

The City Record

Official Publication of the City of Cleveland

April the First, 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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Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122			
Purchases and Supplies - William A. Moon, Commissioner, Room 128			
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Information Systems Services - Hamid Manteghi, Commissioner, 1404 E. 9th St.			
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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 - Randall 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 - Oliver B. Spellman, Jr., Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.			
DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.			
Property Management - Vernon Robinson, Commissioner, E. 49th & Harvard			

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

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

Recreation - Michael Cox, Acting Commissioner, Room 8

Research, Planning & Development - 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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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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Summers, Jr., President; Finance Director Martin L. Carmody, Jr., Secretary;
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.

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 Gibbons, 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, APRIL 1, 1998

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CITY COUNCIL

MONDAY, MARCH 30, 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 March 30, 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 Chief of Staff Sheffield-McClain, and Directors Summers, Carmody, Konicek, Guzman, Denihan, Spellman, Hamilton, Nolan, Axelrod, Warren, and Acting Directors Atwell-Joyce, Brown.

Absent: Mayor White and Directors Staib, Morrison.

Pursuant to Ordinance No. 2926-76, the council meeting was opened with a prayer offered by, Rev. June Begany of Old Stone Church, Ward 13. 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. 535-98.

From the Office of Equal Opportunity re: Reports listing the 1997 City Departmental Contracts Awarded and the Minority Business Enterprise (MBE) and Female Business Enterprise (FBE) participation.

File No. 536-98.

From the Cleveland Public Library re: Director's Report. Received.

File No. 537-98.

From the Department of Purchases and Supplies re: Emergency Requisition (RE - 51231). Received.

File No. 538-98.

From the Department of Purchases and Supplies re: Emergency Requisition (RE - 16427). Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 539-98.

Re: Transfer of Ownership Application - 7128962 - Orich, Inc. dba Mira Market, 4323 Clark Avenue, first floