 per hour
3. Automobile Repair Helper	\$ 9.73 per hour	\$13.43 per hour
4. Automobile Repair Worker	\$11.03 per hour	\$14.86 per hour
5. Automobile Repairman Unit Leader	\$12.44 per hour	\$18.03 per hour
6. Blacksmith	\$10.71 per hour	\$17.56 per hour
7. Garage Worker	\$ 9.20 per hour	\$12.64 per hour
8. Heavy Duty Mechanic	\$10.71 per hour	\$17.81 per hour
9. Small Equipment Repair Worker	\$ 9.93 per hour	\$13.43 per hour
10. Tire Repair Worker	\$10.23 per hour	\$13.54 per hour
11. Welder	\$12.17 per hour	\$17.31 per hour

Section 41. Hourly Rate-Crafts

Compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	Effective Date	Minimum	Maximum
1. Asbestos Worker	5-1-98	\$27.42	\$34.28
2. Asphalt Construction Foreman	5-1-97	17.69	27.33
3. Asphalt Raker	5-1-97	16.96	26.20
4. Asphalt Tamper	5-1-97	16.96	26.20
5. Boiler Maker	5-1-98	28.34	35.67
	10-1-97	27.74	34.67
6. Bricklayer	5-1-98	24.32	30.40
7. Bricklayer Foreman	5-1-98	25.32	31.40
8. Bricklayer Helper	5-1-96	17.42	26.13
9. Carpenter	5-1-98	24.12	30.14
10. Carpenter Foreman	5-1-98	25.12	31.94
11. Carpenter Apprentice	5-1-92	5.97	16.43
12. Cement Finisher	5-1-98	24.47	30.59
13. Cement Finisher Foreman	5-1-98	25.47	31.59
14. Construction Equipment Operator - Group A	5-1-98	25.17	28.78
15. Construction Equipment Operator - Group B	5-1-98	25.02	28.63
16. Construction Equipment Operator - Group C	5-1-98	24.32	27.93
17. Construction Equipment Operator - Group D	5-1-98	23.54	27.15
18. Construction Equipment Operator - Group E	5-1-98	23.22	26.83
19. Construction Equipment Operator - Oiler - Group F	5-1-98	17.24	20.85
20. Curb Cutter	5-1-97	17.34	26.79
21. Electrical Worker	5-1-98	27.54	34.42
22. Electrical Worker Foreman	5-1-98	28.54	35.42
23. Glazier	5-1-98	24.38	30.47
24. Ironworker	5-1-98	27.50	34.38
25. Ironworker Foreman	5-1-98	28.50	28.50
26. Jackhammer Operator	5-1-97	16.96	26.20
27. Master Mechanic	5-1-98	25.67	29.28
28. Overhead Floodlight Maintenance Man	5-1-92	21.19	26.49
29. Painter	5-1-98	23.55	29.44
30. Painter - Apprentice	5-1-92	6.95	14.89
31. Painter Foreman	5-1-98	24.55	30.44
32. Paver	5-1-97	17.19	26.56
33. Paving Foreman	5-1-97	17.68	27.33
34. Pipefitter (Welder)	5-1-98	28.54	35.68
35. Pipefitter Foreman	5-1-98	29.54	36.68
36. Plasterer	5-1-98	24.02	30.03
37. Plasterer Foreman	5-1-98	25.02	31.03
38. Plumber (Welder)	5-1-98	28.03	35.04
39. Plumber Foreman	5-1-98	29.03	36.04
40. Roofer	5-1-98	24.78	30.97
41. Sheet Metal Worker	5-1-98	27.07	33.84
42. Sheet Metal Worker Foreman	5-1-98	28.07	34.84
43. Sign Painter	5-1-94	22.55	25.61
44. Sign Painter Unit Leader	5-1-94	23.55	26.61
45. Spray Painter	5-1-94	20.22	23.34
46. Superintendent of Construction Equipment	5-1-97	17.68	27.33

Section 2. That Section 16 of Ordinance No. 436-97, passed April 14, 1997, and Section 41 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 1997, are hereby repealed.**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Personnel and Human Resources, Finance, Law; Committee on Finance.

Ord. No. 858-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into two concession agreements with Ameritech to provide pay telephones within the right-of-way and to provide pay telephones on City of Cleveland-owned property and City facilities, each for a period of three years with up to a two-year option to renew.

Whereas, Section 670B.03 of the Codified Ordinances of Cleveland, Ohio, 1976, authorizes the Director of Finance to enter into contracts granting to one or more owners of pay telephones the privilege of installing and maintaining outdoor pay telephones in the right-of-way, and Section 670B.03 requires that the person or entity chosen by the City must be approved by City Council; and

Whereas, Ordinance No. 140-92, passed March 23, 1992 by Council, authorized a Concession Agreement with Ohio Bell Telephone Company, a Division of Ameritech, which agreement was effective May 1, 1994, for pay telephones located in and on City-owned facilities and properties, and expired on April 30, 1997; and

Whereas, the Director of Finance issued Requests for Proposals on or about December 17, 1997 for pay telephones in the right-of-way and for City-owned facilities; and

Whereas, as a result of the Request for Proposals, the Director of Finance has selected Ameritech as having submitted the best proposals for the provision of pay telephones in the right-of-way and in and on City-owned facilities and properties; and

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Finance is hereby authorized and directed to enter into two separate Concession Agreements with Ameritech, one to provide pay telephones within the right-of-way, and one to provide pay telephones on City of Cleveland-owned property and in City facilities, each for a period not to exceed three years, with options exercisable by the Director of Finance to renew each Concession Agreement for two additional one-year terms or a two-year term, or any combination thereof, and cancellable upon thirty days written notice by said Director.

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

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

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

Ord. No. 859-98.
By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment with Delta Airlines, Inc., City Contract No. 30883, to provide for the deletion of certain space from the Lease, effective August 11, 1997, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an Amendment to Lease between the City and Delta Airlines, Inc. ("Lessee"), City Contract No. 30883, to delete from Lessee's right and obligation under the lease effective August 11, 1997, the following space: 1,000 square feet from the Holdroom.

All other terms and conditions contained in the original lease shall remain the same.

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

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

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

Ord. No. 860-98.
By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an Assignment and Novation Agreement with Southwest Airlines and Air Canada to release Southwest Airlines from all duties and liabilities relative to certain support and operations space under City Contract No. 46540 and to substitute Southwest Airlines for Air Canada under the contract for use of such space at Cleveland Hopkins International Airport.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an Assignment and Novation Agreement with Southwest Airlines and Air Canada to assign all of Southwest Airline's rights, duties, and interests relative to the use of 1,013 square feet of office space behind the ticket counter, 439 square feet of ticket counter space, and 1,790 square feet of baggage make-up space (all, formerly Midway), City Contract No. 46540 ("Lease") to Air Canada and to bind Air Canada in the place of Southwest Airlines as if Air Canada were named in the original Lease with respect to such

forementioned space, and to release Southwest Airlines from any further duties or liabilities arising after the assignment of the Lease. Such assignment and novation shall be effective February 1, 1998.

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

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

Ord. No. 861-98.
By Councilman Jackson.
An emergency ordinance to vacate a portion of Avrina Avenue S.E. hereinafter described.

Whereas, on the 16th day of July, 1997 the Council of the City of Cleveland adopted Resolution No. 1267-97 declaring its intention to vacate a portion of Avrina Avenue S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1267-97 has been served upon the owners of all the property abutting Avrina Avenue S.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 7th day of May, 1998, the Board of Revision of Assessments approved the vacation of Avrina Avenue S.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Avrina Avenue S.E., hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of Avrina Avenue S.E., (60.00 feet wide) extending Easterly from the Easterly line of East 79th Street, (60.00 feet wide), to the Westerly line of East 80th Street (60.00 feet wide), be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power equipment, and the Division of Water and Heat, and the Division of Fire equipment. The description of easement is as follows:

That portion of Avrina Avenue S.E., (60.00 feet wide) extending Easterly from the Easterly line of East 79th Street, (60.00 feet wide), to the Westerly line of East 80th Street (60.00 feet wide).

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Light and Power, the Commissioner of Water and Heat, and the Divi-

sion of Fire of the City of Cleveland, and payment of all pending charges.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Avrina Avenue S.E., herein provided by sending him a copy of this ordinance.

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

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

Ord. No. 862-98.

By Councilman Rybka.

An emergency ordinance to vacate a portion of Forman Avenue S.E. hereinafter described.

Whereas, on the 10th day of February, 1997 the Council of the City of Cleveland adopted Resolution No. 237-97 declaring its intention to vacate a portion of Forman Avenue S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 237-97 has been served upon the owners of all the property abutting Forman Avenue S.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 7th day of May, 1998, the Board of Revision of Assessments approved the vacation of Forman Avenue S.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Forman Avenue S.E., hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of Forman Avenue S.E., (40.00 feet wide) from the Northeastly line of Broadway (60.00 feet wide), Northeastly to the Southwestly line of Aetna Road S.E. (40.00 feet wide), be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power equipment, and the Division of Water Pollution Control equipment, and the Division of Fire. The description of easement is as follows:

That portion of Forman Avenue S.E., (40.00 feet wide), from the Northeastly line of Broadway (60.00 feet wide), Northeastly to the Southeastly line of Aetna Road S.E. (40.00 feet wide).

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the

Commissioner of the Division of Light and Power, the Commissioner of Water Pollution Control of the City of Cleveland, and payment of all charges.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Forman Avenue S.E., herein provided by sending him a copy of this ordinance.

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

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

Ord. No. 863-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for maintenance and support of computer hardware, software, peripherals and wiring, for the Police Record Management System project, for the Division of Police, Department of Public Safety, for a five 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 five years for the necessary items of labor and materials necessary for maintenance and support of various computer hardware, software, peripherals and wiring, for the Police Record Management System project, in the estimated sum of \$508,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than five years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereof 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 22760)

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

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

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

Ord. No. 864-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with City Year to perform community service work and to collaborate with various non-profit agencies.

Whereas, the Director of Parks, Recreation and Properties has found that the City Year Program is extremely beneficial and worthwhile to the residents of the City; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract with City Year to perform community service work and to collaborate with non-profit agencies, in an amount not to exceed \$100,000, payable from Fund No. 01-70-04-0380, Request No. 22745, for a period of one year beginning June 1, 1998.

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

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

Ord. No. 865-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Drop Die Forging & Company to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to expand its facilities and acquisition of machinery and equipment at 3097 East 61st Street located in the Cleveland Area Enterprise Zone.

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

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

Whereas, Drop Die Forging & Company (the "Enterprise") has proposed to expand its facilities and to acquire machinery and equipment at its operation in the City of Cleveland; and

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

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

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

Section 1. That this Council hereby approves the application of Drop Die Forging & Company for enterprise zone incentives on the basis that Drop Die Forging & Company 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 Drop Die Forging & Company to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to expand its facilities at 3097 East 61st Street in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 865-98-A.

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

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

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

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

FIRST READING ORDINANCES REFERRED

Ord. No. 1756-A-96.

By Councilmen Britt and Jackson. An ordinance establishing the Midtown Business Revitalization District (BRD) and to repeal Ordinance No. 965-95 passed June 12, 1995. (Map Change No. 1915, Sheet Nos. 4 & 5)

Whereas, the Board of Trustees of Midtown Corridor Inc. has submitted a written request dated June 18, 1996 to the City Planning Commission for expansion and designation of a Business Revitalization District in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

Whereas, such request is accompanied by a map identifying the boundaries of the proposed District; and

Whereas, the City Planning Commission has determined that the proposed District meets the criteria for designation set forth in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio 1976;

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

Section 1. That the following area, further defined and outlined on the map hereto attached, be and the same is hereby designated the Midtown Business Revitalization District.

Beginning at the intersection of the center line of I-90 Innerbelt and the center line of Chester Avenue, N.E.; thence northeasterly, southeasterly and easterly along said center line of Chester Avenue, N.E. to the center line of East 79 Street; thence southerly along said center line of East 79 Street to the center line of Cedar Avenue, S.E.; thence westerly and southwesterly along said center line of Cedar Avenue, S.E. to its intersection with said center line of I-90 Innerbelt; thence northeasterly along said center line of I-90 Innerbelt to the place of beginning.

Section 2. That the designation of the area set forth in Section 1 hereof as the Midtown Business Revitalization District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. To repeal Ordinance No. 965-95, passed June 12, 1995 establishing the existing Midtown Business Revitalization District.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Without objection, substitute agreed to.

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

Ord. No. 866-98.

By Councilman Cintron.

An ordinance to change the Use District and to establish a Planned Unit Development Overlay District and approve the corresponding Planned Unit Development project on properties located at the northwest corner of Center Street and Riverbed, the southwest corner of Center Street and Riverbed, and the southeast corner of Center Street and Washington. (Map Change No. 1974, Sheet No. 1)

Whereas, Stonebridge Management and Development Inc., c/o Douglas E. Price III, President, has submitted an application to the Director of the City Planning Com-

mission proposing the creation of a Planned Unit Development (PUD) Overlay District on properties located at the northwest corner of Center Street and Riverbed Street, the southwest corner of Center Street and Riverbed Street, and the southeast corner of Center Street and Washington Street and construction of a PUD project to be known as Stonebridge on said properties; and

Whereas, the Director of the City Planning Commission has accepted said application and has provided written notification of his acceptance of the application to the member of the Council in whose ward the proposed PUD Overlay District and PUD project are located, and said member of Council has not objected; and

Whereas, the Council of the City of Cleveland has determined that the proposed PUD Overlay District and PUD project meet the purposes and the approval standards set forth in Chapter 334 of the Codified Ordinances of Cleveland, Ohio, 1976; now, therefore;

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

Section 1. That the area outlined on the site plan and described in the legal description contained in the file of Map Change No. 1974, Sheet No. 1, and known as the area between West 24 Street and east of Center Street between Detroit Avenue and Washington Avenue be and the same is hereby designated as a Planned Unit Development (PUD) Overlay District, in accordance with the provisions of Chapter 334 of the Codified Ordinances of Cleveland, Ohio, 1976;

Beginning at the intersection of the center line of West 24 Street and the center line of Detroit-Superior Viaduct; thence northeasterly along said center line of said Detroit-Superior Viaduct to its intersection with the northeasterly line of Sublot No. 737 in the M. Curtiss Re-Subdivision as recorded in Volume 26, Page 2, of the Cuyahoga County Map Records; thence northwesterly along said northeasterly line of said Sublot No. 737 and along its northwesterly extension to the center line of Washington Avenue, N.W.; thence northeasterly along said center line of Washington Avenue, N.W. to the center line of Center Street, N.W.; thence southeasterly along said center line of Center Street, N.W. to the center line of said Detroit-Superior Viaduct; thence northeasterly along said center line of said Detroit-Superior Viaduct to the center line of Elm Street, N.W.; thence southeasterly along said center line of Elm Street, N.W. to the center line of Riverbed Street, N.W.; thence southwesterly along said center line of Riverbed Street, N.W. to the center line of Center Street, N.W.; thence southeasterly along said center line of Center Street, N.W. to the center line of Detroit Avenue, N.W.; thence southwesterly along said center line of Detroit Avenue, N.W. to the center line of West 24th Street; thence northwesterly along said center line of West 24 Street to the place of beginning.

Section 2. That the designation of lands described in Section 1 and as outlined in red on the map attached hereto shall be identified as Map Change No. 1974, Sheet No. 1 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.

Section 3. That the PUD project depicted in the site plan contained in the above mentioned file which has been proposed for the PUD Overlay District created by Section 1, and which is to be known as "Stone-bridge" is hereby approved.

Section 4. That the Use and Area Districts of lands outlined in the site plans and described in the legal description contained in the above mentioned file and as outlined in red on the map attached hereto be and the same are hereby changed to a General Retail Use District.

Section 5. That said changed designation of lands described in Section 4 shall be identified as Map Change No. 1974, Sheet No. 1 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 6. That no building permit shall be issued by the City of Cleveland for property located within the General Retail Use District established by this ordinance unless the building permit application conforms with the PUD project plan approved by this ordinance. Unless a building permit for such development is issued within twelve (12) months from the effective date of approval of this ordinance, or within such extension as may be approved by the Planning Commission, the Use and Area Districts' approved herein shall be void and the zoning shall revert to the classification that existed prior to the approval of this ordinance.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 867-98.

By Councilman Jackson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2386 and 2382 East 59th Street to St. Paul A.M.E. Zion Church.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell

Permanent Parcel No(s). 118-28-021 and 118-28-022, as more fully described in Section 2 below, to St. Paul A.M.E. Zion Church.

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

P.P. No. 118-28-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 60 feet of Sublots Nos. 227 and 228 in the W. S. Chamberlain's Subdivision of part of Original 100 Acre Lot No. 334 as shown by the recorded plat in Volume 6 of Maps, Page 14 of Cuyahoga County Records.

Said Southerly 60 feet of said Sublot Nos. 227 and 228 together form a parcel of land having a frontage of 100 feet 3/4 inches on the Northerly side of Quincy Avenue S.E. and extending back between parallel lines 60 feet on the Easterly line of said land being the Westerly line of East 59th Street, formerly First Avenue, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 118-28-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 30 feet of the Southerly 90 feet of Sub-lots Nos. 227 and 228 in W. S. Chamberlain's Allotment of part of Original One Hundred Acre Lot No. 334, as shown by the recorded plat in Volume 6 of Maps, Page 14 of Cuyahoga County Records, and being 30 feet front on the Westerly side of East 59th Street (60 feet wide) (formerly First Avenue), and extending back of equal width 100 feet 3/4 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 868-98.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Loew's Building Limited and Ciao Cucina Restaurant to encroach into the public right-of-way of (1515) Euclid Avenue to install a railing to enclose the cafe which will allow for outdoor seating.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to the Loew's Building Limited and Ciao Cucina Restaurant, 1501 Euclid Avenue Suite 200, Cleveland, Ohio 44115; its successors and assigns; for the construction, use and maintenance of a railing to enclose the area at 1515 Euclid Avenue, to provide enclosed outdoor cafe seating at this location more fully described as follows:

**LOEW'S BUILDING LIMITED/
CIAO CUCINA RESTAURANT
ENCROACHMENT:**

Beginning on the Northerly line of Euclid Avenue (99.00 feet wide) at a point distant 135.15 feet from the Westerly line of East 17th Street (60.00 feet wide); thence Westerly along the Northerly line of Euclid Avenue 36.00 feet; thence Southerly at right angles to the Northerly line of Euclid Avenue 9.00 feet; thence Easterly and parallel with the Northerly line of Euclid Avenue 36.00 feet; thence Northerly 9.00 feet to the place of beginning.

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

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 869-98.**By Councilman Cimperman.****An emergency ordinance consenting and approving the issuance of a permit for the Children's Run/Run For The Arts on May 31, 1998, sponsored by Hermes Race Systems.**

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Children's Run/Run For The Arts, sponsored by Hermes Race Systems, on May 31, 1998, beginning on Ontario to Huron, Huron to East 6th Street and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 870-98.**By Councilman Cintron.****An emergency ordinance authorizing certain persons to engage in peddling in Ward 14. (Earline Reasor).**

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 14; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 14: Earline Reasor.

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

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED**Res. No. 871-98.****By Councilman Cimperman.****An emergency resolution objecting to the issuance of a D3A Liquor Permit to 2529 W. 10th St., 1st Fl. & Bsmt.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a D3A Liquor Permit to Permit No. 4000829, Hotz Cafe Inc., 2529 W. 10th St., 1st Fl. & Bsmt., 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 D3A Liquor Permit to Permit No. 4000829, Hotz Cafe Inc., 2529 W. 10th St., 1st Fl. & Bsmt., 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.

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 872-98.**By Councilman Cintron.****An emergency resolution declaring the intention to vacate a portion of Castle Court S.W. and a portion of West 16th Street.**

Whereas, this Council; is satisfied that there is good cause to vacate a portion of Castle Court S.W. and a portion of West 16th Street as herein-after described; and

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

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

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

CASTLE COURT S.W., (10.00 feet wide), and its Northeasterly turnout extending Easterly from the Southerly prolongation of the Easterly line of West 17th Place (10.00 feet wide) to the Westerly line of West 16th Street (50.00 feet wide).

AND

WEST 16TH STREET, (50.00 feet wide), extending Southerly from the Easterly prolongation of the Northerly line of Castle Court S.W. (10.00 feet wide) to the Northerly line of Castle Avenue S.W. (66.00 feet wide).

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 873-98.
By Councilman Gordon.
An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 2139 Broadview Rd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 4238040, Jankaus Inc., DBA Sidekicks, 2139 Broadview Rd., 1st Fl. & Bsmt., Cleveland, Ohio 44109, to Permit No. 1896770, Dalaps Group Inc., DBA Last Chance Saloon & Grille, 2139 Broadview Rd., Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 4238040, Jankaus Inc., DBA Sidekicks, 2139 Broadview Rd., 1st Fl. & Bsmt., Cleveland, Ohio 44109, to Permit No. 1896770, Dalaps Group Inc., DBA Last Chance Saloon & Grille, 2139 Broadview Rd., Cleveland, Ohio 44109 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 874-98.
By Councilman Polensek.
An emergency resolution objecting to the transfer of ownership and location of a D1, D2, D3, D3A & D6 Liquor Permit to 15721 Waterloo Rd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a D1, D2, D3, D3A & D6 Liquor Permit from Permit No. 4174273, JB & KL Inc., DBA Waterloo Rec Rose Garden, 1st Fl. Bsmt. & Patio, 15721 Waterloo Rd., Cleveland, Ohio 44110, to Permit No. 1549930, Clebra Inc., DBA The Rose Garden, 1st Fl. Bsmt. & Patio, 15721 Waterloo Rd., Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a D1, D2, D3, D3A & D6 Liquor Permit from Permit No. 4174273, JB & KL Inc., DBA Waterloo Rec Rose Garden, 1st Fl. Bsmt. & Patio, 15721 Waterloo Rd., Cleveland, Ohio 44110, to Permit No. 1549930, Clebra Inc., DBA The Rose Garden, 1st Fl. Bsmt. & Patio, 15721 Waterloo Rd., Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 875-98.
By Councilman Robinson.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 15012 Kinsman Rd.

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. 0668411, Best Mart Inc., DBA Best Mart, 15012 Kinsman Rd., Cleveland, Ohio 44120; 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. 0668411, Best Mart Inc., DBA Best Mart, 15012 Kinsman Rd., Cleveland, Ohio 44120 and requests the Director of Liquor Control to set

a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 876-98.

By Councilman Rybka.
An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 4324 Warner Rd., 1st Fl., and repealing Res. No. 1518-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 4324 Warner Rd., 1st Fl., by Res. No. 1518-97, adopted August 13, 1997; and

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

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

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

Section 1. That objection to the renewal of a C1 and C2 Liquor Permit to 4324 Warner Rd., 1st Fl., be and the same is hereby withdrawn and Res. No. 1518-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 877-98.

By Councilmen Robinson and Westbrook.

An emergency resolution approving the Council Member Business Expenditure Policies and Procedures dated March 30, 1998 and approved by the Rules Committee.

Whereas, pursuant to Section 173.071 of the Codified Ordinances of Cleveland, Ohio, 1976, the Rules Committee of City Council approved

a revision to the Council Member Business Expenditure Policies and Procedures, dated March 30, 1998 based upon the applicable reporting requirements of the federal income tax code; and

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

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

Section 1. That this Council hereby approves the revision to the Council Member Business Expenditure Policies and Procedures, dated March 30, 1998, and approved by the Rules Committee of City Council.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 1269-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering and environmental services necessary to design a security and control system at Cleveland Hopkins International Airport.

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

1. In Section 1, at the second paragraph, line 1, strike "The" and insert the following:

"Provided that the Director of Port Control has furnished a copy of the request for proposals to each of the members of the Committee on Aviation and Transportation prior to solicitation of proposals and provided further that the Director has made a presentation to said Committee which identifies the consultants recommended by the Department of Port Control to perform such services and includes a written summary of all of the proposals received as a result of the Department's canvass, the"

2. In Section 1, at the second paragraph, existing line 5, between "canvass" and "by" insert the following **"by means of a request for proposals"**.

3. In the title, at the end, strike the period and insert the following: **"; determining the method of making the above described public improvement; and authorizing the Director of Port Control to enter into contract for the making of such improvement."**

4. Insert new Sections 2 and 3 to read, respectively, as follows:

"Section 2. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of performing phased installation of the security and control sys-

tem, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 3. That the Director of Port Control is hereby authorized and directed to enter into a contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis."

5. In existing Section 2, line 1, after "services" insert **"and improvement"**; and in line 5, strike "contract" and insert **"contracts"**.

6. Renumber existing Sections 2 and 3 to new **"Section 4"** and **"Section 5"**.

Amendments agreed to.

Ord. No. 298-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of curb bumpers and plow blades, for the Division of Streets, Department of Public Service.

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

Ord. No. 301-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of guard rail elements, posts, end wings, and necessary hardware, for the Division of Streets, Department of Public Service.

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

Ord. No. 357-98.

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

An emergency ordinance giving consent of the City of Cleveland for the resurfacing of Broadway Avenue from I-77 to Orange Avenue and resurfacing and modifying East 30 to the Director of Transportation of the State of Ohio and authorizing the Director of Public Service to enter into agreements relative thereto.

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

Ord. No. 429-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair salt spreaders, inserts and plows, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

Ord. No. 430-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic cones and safety drums, for the Division of Streets, Department of Public Service.

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

Ord. No. 469-98.

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

An emergency ordinance determining the method of making the public improvement of implementing Phase II of the sound insulation program for homes in the vicinity of Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into contract for the making of such improvement; authorizing the Director to employ professional consultants necessary to make such improvement; and authorizing the Director to enter into related agreements.

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

1. Insert a new Section 6 to read as follows:

"Section 6. That copies of all contracts entered into pursuant to this legislation shall be promptly furnished to the Chairman of the Aviation and Transportation Committee."

2. Renumber existing Section 6 as new **"Section 7"**.

Amendments agreed to.

Ord. No. 552-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of E.Z. Pack packer parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

1. In the title, at the end, strike the period and insert **"for a period not to exceed two years."**

2. In Section 1, lines 4 and 5, strike "one year" and insert **"two years"**; in line 7, strike "year" and insert **"term"**; in line 13, strike "a year" and insert **"two years"**; and in line 15, strike "year" and insert **"term"**.

Amendments agreed to.

Ord. No. 553-98.

By Councilmen Sweeney and Johnson (by departmental request).

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

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

1. In the title, at the end, strike the period and insert **"for a period not to exceed two years."**

2. In Section 1, lines 4 and 5, strike "one year" and insert **"two years"**; in line 7, strike "year" and insert **"term"**; in line 13, strike "a year" and insert **"two years"**; and in line 15, strike "year" and insert **"term"**.

Amendments agreed to.

Ord. No. 554-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of remanufactured transmissions, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

Ord. No. 555-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Chevrolet-GMC car, van and truck parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

1. In the title, at the end, strike the period and insert **"for a period not to exceed two years."**

2. In Section 1, lines 4 and 5, strike "one year" and insert **"two years"**; in line 7, strike "year" and insert **"term"**; in line 13, strike "a year" and insert **"two years"**; and in line 15, strike "year" and insert **"term"**.

Amendments agreed to.

Ord. No. 556-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair, clean, recore or replace radiators, heater cores, gas tanks and air conditioning units in City vehicles and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

Ord. No. 620-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of the Community Relations Board to apply for and accept a grant from Bryne Memorial for the Teen Court Program; and authorizing said director to enter into a contract with YMCA to implement the program.

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

1. In Section 3, line 4, between "file" and the comma insert **"and in conjunction with the Martin Luther King magnet school for law in the public service"**.

Amendment agreed to.

Ord. No. 696-98.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a Governor's Reserve Grant and an Incen-

tive Award under Title III of the Job Training Partnership Act from the Ohio Bureau of Employment Services; to enter into various contracts with service deliverers to implement the program; and to enter into standard contracts for computers and telephone equipment.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance; when amended as follows:

1. In Section 5, line 4, strike "\$420,487.00" and insert in lieu thereof **"\$520,487.00"**.

2. In Section 7, line 3, strike "25 SF 200" and insert in lieu thereof **"15 SF 200"**.

Amendments agreed to.

Ord. No. 697-98.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts for various training services for the disadvantaged under the Job Training Partnership Act.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance; when amended as follows:

1. In Section 4, line 5, after "activities" insert **", which shall include providing an advocate at the Martin Luther King School"**.

Amendment agreed to.

Ord. No. 698-98.

By Councilmen White and Johnson (by departmental request).

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

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

THIRD READING EMERGENCY ORDINANCES PASSED**Ord. No. 1277-97.**

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

An emergency ordinance authorizing and directing the Director of Port Control to enter into contract with Michael Baker & Associates for the engineering services necessary to design construction of new Runway 5L-23R at Cleveland Hopkins International Airport.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 1279-97.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering services necessary to design the relocation of Brook Park Road; to enact new Section 8 and to renumber existing Section 8 as new Section 9.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 1288-97.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering and environmental services necessary to design the construction of new entrance and exit roadways at Cleveland Hopkins International Airport.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 1291-97.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering services necessary to design improvements to Abrams Creek.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 1319-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Abeco-Ayad, Inc., or its designee, to provide economic development assistance to partially finance interior and exterior renovation of a service station, located at 2165 East 55th Street, Cleveland, Ohio.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 81-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with the Ohio Department of Public Health for performance of environmental assessments of the residences of Medicaid-eligible children, for the Division of Environment, Department of Public Health.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 240-98.

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 929-95, passed June 12, 1995, as amended by Ordinance No. 482-96, passed May 6, 1996, relating to professional services necessary for the acquisition of homes, property maintenance and relocation of residents located within the boundaries of Forestwood Avenue, Brysdale Avenue, Interstate 71, Springdale, Westport Avenue, and W. 198th Street; to enact new Section 3 and to renumber existing Section 3 as new Section 4.

Read third time. Passed. Yeas 20. Nays 1.

Those voting yea: Councilmen Britt, Cimperman, Cintron, Coats, Gordon, Jackson, Johnson, Jones, Lewis, Melena, Moran, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone.

Those voting nay: Councilman Dolan.

Ord. No. 307-98.

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

An emergency ordinance to amend the title and Section 1 of Ordinance

No. 930-95, passed June 19, 1995, as amended by Ordinance No. 2150-95, passed December 18, 1995, relating to the acquisition boundaries of real property located in the vicinity of Cleveland Hopkins International Airport.

Read third time. Passed. Yeas 20. Nays 1.

Those voting yea: Councilmen Britt, Cimperman, Cintron, Coats, Gordon, Jackson, Johnson, Jones, Lewis, Melena, Moran, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone.

Those voting nay: Councilman Dolan.

Ord. No. 315-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 431-97, passed May 19, 1997; to supplement said ordinance by adding new Section 2; and to renumber existing Section 3 thereof, relating to a grant from the Ohio Department of Health for the STD (Sexually Transmitted Disease testing) program.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 316-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Federation for Community Planning from Ohio Department of Health for the 1998 Immunization Action Plan Program.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 318-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 1998 Cuyahoga County Health Promotion Project.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 319-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Federation for Community Planning for the 1997-98 Health Services for Residents of Public Housing Program.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 323-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 5703, 5705, 5709, 5801, 5807 Quincy to St. Paul AME Zion Church.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 324-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 5804 and 5800 Denison Avenue, S.W., to Joseph J. and Daniel Mayo.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 325-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Lorain Realty Company, L.L.C., to provide economic development assistance to partially finance the acquisition and renovation of real property necessary to expand the operation of Marshall Ford West located at 16100 Lorain Avenue, Cleveland, Ohio.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 326-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Accurate Instrument Service Co. to provide economic development assistance to partially finance the acquisition and renovation of real property located at 4228 West 130th Street, Cleveland, Ohio.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 327-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with All My Children Day Care Center, Inc. to provide economic development assistance to partially finance the renovation and expansion of its facilities located at 12715 and 12905 Miles Avenue.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 328-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Carotech, Inc. to provide economic development assistance to partially finance the acquisition of land and construction of a new facility to be located on Walworth Avenue in the Walworth Run Industrial Park, Cleveland, Ohio 44102.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 358-98.

By Councilman Jackson. An emergency ordinance to vacate a portion of Indianola Avenue S.E. hereinafter described.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 360-98.

By Councilman Johnson. An emergency ordinance to vacate a portion of East 92nd Place hereinafter described.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 361-98.

By Councilman Sweeney. An emergency ordinance to vacate a portion of Original Grayton Rd. hereinafter described.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 364-98.

By Councilman Zone.
An emergency ordinance to vacate a portion of Adeline Road S.W. hereinafter described.
Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 368-98.

By Councilmen Jackson, Rybka and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with Tom Paige Real Estate Investment Co. to provide economic development assistance to partially finance acquisition and for capital improvements to property located at 2275 East 55th Street, Cleveland, Ohio.
Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 369-98.

By Councilmen Patmon, Jackson, Rybka and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with ShoreBank Enterprise Group to provide economic development assistance to partially finance capital improvements to property located at 540 East 105th Street, Cleveland, Ohio and authorizing the Director of Economic Development to apply for and accept an economic development administration grant from the U.S. Department of Housing and Urban Development in conjunction with the project.
Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 434-98.

By Councilmen Britt, Jackson, Rybka and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Preisler Lumber Co., Inc. to provide economic development assistance to partially finance the redevelopment of its facility located at 2391 Woodhill Road, Cleveland, Ohio.
Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 468-98.

By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to clean and maintain sewers, oil water separators, electrical vaults and associated appurtenances, including testing and disposal of waste materials, for the various divisions of the Department of Port Control.
Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 473-98.

By Councilmen Coats, Jackson, Rybka and Johnson (by departmental request).
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 13713-15 McElhatten Avenue to Frances R. Carson.
Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 476-98.

By Councilmen Melena, Jackson, Rybka and Johnson (by departmental request).
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program

and located at 1437 West 58th Street to Cleveland Housing Network, Incorporated.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 517-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Carotech, Inc. to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to assist T.H. Martin Duct Systems, Inc. to relocate and expand its operation to Walworth Run Industrial Park located in the Cleveland Area Enterprise Zone.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 518-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Laird Wynn to provide economic development assistance to partially finance the acquisition and renovation of real estate located at 7806 Union Avenue, Cleveland, Ohio 44105.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 519-98.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for development of a corporate office park north of Interstate 480 and west of Grayton Road for the Department of Economic Development; and authorizing the Commissioner of Purchases and Supplies to convey said property to Emerald Research Park, Ltd.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 557-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to service and maintain police aircraft, including installation if necessary, for the Division of Police, Department of Public Safety, for one option to renew for one additional year.

Read third time. Passed. Yeas 21. Nays 0.

LAID ON THE TABLE**Ord. No. 750-98.**

By Councilman Cintron.
An emergency ordinance to vacate a portion of Newell Court, S.W., Castle Court S.W., West 16th Street and West 17th Place.

Without objection, Ordinance No. 750-98 was laid on the table, pursuant to the rules of Council.

The Council adjourned at 8:05 p.m. to meet on Monday, May 18, 1998 at 7:00 p.m.

THE CALENDAR

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

ORDINANCES**Ord. No. 1269-97.**

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering and environmental services necessary to design a security and control system at Cleveland Hopkins International Airport; **determining the method of making the above described public improvement; and authorizing the Director of Port Control to enter into contract for the making of such improvement.**

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

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

Section 1. That, provided the City of Cleveland sells the general airport revenue bonds authorized by Ordinance No. 923-97, passed June 9, 1997, the Director of Port Control is hereby authorized and directed to employ by contract one or more engineers or one or more firms of engineers and one or more environmental consultants and/or one or more firms of environmental consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design a security and control system at Cleveland Hopkins International Airport.

Provided that the Director of Port Control has furnished a copy of the request for proposals to each of the members of the Committee on Aviation and Transportation prior to solicitation of proposals and provided further that the Director has made a presentation to said Committee which identifies the consultants recommended by the Department of Port Control to perform such services and includes a written summary of all of the proposals received as a result of the Department's canvass, the selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by means of a request for proposals by the Director of Port Control for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of performing phased installation of the security and control system, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.



Clerk of Council

Section 3. That the Director of Port Control is hereby authorized and directed to enter into a contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 4. That the costs for such services and improvement herein contemplated shall be paid from the proceeds of the sale of the general airport revenue bonds of the City of Cleveland authorized by Ordinance No. 923-97, passed June 9, 1997, and from any fund or subfunds to which any federal grants for said contracts are credited, Request No. 22509.

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. 298-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of curb bumpers and plow blades, for the Division of Streets, Department of Public Service.

Ord. No. 301-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of guard rail elements, posts, end wings, and necessary hardware, for the Division of Streets, Department of Public Service.

Ord. No. 357-98.

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

An emergency ordinance giving consent of the City of Cleveland for the resurfacing of Broadway Avenue from I-77 to Orange Avenue and resurfacing and modifying East 30 to the Director of Transportation of the State of Ohio and authorizing the Director of Public Service to enter into agreements relative thereto.

Ord. No. 429-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair salt spreaders, inserts and plows, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Ord. No. 430-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic cones and safety drums, for the Division of Streets, Department of Public Service.

Ord. No. 469-98.

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

An emergency ordinance determining the method of making the public improvement of implementing Phase II of the sound insulation program for homes in the vicinity of Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into contract for the making of such improvement; authorizing the Director to employ professional consultants necessary to make such improvement; and authorizing the Director to enter into related agreements.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of implementing Phase II of the sound insulation improvement program for homes in the vicinity of Cleveland Hopkins International Airport, (the "Improvement"), for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement.

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

Section 3. That the Director of Port Control is hereby authorized and directed to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to make the Improvement, including, but not limited to, architectural, engineering, design, noise measurement, title and recording, construction inspection, program and construction management, environmental testing, hazardous materials removal and disposal, and administrative services.

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

Section 4. That the Director of Port Control is further authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and condi-

tions as the Director of Law determines necessary to best protect and benefit the public interest.

Section 5. That the costs of the contracts authorized herein shall be paid from Fund No. 60 SF 122, 61 SF 097 and from any funds or subfunds to which are or may be credited any federal grants or federal passenger facilities charges authorized for the making of the above Improvement, and the proceeds from the sale of any airport revenue bonds issued for a purpose which would include the above Improvement, Request No. 22543.

Section 6. That copies of all contracts entered into pursuant to this legislation shall be promptly furnished to the Chairman of the Aviation and Transportation Committee.

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

Ord. No. 552-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of E.Z. Pack packer parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service for a period not to exceed two years.

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

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

Section 1. That the Director of Public Service is hereby authorized 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 E.Z. Pack packer parts, including labor to install, if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than **two years** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24128)

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. 553-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Ford passenger and police car parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service for a period not to exceed two years.

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

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

Section 1. That the Director of Public Service is hereby authorized 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 Ford passenger and police car parts, including labor to install, if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24130)

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. 554-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of remanufactured transmissions, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Ord. No. 555-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Chevrolet-

GMC car, van and truck parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service for a period not to exceed two years.

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

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

Section 1. That the Director of Public Service is hereby authorized 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 Chevrolet-GMC car, van and truck parts, including labor to install, if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24132)

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. 556-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair, clean, recore or replace radiators, heater cores, gas tanks and air conditioning units in City vehicles and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Ord. No. 620-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of the Community Relations Board to apply for and accept a grant from Bryne Memorial for the Teen Court Program; and authorizing said director to enter into a contract with YMCA to implement the program.

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

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

Section 1. That the Director of the Community Relations Board is hereby authorized to apply for and accept a grant in the amount of \$32,861.00, from Bryne Memorial, to conduct the Teen Court Program, for the purposes set forth in the application and according thereto; that the Director of the Community Relations Board 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. 620-98-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$10,954 from Fund No. 01-60-01-0901, is hereby approved in all respects.

Section 3. That the Director of the Community Relations Board is hereby authorized and directed to enter into a contract with the YMCA for implementation of the program as described in the application contained in the file and in conjunction with the Martin Luther King magnet school for law in the public service, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

Ord. No. 696-98.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a Governor's Reserve Grant and an Incentive Award under Title III of the Job Training Partnership Act from the Ohio Bureau of Employment Services; to enter into various contracts with service deliverers to implement the program; and to enter into standard contracts for computers and telephone equipment.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to accept a Governor's Reserve Grant from the Ohio Bureau of Employment Services for Employment and Training Assistance For Dislocated Workers, under JTPA Title III for delivery of allowable program services to eligible individuals, and to credit said Grant to Fund No. 15 SF 200, in the amount of Five Hundred Thirty Eight Thousand Two Hundred Twenty Dollars (\$538,220.00). That the Director of Personnel and Human Resources further authorized to file all papers and execute all documents necessary to accept and receive the funds under said Grant.

Section 2. That the Grant authorized in Section 1 is hereby appropriated as follows:

Other Expenses \$ 538,220.00

Section 3. That the Director of Personnel and Human Resources is hereby authorized to accept an Incentive Award from the Ohio Bureau of Employment Services for Employment and Training Assistance For Dislocated Workers, under JTPA Title III for delivery of allowable program services to eligible individuals, and to credit said award to Fund No. 15 SF 073, in the amount of Two Hundred Twenty Seven Thousand Seven Hundred Ninety Eight Dollars (\$227,798.00). That the Director of Personnel and Human Resources is further authorized to file all papers and execute all documents necessary to accept and receive the funds under said award.

Section 4. That the award authorized in Section 3 is hereby appropriated as follows:

Other Expenses \$ 227,798.00

Section 5. That the Director of Personnel and Human Resources is further authorized to enter into a contract with the United Labor Agency for basic readjustment and retraining services in the amount of \$520,487.00, payable from Fund Nos. 15 SF 200 and 15 SF 073.

Section 6. That the Director of Personnel and Human Resources is further authorized to enter into contracts for employment and training assistance for dislocated workers retraining services under the Job Training Partnership Act with the following educational institutions: Cuyahoga Community College, King College of Business, Inc. dba Sawyer College of Business, and Meadowmark Computer Training, Inc.

Section 7. That the cost of the contracts authorized in Section 6 shall not exceed \$92,886 in the aggregate and shall be paid from Fund No. 15 SF 200.

Section 8. That the Director of Personnel and Human Resources is hereby authorized to enter into one or more contracts for the purchase of labor and materials necessary to install a telephone system, including associated incidentals, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Department of Personnel and Human Resources for use at the Jobs For Clevelanders One Stop Career Center.

Section 9. That the Director of Personnel and Human Resources is hereby authorized to enter into one or more contracts for the purchase of computer hardware, software, servers, supplies, and such other associated incidental equipment necessary for a network, including employee training and technical assistance, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Department of Personnel and Human Resources for use at the Jobs For Clevelanders One Stop Career Center.

Section 10. That the cost of the contracts authorized in Sections 8 and 9 shall be paid from Fund No. 15 SF 073.

Section 11. 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. 697-98.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts for various training services for the disadvantaged under the Job Training Partnership Act.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to enter into contracts for training services for the disadvantaged occupational skills training activities under the Job Training Partnership Act with the following educational institutions: Cuyahoga Community College, King College of Business, Inc. dba Sawyer College of Business, and Meadowmark Computer Training, Inc. That the cost of the contracts authorized in this section shall not exceed an aggregate amount of \$202,305.00.

Section 2. That the Director of Personnel and Human Resources is hereby authorized to enter into contract with The Merrick House for the delivery of Basic Education Skills/GED Preparation Training activities. That the cost of the contract authorized in this section shall not exceed \$49,350.00.

Section 3. That the Director of Personnel and Human Resources is hereby authorized to enter into contracts with the following service deliverers in amounts not to exceed those listed below, for the delivery of Customized Occupational Skills Training activities:

Downtown Development	
Coordinators, Inc.	\$ 60,000.00
GERIC Training	
Services, Inc.	151,534.00
Spirit of Cleveland, Inc.	120,550.00

Section 4. That the Director of Personnel and Human Resources is hereby authorized to enter into contract with the Board of Education of the City of Cleveland for delivery of State Education Coordination School To Work Transition Assistance activities, which shall include providing an advocate at the Martin Luther King School. That the cost of the contract authorized in this section shall not exceed \$148,232.00.

Section 5. That the cost of the contracts authorized above shall be paid from Fund Nos. 15 SF 071 and 15 SF 076, Request Nos. 22965 and 22966.

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. 698-98.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a Na-

tional Partnership and Special Training Program, Pilot and Demonstration Programs grant under Title IV Part D of the Job Training Partnership Act from the U.S. Department of Labor and enter into a contract with Youth Opportunities Unlimited for the Quantum Opportunities Project.

BOARD OF CONTROL

May 6, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 6, 1998, at 11:00 a.m., with Director Summers presiding.

Present: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 316-98.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Bosworth Industrial Supply for an estimated quantity of Hand Tools and Hand Held Power Tools (items 5 and 6) for the Division of Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on March 18, 1998, pursuant to the authority of Ordinance No. 2209-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Twenty-Six Thousand and 00/100 Dollars (\$26,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02026 which shall be certified against such contract in the sum of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00).

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: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.

Absent: None.

Resolution No. 317-98.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Woodhill Supply, Inc. for an estimated quantity of Hand Tools and Hand Held Power Tools (items 1

thru 4, 7 and 8) for the Division of Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on March 18, 1998, pursuant to the authority of Ordinance No. 2209-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Ninety-Four Thousand and 00/100 Dollars (\$94,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02025 which shall be certified against such contract in the sum of Five Thousand and 00/100 Dollars (\$5,000.00).

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

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 318-98.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Bruder, Inc. for an estimated quantity of Building Materials (items 8, 10, 11, 18 and 21) for the Division of Various Divisions of City Government, Department of Finance, for the period one year beginning with the date of execution of a contract, received on March 25, 1998, pursuant to the authority of Ordinance No. 2205-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Forty-Nine Thousand Seven Hundred Two and 00/100 Dollars (\$49,702.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 20897 which shall be certified against such contract in the sum of Three Thousand Two Hundred Forty-Seven and 20/100 Dollars (\$3,247.20).

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: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 319-98.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Granger Trucking, Inc. for an estimated quantity of Building Materials (items 3 and 4 (sizes 1, 67 and 68) for the Division of Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on March 25, 1998, pursuant to the authority of Ordinance No. 2205-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Two Hundred Thirty-Three Thousand Three Hundred and 00/100 Dollars (\$233,300.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02013 which shall be certified against such contract in the sum of Twelve Thousand and 00/100 Dollars (\$12,000.00).

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: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 320-98.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Central Enterprises Corp. for an estimated quantity of Building Materials (items 2, 4 (sizes 57, 10 and 304), 5, 6, 9, 12 thru 16 and 22) for the Division of Various Divisions of City Government, Department of Finance, for the period one (1) year beginning with the date of execution of a contract, received on March 25, 1998, pursuant to the authority of Ordinance No. 2205-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Four Hundred Forty-One Thousand Nine Hundred Sixty and 50/100 Dollars (\$441,960.50), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02012 which shall be certified against such contract in the sum of Twenty Five Thousand and 00/100 Dollars (\$25,000.00).

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: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 321-98.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kuhlman Corporation for an estimated quantity of Building Materials (items 1, 7, 17, 19 and 20) for the Division of Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract, received on March 25, 1998, pursuant to the authority of Ordinance No. 2205-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Fifty Thousand Three Hundred Seventy-Three and 00/100 Dollars (\$50,373.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 20896 which shall be certified against such contract in the sum of Five Thousand Eight Hundred Eighty and 00/100 Dollars (\$5,880.00).

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: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 322-98.

By Acting Director Sheffield-McClain.

Whereas, pursuant to the Ordinance No. 930-95, passed by the Council of the City of Cleveland on June 19, 1995 it is necessary to retain architectural and engineering design services for the Phase 2 continuation of the Residential Sound Insulation Program at Cleveland Hopkins International Airport ("Airport"), therefore;

Be it resolved, by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into an agreement between the City of Cleveland and Robert P. Madison International, Inc. ("Consultant") for the services described in Consultant's proposal dated March 31, 1998, as supplemented and modified by Consultant's letters dated April 21, 1998 and April 28, 1998. The amount to be paid for these services shall not exceed One Million Seven Hundred Thousand Five Hundred and no/100 Dollars (\$1,700,500.00).

Be it further resolved by the Board of Control that the following subcontractors to Robert P. Madison International ("Consultant") are hereby approved:

Subcontractor Service

Ralph Tyler Companies
(MBE)
Architectural Design and
Engineering and
Program Management

Van Auken Aikens Architects
(FBE)
Architectural Planning
and Interior Design Services

Wyle Laboratories
Acoustical Research and
Consulting Services

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.
Nays: None.
Absent: None.

Resolution No. 323-98.
By Acting Director Sheffield-McClain.

Whereas, pursuant to the Ordinance No. 2264-87, passed by the Council of the City of Cleveland on October 19, 1987 it is necessary to obtain professional services for the preparation of an Environmental Impact Statement ("EIS") for the airport improvements included in the Cleveland Hopkins International Airport ("Airport") master plan/airport layout plan and a Federal Aviation Regulations Part 150 Study Update, and,

Whereas, the Federal Aviation Administration requires the City of Cleveland to retain on its behalf the professional services necessary to prepare the EIS; therefore;

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into an agreement between the City of Cleveland and Landrum and Brown, Incorporated ("Consultant") to provide the services described in Consultant's scope of work dated March 11, 1998, as supplemented by Consultant's revised scope of work dated April 27, 1998. The amount to be paid for the services shall not exceed Two Million Five Hundred Ninety-Eight Thousand Eight Hundred Seventy-Five and no/100 Dollars (\$2,598,875.00).

Be it further resolved by the Board of Control that the following subcontractors with Landrum and Brown, Incorporated ("Consultant") are hereby approved:

Subcontractor Service
Kemron Environmental
Services, Inc.
(MBE)

Environmental and
Hazardous Materials Analysis
O. R. Colan Associates, Inc.
(FBE)

Land Use Analysis
Infrastructure Services
(MBE)

Preliminary Engineering
Studies

City Blue Printing
(FBE)
Printing and Reproduction

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.
Nays: None.
Absent: None.

Resolution No. 324-98.
By Acting Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 2264-87, passed by the Council of the City of Cleveland on October 19, 1987 it is necessary to enter into a contract for planning services related to the master plan for Cleveland Hopkins International Airport; therefore,

Be it resolved, by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into an agreement between the City of Cleveland and Landrum and Brown, Incorporated ("Consultant") to provide the services described in Consultant's scope of work dated March 9, 1998 as modified by its letter dated March 20, 1998. The amount to be paid for the services shall not exceed three hundred ninety-two thousand seven hundred and no/100 dollars (\$392,700.00).

Be it further resolved by the Board of Control that the following subcontractor with Landrum and Brown, Incorporated ("Consultant") is hereby approved:

Subcontractor Service
City Blue Printing
(FBE)
Printing and Reproduction

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.
Nays: None.
Absent: None.

Resolution No. 325-98.
By Acting Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 185-98, adopted on March 18, 1998, is hereby amended to substitute "APCOA, Inc." for "APCOA/ETNA" as operator/manager to be employed by contract for operation and maintenance of a shuttle bus system for rental car customers between the terminal building at Cleveland Hopkins International Airport and the consolidated rental car facility.

Be it further resolved that the list of subconsultants to be employed to APCOA, Inc., and approved by the Board of Control, is hereby amended to add Etna Parking to provide necessary personnel and labor under the agreement.

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.
Nays: None.
Absent: None.

Resolution No. 326-98.
By Acting Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 1585-A-76, as amended by Ordinance No. 990-80, passed by the Cleveland City Council on August 16, 1976, and October 20, 1980, respectively, the City of Cleveland entered into an Agreement and Lease with Continental Airlines, Inc. City Contract No. 38171 for Continental's use of the Cleveland Hopkins International Airport and the Airport Terminal Building ("Airport"); and

Whereas, pursuant to Article XVI of said Agreement and Lease, Continental Airlines, Inc. desires to sublease part of its leased premises at Cleveland Hopkins International Airport to Global Ground Services; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the terms of the Agreement and Lease, with Continental Airlines, Inc., City Contract No. 38171, this Board does hereby approve the request of Continental Airlines, Inc. to enter into a sublease agreement with Global Ground Services for Global's use of 350 square feet of office space at Cleveland Hopkins International Airport (behind ticket counter), 300 square feet of ticket counter space, and 1943 square feet of baggage make-up space effective April 1, 1998 provided that the terms of such sublease shall not be in conflict with the terms of City Contract No. 38171.

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

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.
Nays: None.
Absent: None.

Resolution No. 327-98.
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 equipment and accessories to outfit vehicles (Item #25) 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 April 8, 1998, pursuant to the authority of Ordinance No. 1113-97, passed July 16, 1998, which on the basis of the estimated quantity would amount to approximately Four Thousand Three Hundred Forty Seven and no/100 Dollars (\$4,347.00), (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. 19619 which shall be certified against such contract in the sum of Four Thousand Three Hundred Forty Seven and no/100 Dollars (\$4,347.00). Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or

less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor Concord Road Equipment Mfg., Inc., for the purchase of various equipment and accessories to outfit vehicles (item #25), is hereby approved:

Independent Brokers
MBE — \$218.00

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 328-98.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cenweld Corp. for an estimated quantity of various equipment and accessories to outfit vehicles (Items 5, 8 thru 18 and 26) 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 April 8, 1998, pursuant to the authority of Ordinance No. 1113-97, passed July 16, 1998, which on the basis of the estimated quantity would amount to approximately Three Hundred Sixty Two Thousand Nine Hundred Twenty Four and no/100 Dollars (\$362,924.00), (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. 19620

which shall be certified against such contract in the sum of Three Hundred Eleven Thousand Nine Hundred Seventy and no/100 Dollars (\$311,970.00).

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: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 329-98.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland, that the bid of Brom Truck, Inc. for an estimated quantity of Crane Carrier Cab and Chassis Parts and Labor (All Items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on April 8, 1998, pursuant to the authority of Ordinance No. 149-98, passed March 9, 1998, which on the basis of

the estimated quantity would amount to approximately Fifty thousand and no/100 Dollars (\$50,000.00), (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. 19618

which shall be certified against such contract in the sum of Five Thousand and no/100 Dollars (\$5,000.00).

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

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 330-98.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Southeastern Equipment Co., Inc. for an estimated quantity of Case equipment parts and labor (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on April 3, 1998, pursuant to the authority of Ordinance No. 149-98, passed March 9, 1998, which on the basis of the estimated quantity would amount to approximately Fifty Thousand and no/100 Dollars (\$50,000.00), (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. 19617

which shall be certified against such contract in the sum of Ten Thousand and no/100 Dollars (\$10,000.00).

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

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 331-98.

By Director Denihan.

Whereas by Resolution No. 197-98, adopted March 25, 1998, pursuant to Section 135.06 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, this Board of Control approved the bid of Stonewall Uni-

form Corp. as the lowest and best for the purchase of uniforms, item nos. 2, 3, 4, 5, 8, 9, 16, 17, 18, 45 and 47 for the Division of Fire, Department of Public Safety; and

Whereas, in said Resolution No. 197-98, item number 7 was omitted; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 197-98, adopted March 25, 1998, affirming and approving the bid of Stonewall Uniform Corp. as the lowest and best for the purchase of uniforms, item nos. 2, 3, 4, 5, 8, 9, 16, 17, 18, 45 and 47, hereby is amended by adding item no. 7.

Be it further resolved that all other provisions of said Resolution No. 197-98 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 332-98.

By Director Denihan.

Be it resolved by the Board of Control of the City of Cleveland that the bid of R.P. Carbone Construction Company, Inc., Base Bid and Add Alternate Nos. 1 and 2, for the public improvement of The Third District Police Station Interior Renovations, for the Division of Police, Department of Public Safety, received on April 2, 1998, pursuant to the authority of Ordinance Nos. 2189-97, 1278-92 and 2053-91, passed February 9, 1998, July 22, 1992 and February 24, 1992, respectively, for a gross price for the improvement in the aggregate amount of Seven Million Five Hundred Twenty-Nine Thousand and no/100 Dollars (\$7,529,000.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Safety is hereby authorized to enter into contract for said improvement with the said bidder.

Be it further resolved, that the employment of the following subcontractors to R.P. Carbone Construction Company, Inc. is hereby approved:

A & L Sewer Company
MBE — 8.0%

Gateway Electric Inc.
MBE — 22.0%

Choice Construction Company, Inc.
FBE — 9.0%

Mac Mechanical Corp.
FBE — 1.0%

Art Window Shade Company
FBE — .15%

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 333-98.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction Inc., Base Bid G3, Add Alternate No. G3A and Deduct Alternate No. G3D, for

the public improvement of General Office Renovations for Cleveland City Hall Departments of Personnel and Human Resources and Civil Service Commission Office Renovations for the Division of Property Management, Department of Parks, Recreation and Properties, received on April 16, 1998, pursuant to the authority of Ordinance No. 1282-96, passed October 14, 1996, for a gross price for the improvement in the aggregate amount of Six Hundred Thirty-Three Thousand and No/Dollars (\$633,000.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved, that the employment of the following subcontractor to Envirocom Construction Inc., is hereby approved:

E & J Development
MBE — 29%

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.
Nays: None.
Absent: None.

Resolution No. 334-98.

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

Whereas, City has acquired Permanent Parcel Nos. 106-19-063, 106-19-064, 106-19-065, 106-19-090 under said Land Reutilization Program; and

Whereas, Ordinance No. 201-98 passed February 2, 1998 authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Willie Starkey 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. 201-98 passed February 2, 1998 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 Willie Starkey for the sale and development of Permanent Parcel Nos. 106-19-063, 106-19-064, 106-19-065, 106-19-090, 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: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.
Nays: None.
Absent: None.

Resolution No. 335-98.

By Director Hamilton.
Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with

the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 119-33-033, 119-33-034, 119-34-042, 119-34-043, 119-34-045, 121-16-047, 121-16-053, 121-16-068, 121-16-071, 121-16-083, 121-16-084, 121-16-088, 121-16-089, 121-16-133, 121-16-134, 121-17-003, 121-17-052, 121-17-069, 121-17-075, 121-17-076, 121-17-083, 121-17-084, 126-07-053, 126-07-072, 126-07-077, 126-08-042, 126-08-043 and 126-08-044 under said Land Reutilization Program; and

Whereas, Ordinance No. 253-97 passed May 12, 1997 authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Fairfax Renaissance Development Corporation 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. 253-97, passed May 12, 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 Fairfax Renaissance Development Corporation or designee for the sale and development of Permanent Parcel Nos. 119-33-033, 119-33-034, 119-34-042, 119-34-043, 119-34-045, 121-16-047, 121-16-053, 121-16-068, 121-16-071, 121-16-083, 121-16-084, 121-16-088, 121-16-089, 121-16-133, 121-16-134, 121-17-003, 121-17-052, 121-17-069, 121-17-075, 121-17-076, 121-17-083, 121-17-084, 126-07-053, 126-07-072, 126-07-077, 126-08-042, 126-08-043 and 126-08-044, 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: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.
Nays: None.
Absent: None.

Resolution No. 336-98.

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

Whereas, City has acquired Permanent Parcel Nos. 119-04-070, 119-04-071, 119-04-073, 119-04-116, 119-04-122, 119-04-125, 119-04-126, 119-06-011, 119-06-018, 119-06-033, 119-06-013, 119-06-019 under said Land Reutilization Program; and

Whereas, Ordinance No. 48-97 passed April 21, 1997 authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Fairfax Renaissance Development Corporation 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. 48-97, 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 Fairfax Renaissance Development Corporation or designee for the sale and development of Permanent Parcel Nos. 119-04-070, 119-04-071, 119-04-073, 119-04-116, 119-04-122, 119-04-125, 119-04-126, 119-06-011, 119-06-018, 119-06-033, 119-06-013, 119-06-019, 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: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.
Nays: None.

Absent: None.

Resolution No. 337-98.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors for Perk Co., Inc., contractor for requirement contract various sewer maintenance appurtenances-slabs, pursuant to Board of Control Resolution No. 266-98 adopted April 22, 1998 is hereby approved.

Subcontractor	Work
RVGS, dba Alexa Trucking (MBE)	Trucking
Collinwood Shale & Brick (FBE)	Supply concrete & shale

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 338-98.

By Acting Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to the authority of Section 183.04 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, of the Director of Port Control is hereby authorized to enter into a concession agreement with the Spirit of Cleveland, Inc. for use of the Burke Airport parking facility to conduct the Great American Rib Cook-Off (the "Event") between May 17 and May 27, 1998. The Spirit of Cleveland, Inc. shall pay the City a guaranteed minimum concession fee in the amount of \$3,000 for use of the parking facility. In the event the weather is not inclement during the entire period in which the Event is conducted, Spirit of Cleveland, Inc. shall pay to the City an additional \$2,000. Said concession agreement shall be prepared by the Director of Law and shall contain such additional terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 339-98.

By Acting Director Sheffield-McClain.

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 May 17 through May 27, 1998. 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 sublettings hereby approved which documents shall contain such additional terms and conditions as the Director of Law or the Director of Port Control deem necessary to protect the City's interests.

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 340-98.

By Acting Director Sheffield-McClain.

Whereas, Hunger Network of Greater Cleveland wishes to promote and conduct the annual Walk for Hunger (the "Event") at Burke Lakefront Airport (the "Airport"); and

Whereas, the City is willing to grant to Hunger Network of Greater Cleveland the right to promote and conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of the Department of Port Control is hereby authorized to enter into a concession agreement (the "Agreement") granting Hunger Network of Greater Cleveland the right to conduct the Event in the lobby area of the Airport terminal building from 5:30 a.m. to 5:00 p.m. on May 9, 1998 and such period of time

before and after the Event for preparation and clean up. Hunger Network of Greater Cleveland shall reimburse the City for the cost of providing one (1) City employee to perform custodial work related to the conduct of the Event; shall arrange for the operation of the Event and other concessions appropriate and incidental to the Event; and shall be responsible for providing traffic control, security and clean up.

Be it further resolved that the Agreement shall be prepared by the Director of Law and shall contain such provisions as deemed necessary to benefit and protect the public interest.

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 341-98.

By Director Jackson.

Resolved by the Board of Control of the City of Cleveland, that all bids received on April 17, 1998 for Suite Electrical Work (Bid Package 8D) for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, pursuant to the authority of Ordinance No. 304-96, passed by the Council of the City of Cleveland on March 8, 1996 be and the same are hereby rejected.

Yeas: Directors Summers, Carmody, Konicek, Acting Directors Sheffield-McClain, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service 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, MAY 26, 1998

9:30 A.M.

Calendar No. 98-71: 4742 West 130th Street

Mostafa and Mahboubeh Rahmani, owners, and Sonny's Auto Sales Inc. c/o Louis Kubat, tenant, appeal to change an existing 20' x 30' one-story masonry building located in a General Retail Business District on a 40' x 140' corner lot at the Northwest corner of West 130th Street and Crossburn Ave. from a television shop to a used car sales dealership at 4742 West 130th Street; said use being contrary to the Open Sales Lots regulations of Section 347.11 (a) where 60' minimum width is required and 40' is proposed and contrary to the Screening and Landscaping regulations of Section 352.10(a)(2), and contrary to the Driveway regulations in Local Retail and General Retail Business Districts of Section 343.18 (a) and (f) and any display of autos within the 10' specific setback area on West 130th Street being contrary to Sections 357.07 and 357.14 and said request not conforming to the information requirements of Section 327.02(E) of the Codified Ordinances.

Calendar No. 98-80: 4316 Warner Rd., S.E. and 8317 Goodman Ave., S.E.

Michael Boukzam, owner, appeals under Sections 329.01(e) and 329.02(d) from the refusal to approve a lot split for a 46' x 144' irregular shaped corner lot located in a Local Retail Business District and occupied by a two-story frame multi-family dwelling house at 4316 Warner Rd. and a two-story frame dwelling house at 8317 Goodman Ave.; said refusal by JoMarie Wasik, Acting Commissioner of Engineering and Construction, and Hunter Morrison, Director of City Planning, under authority of Section 355.04 of the Codified Ordinances.

Calendar No. 98-81: 1501 Abbey Ave., S.W.

Stripmatic Products, owner c/o William Adler, appeal to construct a new 70' x 85' masonry and pre-finished metal Shipping and Receiving Building, a 51' x 85' dock area and a 40' x 123' asphalt parking lot for 12 cars to an existing irregular shaped two-story masonry manufacturing facility all on an irregular shaped acreage parcel located in a General Industry District at the Southwesterly corner of Abbey Ave. and West 15th Street at 1501 Abbey Ave.; said loading dock to be 70' from the centerline of West 15 Street instead of 80' therefrom as required by Section 349.17 and said parking and loading use being contrary to Section 352.10(a)(7)(b)(h), and the Table containing Uses Requiring Other Screening or Landscaping and the Table containing Screening Intensity in Sections 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 98-85: 4343 Pearl Rd., S.W.

Pat's Real Estate Ltd. c/o George Fiala, owner, appeal to change use of an existing 52' x 270' non-conforming truck storage building into a mobile catering company with corporate office distribution garage

and Commissary Stockroom Operation all located on a 53' x 287' irregular shaped lot and in a Local Retail Business District on the Easterly side of Pearl Road at 4343 Pearl Road; said site plan being contrary to the Enforcement and Penalty regulations of Section 327.02(e) and said use being contrary to the Local Retail Business District regulations of Section 343.01 and contrary to the Off-Street Parking requirements where 14 parking spaces are required and 0 are proposed per Section 349.04(g and i), and subject to the substitution provisions of Section 359.01 of the Codified Ordinances.

Calendar No. 98-87: 18122 St. Clair Ave., N.E.
Elliot Sustin, owner, and Eastway Motors Inc. c/o Elliot Sustin, tenant, appeal to display autos within the setback area of an existing 96' x 130' corner lot for used car sales located in a Local Retail District at 18122 St. Clair Ave.; said use being contrary to the Off-Street Parking Requirements of Section 349.05 and the setback requirements of Sections 357.07 and 357.14 and subject to the substitution limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 98-94: 1300 West 9th Street
Otis Associates, Ltd. c/o Bob Raines, owner, to change use to 249 dwelling units on the upper levels, retail and or restaurants at grade levels and approximately a 227 car indoor parking on the lower levels of the 166' x 436' irregular shaped six, seven and nine story masonry former food warehouse building located in a B-Limited Retail District and D-Limited Retail District on a 198' x 436' irregular shaped corner parcel bounded by West 9th Street, West St. Clair Avenue and West 10 Street at 1300 West 9th Street; said conversion to residential dwelling units not being in conformance with the front yard, side yard and side street yard requirements of Sections 357.04, 357.09 and 357.05 and the rear yard to be 0' instead of 30' as required by Sections 357.08 and modified by Section 357.03(b) and the residential gross floor area to exceed the allowable ratio as determined by Sections 355.04 and modified by Section 357.03(b) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 11, 1998

At the Meeting of the Board of Zoning Appeals on Monday, May 4, 1998, the following appeals were heard by the Board, and, on Monday, May 11, 1998 were decided by the Board.

The following appeals were **Granted:**

Calendar No. 98-54: 4537 West 146th Street
Janet and Arnold Jedlicka, owners, appealed to erect a 24' x 7' one-story front enclosed porch and a 5' x 8' open deck.

Calendar No. 98-67: 3906 Rocky River Drive
Casey O'Connor owner, appealed, to change use of an existing 2-story frame dental office and one-family building.

The following appeal was **Refused:**

Calendar No. 98-55: 2443 West 7th Street
Brian McCreary, owner, appealed, to erect a 20' x 44' 2-story frame two family dwelling.

The following appeals were **Postponed** to June 8, 1998:

Calendar No. 98-63: 2203 West 6th Street.

Calendar No. 98-64: 2122 West 6th Street.

Calendar No. 98-65: 2148 West 6th Street.

Calendar No. 98-66: 2157 West 6th Street.

EUGENE CRANFORD, JR.,
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

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice

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

THURSDAY, MAY 21, 1998

Turnout Gear — Item 5 — Leather Bunker Boots, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

May 6, 1998 and May 13, 1998

FRIDAY, MAY 22, 1998

Summer Lunch Program, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 617-98, passed by the Council of the City of Cleveland.

Food Products, Beverages, Condiments and Paper Products, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 617-98, passed by the Council of the City of Cleveland.

New Cleveland Browns NFL Football Stadium, Bid Package No. 8D — Suite Electrical Work, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96, passed by the Council of the City of Cleveland.

PLANS AND SPECIFICATIONS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CITY HALL, CLEVELAND, OHIO 44114 FOR THE NON-REFUNDABLE FEE OF ONE HUNDRED FIFTY DOLLARS (\$150.00) CERTIFIED OR CASHIER'S CHECK ONLY. THE CHARGE WILL BE WAIVED FOR THOSE HOLDERS OF PLANS PREVIOUSLY PURCHASED FOR BID PACKAGE NO. 8D. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO RECEIVE DOCUMENTS.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 14, 1998, 10:00 A.M. IN THE HUBER, HUNT AND NICHOLAS JOBSITE TRAILER (ENTER OFF WEST THIRD ACROSS FROM THE CONSTRUCTION SITE).

May 6, 1998 and May 13, 1998

THURSDAY, MAY 28, 1998

Roof Repairs, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 2014-97, passed by the Council of the City of Cleveland, January 26, 1998.

A **MANDATORY** PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 14, 1998, 10:00 A.M. AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE.

City Hall Carpet Replacement — Community Development, for the Division of Architecture, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1282-96, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, MAY 19, 1998, 10:00 A.M. AT CLEVELAND CITY HALL, LAKESIDE AVENUE, CLEVELAND, OHIO.

May 6, 1998 and May 13, 1998

FRIDAY, JUNE 5, 1998

New Cleveland Browns NFL Football Stadium, Bid Package No. SH — Broadcast Cabling/Security System, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96, passed by the Council of the City of Cleveland.

PLANS AND SPECIFICATIONS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CITY HALL, CLEVELAND, OHIO 44114 FOR THE **NON-REFUNDABLE** FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED OR CASHIER'S CHECK **ONLY**. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO RECEIVE DOCUMENTS.

A **MANDATORY** PRE-BID MEETING WILL BE HELD ON WEDNESDAY, MAY 20, 1998, 10:00 A.M. IN ROOM 211 OF CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO.

May 6, 1998 and May 13, 1998

WEDNESDAY, JULY 1, 1998

New Cleveland Browns NFL Football Stadium, Bid Package No. 12 — Scoreboard, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96, passed by the Council of the City of Cleveland.

PLANS AND SPECIFICATIONS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CITY HALL, CLEVELAND, OHIO 44114 FOR THE **NON-REFUNDABLE** FEE OF ONE HUNDRED FIFTY DOLLARS (\$150.00) CERTIFIED OR CASHIER'S CHECK **ONLY**. PROSPECTIVE BIDDERS WILL

RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO OBTAIN DOCUMENTS.

A **MANDATORY** PRE-BID MEETING WILL BE HELD ON WEDNESDAY, MAY 20, 1998, 10:00 A.M. IN ROOM 211 OF CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 6, 1998 and May 13, 1998

WEDNESDAY, MAY 27, 1998

Franklin Loew Park Ball Diamond Improvements — Phase 1, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1264-97, passed by the Council of the City of Cleveland, July 16, 1997.

A DEPOSIT OF TWENTY FIVE DOLLARS (\$25.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN (15) DAYS AFTER THE BID OPENING DATE.

May 13, 1998 and May 20, 1998

THURSDAY, MAY 28, 1998

Installation and Maintenance of City Telephones, Products and Ancillary Equipment, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1174-97, passed by the Council of the City of Cleveland, July 16, 1997.

May 13, 1998 and May 20, 1998

FRIDAY, MAY 29, 1998

Frame Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 147-98, passed by the Council of the City of Cleveland, March 9, 1998.

May 13, 1998 and May 20, 1998

WEDNESDAY, JUNE 17, 1998

Crown Waterworks Reservoir Rehabilitation Project, Westlake, Ohio, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 965-93, passed by the Council of the City of Cleveland, July 14, 1993.

PLANS AND SPECIFICATIONS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CITY HALL, CLEVELAND, OHIO 44114 FOR THE **NON-REFUNDABLE** FEE OF ONE HUNDRED FIFTY DOLLARS (\$150.00) CERTIFIED OR CASHIER'S CHECK **ONLY**.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JUNE 3, 1998, 10:00 A.M. AT THE CROWN WATERWORKS RESERVOIR IN WESTLAKE, OHIO.

May 13, 1998 and May 20, 1998

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 783-98.**

By Councilman Westbrook.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 7403 Denison Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 1171120, CRT Partners Inc., DBA Century Tavern & Restaurant, 7403 Denison Ave., 1st Fl. Bsmt. & Patio, Cleveland, Ohio 44102, to Permit No. 6619699, Oz Schilling Inc., DBA Century Sports Bar & Grill, 7403 Denison Ave., Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 1171120, CRT Partners Inc., DBA Century Tavern & Restaurant, 7403 Denison Ave., 1st Fl. Bsmt. & Patio, Cleveland, Ohio 44102, to Permit No. 6619699, Oz Schilling Inc., DBA Century Sports Bar & Grill, 7403 Denison Ave., 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 April 27, 1998.
Effective May 6, 1998.

Res. No. 785-98.
By Councilmen Cintron, Britt, Cimperman, Coats, Dolan, Jackson, Jones, Melena, Patmon, Polensek, Robinson, Rybka, Sweeney, White and Zone.

An emergency resolution opposing State House Bill 168 which bill will repeal Ohio's prevailing wage law.

Whereas, Ohio's current prevailing wage law requires public authorities engaging in construction of public improvements to ensure that the worker's employed on the project are paid the "prevailing rate of wages"; and

Whereas, if passed, House Bill 168 will repeal Ohio's prevailing wage law;

Whereas, Section 197 of the Charter of the City of Cleveland requires that all persons employed by a contractor under contract with the City of Cleveland "be paid wages which are not less than are paid by the City of Cleveland for similar or like work; but if said City has not established a rate of wages for any particular class of work to be performed under the terms of this contract, than said employees shall be paid wages not less than are generally paid therefor by others employing union labor in said City"; and

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

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

Section 1. That this Council urges the Ohio State Legislature and Governor Voinovich to reject House Bill 168 which will repeal Ohio's prevailing rate of wages and determines this to be in the public's best interest.

Section 2. That the Clerk of Council transmit copies of this resolution to Governor Voinovich, House Speaker Davidson and the Cuyahoga County delegation.

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

Adopted April 27, 1998.
Effective May 6, 1998.

Res. No. 786-98.
By Councilman Coats.
An emergency resolution joining in recognizing April 28, 1998 as Worker's Memorial Day.

Whereas, April 28, 1998, is Worker's Memorial Day to honor and recognize all those workers who have died in the workplace; and

Whereas, we stand today in recognition of all those laborers who have died on the job, especially our colleagues of the City of Cleveland who have died over the years;

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

Section 1. That this Council hereby stands today in recognizing April 28, 1998 as Worker's Memorial Day in honor of all persons who have died while on the job and urge all citizens of Cleveland to remember those workers who have died while making our community a better place to live.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all 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 April 27, 1998.
Effective May 6, 1998.

Res. No. 831-98.
By Councilman Dolan.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 14901 Lorain Ave.

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. 47246153594, Kmart Corp., DBA Kmart 3589, 14901 Lorain Ave., Cleveland, Ohio 44111; 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. 47246153594, Kmart Corp., DBA Kmart 3589, 14901 Lorain Ave., Cleveland, Ohio 44111 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 4, 1998.
Effective May 13, 1998.

Res. No. 832-98.
By Councilman Lewis.
An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 1795 East 55th Street, and repealing Res. No. 909-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 1795 East 55th Street, by Res. No. 909-97, adopted May 19, 1997; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 1795 East 55th Street, be and the same is hereby withdrawn, pursuant to the terms of the cooperation agreement executed between the permit holder and Councilwoman Lewis, and Res. No. 909-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted May 4, 1998.
Effective May 13, 1998.

Res. No. 833-98.
By Councilman Moran.
An emergency resolution withdrawing objection to the renewal of a D1, D2 & D3 Liquor Permit to 6801 Denison Ave., and repealing Res. No. 1529-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2 & D3 Liquor Permit to 6801 Denison Ave., by Res. No. 1529-97, adopted August 13, 1997; and

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

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

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

Section 1. That objection to the renewal of a D1, D2 & D3 Liquor Permit to 6801 Denison Ave., be and the same is hereby withdrawn and Res. No. 1529-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted May 4, 1998.
Effective May 13, 1998.

Res. No. 834-98.
By Councilmen Patmon, Westbrook and Dolan.

An emergency resolution requesting that the Ohio General Assembly oppose a consumer bailout of FirstEnergy as part of the state's plan to open up the electric utility industry to competition.

Whereas, affordably priced electric service is essential to the health, safety and economic well-being of all Ohioans; and

Whereas, northern Ohio electric ratepayers have been paying some of the highest rates for electricity in the United States for decades because of utility investments in nuclear power plants; and

Whereas, northern Ohio electric consumers currently pay rates that are thirty to fifty percent higher than customers of other Ohio utilities, presenting a significant economic disadvantage to the region's residential and business customers; and

Whereas, the Ohio General Assembly is considering proposals to bring customer choice to the electric utility industry, which will affect the cost of electricity; and

Whereas, legislation now pending in the Ohio General Assembly, S.B. 237 and H.B. 732, would force northern Ohio residential and small business customers to continue to pay for utilities' nuclear power plant investments (stranded costs) once competition is introduced; and

Whereas, full recovery of stranded costs would cost the average FirstEnergy customer at least \$1,618 over a five-year period;

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

Section 1. That electric utility competition in Ohio must not penalize ratepayers or taxpayers by forcing them to bail out utilities' past bad investments (stranded costs).

Section 2. That electric utility competition in Ohio must result in immediate and significant price reductions for all northern Ohio customers, including residential and small businesses.

Section 3. That the Clerk of Council be and she is hereby directed to transmit certified copies of this resolution to Governor George Voinovich, Ohio Senate President Richard Finnan, Ohio House Speaker Jo Ann Davidson, and State Representative Troy Lee James and State Senator C.J. Prentiss.

Section 4. That this resolution is hereby declared to be an emergency measure and, provided it receives

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

Adopted May 4, 1998.
Effective May 13, 1998.

Res. No. 835-98.
By Councilman Willis.
An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 12419 Superior Avenue, and repealing Res. No. 1554-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 12419 Superior Avenue, by Res. No. 1554-97, adopted August 13, 1997; and

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

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

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

Section 1. That objection to the renewal of a C2 and C2X Liquor Permit to 12419 Superior Avenue, be and the same is hereby withdrawn and Res. No. 1554-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted May 4, 1998.
Effective May 13, 1998.

Ord. No. 400-97.
By Councilman Sweeney.
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 676B.01 to 676B.05 and 676B.99 thereof, relating to garage and residential personal property sales.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 676B.01 to 676B.05 and 676B.99 thereof, to read, respectively, as follows:

CHAPTER 676B GARAGE AND RESIDENTIAL PERSONAL PROPERTY SALES

Section 676B.01 Definitions

(a) "Garage Sale or other Residential Personal Property Sale" shall mean all general sales, open to the public, conducted from or on a residential premises in any residential zone as defined by the Zoning Ordinance of the City, for the purpose of disposing of personal property, including, but not limited

to, all sales commonly referred to as "garage", "lawn", "yard", "attic", "porch", "room", "backyard", "patio", "flea market", or "rummage sale."

(b) "Personal Property" shall mean property which is owned, utilized and maintained by an individual or members of his or her residence and which has been acquired in the normal course of living in or maintaining a residence.

Section 676B.02 Property Permitted to be Sold

No person, whether as owner, lessee, manager, occupant or any agent thereof, shall sell, offer for sale, conduct or permit a sale of property other than personal property at a garage sale or other residential personal property sale.

Section 676B.03 Exceptions

The provisions of this chapter shall not apply to an officer executing process or order of any court having jurisdiction within the State of Ohio for selling property, directed by law, court order or local process to be sold on the property where the same is located or to the sale or offering for sale of personal property as defined herein.

Section 676B.04 General Regulations

(a) No garage or other residential personal property sales shall be permitted except between the hours of 10:00 a.m. and 6:00 p.m., nor shall exceed more than four (4) consecutive days in duration.

(b) No more than three (3) garage or other residential personal property sales shall be conducted or permitted on or at a residential premises, as defined by Section 676B.01, during any year unless permitted by the Director of Public Safety or the Director's designee after obtaining the approval of the City Councilmember for that ward.

(c) A garage or other residential personal property sale conducted or managed on or at a residential premises, whether directly or indirectly, by any person other than the owner, lessee, manager, occupant or agent thereof, of the premises where said sale is conducted shall be included for purposes of calculation of the number of garage or other residential property sales permitted under this section.

Section 676B.05 Prohibitions

No person whether as owner, lessee, manager, occupant or any agent thereof, or any person other than the owner, lessee, manager, occupant or agent thereof, shall conduct, permit or manage whether, directly or indirectly, a garage sale, or other residential personal property sale in violation of Sections 676B.02 or divisions (a) or (b) of Section 676B.04.

Section 676B.99 Penalty

Whoever violates any of the provisions of this chapter shall be guilty of a minor misdemeanor, and shall be fined not less than one hundred dollars (\$100.00). The fine set forth herein is mandatory and shall not be suspended by the court in whole or in part. Each day upon which a violation occurs or continues shall constitute a separate offense and shall be punishable as such hereunder.

Section 2. That the Director of Public Safety shall report to the Public Safety Committee of Council one year after the passage of this

legislation on the success and workability of this Codified Ordinance Chapter, which shall include recommendations as to amendments needed, if any.

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 April 27, 1998.
Effective May 6, 1998.

Ord. No. 2039-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Glenville Development Corporation, or its designee, to provide a grant to partially finance the exterior and interior renovations of the Faith Building located at 10640 St. Clair Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Glenville Development Corporation, or its designee, to provide a grant to partially finance exterior and interior renovations of the Faith Building located at 10640 St. Clair Avenue, Cleveland, Ohio.

Section 2. That the terms of said grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2039-97-A.

Section 3. That the costs of said contract shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00), and shall be paid from Fund No. 18 SF 003, Request No. 23702.

Section 4. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

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

Passed May 4, 1998.
Effective May 13, 1998.

Ord. No. 295-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of asphalt concrete material, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of asphalt concrete material 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 Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21340)

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 April 27, 1998.
Effective May 6, 1998.

Ord. No. 296-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the procurement by requirement contract of large capacity trucks and operators, for the Division of Streets, Department of Public Service.

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

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

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

until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, together with all subsequent procurements, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21347)

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 April 27, 1998.
Effective May 6, 1998.

Ord. No. 297-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of manhole risers, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of manhole risers 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 Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21344)

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 April 27, 1998.
Effective May 6, 1998.

Ord. No. 299-98.
By Councilmen Sweeney and Johnson
(by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of gutter brooms and gutter broom sets, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of gutter brooms and gutter broom sets 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 Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21339)

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 April 27, 1998.
 Effective May 6, 1998.

Ord. No. 302-98.
By Councilmen Sweeney and Johnson
(by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of emulsion and emulsion service management, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of emulsion and emulsion service management 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 Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21345)

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 April 27, 1998.
 Effective May 6, 1998.

Ord. No. 311-98.
By Councilmen Patmon, Zone and Johnson
(by departmental request).

An emergency ordinance to amend Section 535.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 935-96, passed June 18, 1996, relating to rates for water sold through master meters.

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 rates, rules and regulations relating to the operation of the Division of Water, Department of Public Utilities, for standby emergency water service to Portage County, as fixed by the Board of Control in Resolution No. 59-98, adopted by the Board of Control on February 4, 1998, be and the same are hereby approved.

Section 2. That Section 535.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 935-96, passed June 18, 1996, is hereby amended to read as follows:

Section 535.18 Rates for Water Sold Through Master Meters

(a) The rates to be charged for the sale of water measured through Master Meters shall be as follows:

(1) To the City of Cleveland Heights: beginning 4/4/96 through 12/31/96, \$16.36 per mcf; beginning 1/1/97 through 12/31/97, \$17.52 per mcf; beginning 1/1/98 through 12/31/98, \$18.71 per mcf; beginning 1/1/99 through 12/31/99, \$19.97 per mcf; beginning 1/1/00, \$21.28 per mcf.

(2) To the City of East Cleveland: beginning 4/4/96 through 12/31/96, \$14.04 per mcf; beginning 1/1/97 through 12/31/97, \$15.05 per mcf; beginning 1/1/98 through 12/31/98,

\$16.09 per mcf; beginning 1/1/99 through 12/31/99, \$17.19 per mcf; beginning 1/1/00, \$18.34 per mcf.

(3) To the City of Lakewood: beginning 4/4/96 through 12/31/96, \$14.04 per mcf; beginning 1/1/97 through 12/31/97, \$15.05 per mcf; beginning 1/1/98 through 12/31/98, \$16.09 per mcf; beginning 1/1/99 through 12/31/99, \$17.19 per mcf; beginning 1/1/00, \$18.34 per mcf.

(4) To the City of Bedford: beginning 4/4/96 through 12/31/96, \$16.76 per mcf; beginning 1/1/97 through 12/31/97, \$17.92 per mcf; beginning 1/1/98 through 12/31/98, \$19.11 per mcf; beginning 1/1/99 through 12/31/99, \$20.37 per mcf; beginning 1/1/00, \$21.68 per mcf.

(5) To the Village of Chagrin Falls: beginning 4/4/96 through 12/31/96, \$18.91 per mcf; beginning 1/1/97 through 12/31/97, \$20.24 per mcf; beginning 1/1/98 through 12/31/98, \$21.61 per mcf; beginning 1/1/99 through 12/31/99, \$23.06 per mcf; beginning 1/1/00, \$24.57 per mcf.

(6) To the City of Berea: beginning 4/4/96 through 12/31/96, \$18.98 per mcf; beginning 1/1/97 through 12/31/97, \$20.14 per mcf; beginning 1/1/98 through 12/31/98, \$21.33 per mcf; beginning 1/1/99 through 12/31/99, \$22.59 per mcf; beginning 1/1/00, \$23.90 per mcf.

(7) To Lake County: beginning 4/4/96 through 12/31/96, \$18.23 per mcf; beginning 1/1/97 through 12/31/97, \$19.39 per mcf; beginning 1/1/98 through 12/31/98, \$20.58 per mcf; beginning 1/1/99 through 12/31/99, \$21.84 per mcf; beginning 1/1/00, \$23.15 per mcf.

(8) To Lorain County: beginning 4/4/96 through 12/31/96, \$18.98 per mcf; beginning 1/1/97 through 12/31/97, \$20.14 per mcf; beginning 1/1/98 through 12/31/98, \$21.33 per mcf; beginning 1/1/99 through 12/31/99, \$22.59 per mcf; beginning 1/1/00, \$23.90 per mcf.

(9) To the City of North Ridgeville: beginning 4/4/96 through 12/31/96, \$14.04 per mcf; beginning 1/1/97 through 12/31/97, \$15.05 per mcf; beginning 1/1/98 through 12/31/98, \$16.09 per mcf; beginning 1/1/99 through 12/31/99, \$17.19 per mcf; beginning 1/1/00, \$18.34 per mcf.

(10) To Geauga County: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(11) To Medina County: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(12) To the City of Hudson Village: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(13) To Summit County: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(14) To Portage County: beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(b) All bills for water so furnished shall be rendered monthly to the municipality or district to which water is so furnished, and if not paid within fifteen (15) days after the date of billing by the City of Cleveland, such bills shall be subject to a penalty of five percent added thereto. In the event that any monthly bill is not paid within four (4) months after written notice is given by the City of Cleveland, the City of Cleveland may, at its option, cease to furnish water to such municipality or district pending payment of any overdue amount.

(c) Rates for Standby Emergency Water Service. The rates to be charged for standby emergency water service shall consist of an annual standby fee of \$3600.00 per year in addition to the charge for consumption provided in division (a) of this section. Standby fees for standby emergency water service shall be payable in advance. All bills for water furnished under this section shall be rendered upon the termination of customer's emergency period or, if the duration of the emergency is longer than thirty days, in thirty day intervals. In the event that any standby fee is not paid in advance or any consumption bill is not paid within four months after written notice is given by the City of Cleveland, the City of Cleveland may at its option, cease to furnish standby emergency water service to such customer pending payment of any overdue amount.

Section 3. That existing Section 535.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 935-96, passed June 18, 1996 is hereby repealed.

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

Passed May 4, 1998.

Effective May 13, 1998.

Ord. No. 329-98.
By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 1998 Title III-B G.O.W., Supportive Services, Chore Worker Program.

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

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

Section 1. That the Director of Aging is hereby authorized to apply for and accept a grant in the amount of \$106,739, from the Western Reserve Area Agency on Aging, to conduct the 1998 Title III-B G.O.W., Supportive Services, Chore Worker Program, for the purposes set forth in the application and according thereto; that the Director of Aging is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 329-98-A, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$9,792.00, payable from Fund No. 01-20-01-0901, 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 April 27, 1998.

Effective May 6, 1998.

Ord. No. 428-98.
By Councilmen Sweeney and Johnson (by departmental request).

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

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

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

Section 1. That the Director of Public Service is hereby authorized 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 Galion equipment parts, and the labor to install if necessary, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24126)

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 April 27, 1998.

Effective May 6, 1998.

Ord. No. 431-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of hydraulic cylinders, pumps, motors, valves, fuel injectors, drive shafts, gear boxes and trailers, and labor and materials necessary to repair existing equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized 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 hydraulic cylinders, pumps, motors, valves, fuel injectors, drive shafts, gear boxes and trailers, and labor and materials necessary to repair existing equipment in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22925)

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 April 27, 1998.

Effective May 6, 1998.

Ord. No. 433-98.
By Councilmen Cintron, Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor, materials and equipment to clean the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, for a period not to exceed eighteen months.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor, materials and equipment to clean the West Side Market, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

Section 2. That the cost of said contract hereby authorized shall not exceed eighteen months and shall be paid from Fund No. 67 SF 500, Request No. 20242.

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 April 27, 1998.
Effective May 6, 1998.

Ord. No. 474-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept a grant from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program and to enter into contract with various organizations, individual landlords, tenants and contractors for the purpose of providing weatherization assistance to low-income City residents through the State Home Weatherization Assistance Program.

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

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

Section 1. That the Director of Community Development is hereby authorized to apply for and accept a grant in the amount of \$2,066,523.00 from the State of Ohio Department of Development, to conduct the State Home Weatherization Assistance Program and to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the Director of Community Development is authorized to enter into contract with individual landlords, tenants, contractors, and various non-profit organizations: Lutheran Housing Corporation, Cleveland Housing Network, Neighborhood Housing Services, Mt. Pleasant NOWDevelopment Corporation, Hough Areas Partners in Progress and Cudell Improvement Incorporated, for the implementation of the program as described in the grant application.

Section 3. That the cost of said contracts shall not exceed, in the aggregate, \$2,066,523.00 and shall be paid from Fund Nos. 13 SF 868, 13 SF 869 and 13 SF 870.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

Passed May 4, 1998.
Effective May 13, 1998.

Ord. No. 506-98.

By Mayor White.

An emergency ordinance authorizing the Mayor, or his designee, to accept registration fees, enter into contract for the provision of facilities and purchase course supplies and refreshments, in connection with Phase I and II of the James H. Walker Construction Management Training Course to be conducted by the Minority Business Opportunity Committee, Office of Equal Opportunity.

Whereas, the Office of Equal Opportunity is required, pursuant to Section 123.08 of the Codified Ordinances of Cleveland, Ohio, 1976, and the MBE/FBE Code contained in Chapter 187 thereof, to hold periodic training seminars to assist minority and female business firms; and

Whereas, from April 14, 1998 through June 18, 1998, the Office of Equal Opportunity through the Minority Business Opportunity Committee, will be sponsoring Phase I of the James H. Walker Construction Management Training Course, and will be sponsoring Phase II of the course from September 15, 1998 through October 27, 1998; and

Whereas, the Council of the City of Cleveland has determined that collection of fees and provision of facilities, course supplies, refreshments and a graduation dinner in connection with said training courses constitute a public purpose; 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 Mayor, or his designee, is hereby authorized to accept a registration fee of Two Hundred Dollars (\$200.00) from every registrant attending Phase I of the James H. Walker Construction Management Training Course, being held April 14, 1998 through June 18, 1998, the Office of Equal Opportunity through the Minority Business Opportunity Committee; and will be accepting a registration fee of Two Hundred Dollars (\$200.00) for every registrant attending Phase II of the James H. Walker Construction Management Training Course beginning September 15, 1998 through October 27, 1998; to enter into contract with Case Western Reserve University for seminar facilities for both phases; and to purchase course supplies, refreshments and food required for the both phases of training courses and graduation dinners. Such facilities, services and food shall be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Minority Business Development Center, Office of Equal Opportunity, using fees collected for registration of both phases, and paid from Fund No. 13 SF 057, Request No. 23753.

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 4, 1998.
Effective May 13, 1998.

Ord. No. 507-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of unarmed uniformed security guards, for the various divisions of City government, for a period not to exceed two years.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of unarmed uniformed security guard services in the estimated sum of \$400,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the 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 22993)

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 April 27, 1998.
Effective May 6, 1998.

Ord. No. 561-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept special purpose grant funds from the United States Department of Housing and Urban Development to be used to provide funding for the Harvard Community Services Center, the Health and Education Institute of the Olivet Housing and CDC and the Urban League of Greater Cleveland and to enter into contract with various agencies for the implementation of the program.

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

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

Section 1. That the Director of Community Development is hereby authorized to apply for and accept special purpose grant funds from the United States Department of Housing and Urban Development in the amount of \$1,500,000.00 to be used to provide funding for the Harvard

Community Services Center, the Health and Education Institute of the Olivet Housing and CDC and the Urban League of Greater Cleveland; that the Director of Community Development is further authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they are hereby appropriated for the purposes set forth in the application for said grant.

Section 2. That the Director of Community Development is hereby authorized to enter into contract with the following entities: the Harvard Community Services Center, in the sum of \$500,000 to expand intergenerational programs involving youth and senior citizens; the Health and Education Institute of the Olivet Housing and CDC, in the sum of \$500,000 for health and education initiatives and services; and the Urban League of Greater Cleveland, in the sum of \$500,000, for programs in the areas of employment, job training, education, housing, and/or elderly services, all payable from the funds or subfunds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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 4, 1998.
Effective May 13, 1998.

Ord. No. 606-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to enter into a license agreement without competitive bidding with International Business Machines Corporation for computer software, for the Division of Information System Services, Department of Finance, for a period of one year with a one year option to renew.

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

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

Section 1. That it is hereby determined that the specified products are non-competitive and cannot be obtained from any source other than International Business Machines Corporation. Therefore, the Director of Finance is hereby authorized and directed to enter into a written license agreement with said International Business Machines Corporation on the basis of its proposal dated January 13, 1998, for the license of the computer software known as MVS/370, for a one (1) year term commencing January 1, 1998, with one (1) option, exercisable by the Director of Finance, to renew for an additional one (1) year term commencing January 1, 1999, and cancelable upon thirty days' written notice by said director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Information Systems Services, Department of Finance.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 70 SF 140, Request No. 21615.

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 April 27, 1998.
Effective May 6, 1998.

Ord. No. 615-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with City Year to perform community service work and to work in collaboration with area non-profit agencies, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract with City Year to perform community service work and to work in collaboration with area non-profit agencies, in the total sum of One Hundred Thousand Dollars (\$100,000), payable from Fund No. 01-70-04-0380, Request No. 21120, for the Department of Parks, Recreation and Properties.

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 April 27, 1998.
Effective May 6, 1998.

Ord. No. 616-98.
By Councilmen Polensek, Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Salvation Army, for administrating and facilitating recreational services in Ward 11, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract with Salvation Army (Temple Corps), 17625 Grovewood Avenue, Cleveland, Ohio, or its designee, for professional services necessary to administer and facilitate recreational services in the Collinwood Community in Ward 11, in the total sum of \$50,000 payable from Fund No. 01-70-04-0380, Request No. 21423, for the Department of Parks, Recreation and Properties.

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 April 27, 1998.
Effective May 6, 1998.

Ord. No. 618-98.
By Councilmen Jones, Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with the Harvard Community Services Center for physical improvements to its facility located at 18240 Harvard Avenue.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract to provide a grant to the Harvard Community Services Center to make physical improvements to its facility at 18240 Harvard Avenue.

Section 2. That the cost of said contract shall be in an amount not to exceed \$45,000 and shall be paid from Fund No. 14 SF 023, Request No. 23094.

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 4, 1998.
Effective May 13, 1998.

Ord. No. 778-98.
By Councilmen Britt and Willis.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Incorporated to stretch banners on Martin Luther King Jr. Drive (east of the Cleveland Museum of Natural History), on Stokes Boulevard and on Cedar Hill for the period from May 15, 1998 to June 15, 1998, inclusive, publicizing Parade the Circle Celebration.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to University Circle Incorporated to install, maintain and remove a banner on Martin Luther King Jr. Drive (east of the Cleveland Museum of Natural History), on Stokes Boulevard and on Cedar Hill for the period from May 15, 1998 to June 15, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

shall take effect and be in force from and after the earliest period allowed by law.

Passed April 27, 1998.

Effective May 6, 1998.

Ord. No. 779-98.

By Councilman Cintron.

An emergency ordinance to vacate a portion of Penn Court (within St. Ignatius Campus), and an unnamed alley west of West 30th Street hereinafter described.

Whereas, on the 9th day of February, 1998, the Council of the City of Cleveland adopted Resolution No. 2196-97, declaring its intention to vacate a portion of Penn Court (within the St. Ignatius campus) and an Unnamed Alley West of West 30th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2196-97 has been served upon the owners of all the property abutting Penn Court (within the St. Ignatius campus), and an Unnamed Alley West of West 30th Street affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 16th day of April, 1998, the Board of Revision of Assessments approved the vacation of Penn Court (within the St. Ignatius campus) and an Unnamed Alley West of West 30th Street, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Penn Court (within the St. Ignatius campus), and an Unnamed Alley West of West 30th Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of Penn Court (within the St. Ignatius campus) Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being all that portion of an unnamed alley, sometimes known as Penn Court, S.W. (16.00 feet wide) lying Northeastly of the following described line:

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

AND An Unnamed Alley West of West 30th Street Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of that portion of an Unnamed Alley (11.67 feet wide), located North of Lorain Avenue and South of Carroll Avenue, lying Southwestly of the Southwestly line of West 30th Street (as vacated by Ordinance No. 1351-78 and shown by the recorded plat in Volume 223

of Maps, Page 46 of Cuyahoga County Records) and extending to its Southwestly terminus, be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power, and Ameritech equipment.

The description of easement is as follows:

That all that portion of Penn Court (within the St. Ignatius campus) Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being all that portion of an unnamed alley, sometimes known as Penn Court, S.W. (16.00 feet wide) lying Northeastly of the following described line:

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

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

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

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Penn Court (within the St. Ignatius campus), and an Unnamed Alley West of West 30th Street, herein provided by sending him a copy of this ordinance.

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

Passed April 27, 1998.

Effective May 6, 1998.

Ord. No. 780-98.

By Councilman Jackson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Young Audiences of Greater Cleveland, Inc. to stretch banners across Carnegie Avenue at E. 65th Street for the period from May 11, 1998 to June 1, 1998, inclusive, publicizing their Third Annual Children's Run for the Arts.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to 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 11, 1998 to June 1, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 27, 1998.

Effective May 6, 1998.

Ord. No. 781-98.

By Councilman Melena.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to La Sagrada Familia Church to stretch banners at 7719 Detroit Ave. and at the intersection of Lake Ave. and Detroit for the period from June 2, 1998 to June 22, 1998, inclusive, publicizing The La Sagrada Familia Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to La Sagrada Familia Church to install, maintain and remove a banner at 7719 Detroit Ave. and at the intersection of Lake Ave. and Detroit for the period from June 2, 1998 to June 22, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

Passed April 27, 1998.
Effective May 6, 1998.

Ord. No. 782-98.
By Councilman Westbrook.

An emergency ordinance authorizing and directing the Clerk of Council to enter into contract without competitive bidding with Digex, Incorporated for the provision of high-speed access to the Internet.

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

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

Section 1. That it is hereby determined that the within commodities are noncompetitive and cannot be secured from any source other than Digex, Incorporated. Therefore, the Clerk of Council is hereby authorized to make a written contract with said Digex, Incorporated upon the basis of its proposal dated April 14, 1998 for the materials and services necessary to provide the Council with high-speed, burstable access to the Internet for one year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Council.

Section 2. That the cost of said contract so hereby authorized shall not exceed \$25,000 and shall be paid from the funds appropriated for use by the Council.

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

Passed April 27, 1998.
Effective May 6, 1998.

Ord. No. 836-98.

By Councilman Cintron.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Blessed Sacrament Church to stretch banners across Fulton Road for the period from May 18, 1998 to June 16, 1998, inclusive, publicizing their Summer Carnival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the

Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Blessed Sacrament Church to install, maintain and remove a banner on Fulton Road at the second pole south of Storer Ave. (E pole type is steel) for the period from May 18, 1998 to June 16, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 4, 1998.
Effective May 13, 1998.

Ord. No. 837-98.

By Councilman Melena.

An emergency ordinance authorizing the Director of Public Service to issue a permit to the West Side Ecumenical Ministry to encroach into the public rights-of-way of Detroit Avenue, West 52nd Street and West 54th Street, with banners (to be hung on utility poles, by separate permit), to help promote their presence in the neighborhood, from the period of February 12, 1998 to December 31, 1998 inclusive.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to the West Side Ecumenical Ministry (WSEM), 4315 Bridge Avenue, Cleveland, Ohio 44113, its successors and assigns; for the construction, use and maintenance of twelve (12) double-sided banners, from the period of February 12, 1998 to December 31, 1998, inclusive; to be hung from Cleveland Public Power Utility Poles (by separate permit), on Detroit Avenue, West 52nd Street and West 54th Street, to promote WSEM's presence in the neighborhood, and which banners will be hung in the locations more fully described as follows:

WEST SIDE ECUMENICAL MINISTRY PROPOSED BANNER ENCROACHMENT AREA:

<u>LOCATION:</u>	<u>POLE NUMBER:</u>	<u>OWNER:</u>
Beginning at West 54th Street going East, ending two light poles East of West 52nd Street; on both North and South sides of Detroit Avenue for a total of twelve (12) light poles.	AT 46 23	C. P. P.
	AT 46 22	C. P. P.
	AT 46 21	C. P. P.
	AT 46 20	C. P. P.
	AT 46 19	C. P. P.
	AT 46 18	C. P. P.
	AT 47 23	C. P. P.
	AT 47 22	C. P. P.
	AT 47 21	C. P. P.
	AT 47 20	C. P. P.
	AT 47 19	C. P. P.
	AT 47 18	C. P. P.

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

Section 3. That nothing in this Ordinance grants or shall be considered to grant to Permittee any right, privilege or permission to use or to attach or affix any objects to poles described in Section 1. of this ordinance.

Section 4. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

Passed May 4, 1998.
Effective May 13, 1998 without the signature of the Mayor.

Ord. No. 838-98.
By Councilman Moran.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Our Lady of Good Counsel Church to stretch banners across State Road and Mobile Court and in front of 4427 Pearl Road for the period from May 18, 1998 to June 22, 1998, inclusive, publicizing their Summertime Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Our Lady of Good Counsel Church Circle Incorporated to install, maintain and remove banners across State Road and Mobile Court and in front of 4427 Pearl Road for the period from May 18, 1998 to June 22, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed May 4, 1998.
 Effective May 13, 1998.

Ord. No. 839-98.
By Councilmen Willis, Lewis and Patmon.

An emergency ordinance consenting and approving the issuance of a permit for a "Bike-A-Thon 98" Race on August 30, 1998, sponsored by University Hospitals of Cleveland.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of a "Bike-A-Thon 98" Race, sponsored by University Hospitals of Cleveland, on August 30, 1998, beginning at Wade Oval to East Blvd. at the Botanical Garden, past the VA Medical Center to Martin Luther King Jr. Drive, north to the East 88th Street ramp to Martin Luther King Jr. Drive, turn around and return along the same route (doing this route twice), provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide

that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 4, 1998.
 Effective May 13, 1998.

COUNCIL COMMITTEE MEETINGS

Monday, May 4, 1998

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

City Planning Committee (Joint with Finance Committee): 1:30 P.M. — Present: Rybka, Chairman; Robinson, Vice Chairman, Cimperman, Jackson, Willis, Zone. Excused: White.

Finance Committee (Joint with City Planning Committee): 1:30 P.M. — Present: Johnson, Chairman; Westbrook, Vice Chairman; Coats, Lewis, Melena, Patmon, Polensek, Robinson, Rybka, Sweeney, Zone.

Finance Committee: 2:00 P.M. — Present: Johnson, Chairman; Westbrook, Vice Chairman; Coats, Lewis, Melena, Patmon, Polensek, Robinson, Rybka, Sweeney, Zone.

Index to Council Proceedings

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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Chore Worker Program — accept grant in the amount of \$106,739 from Western Reserve Area
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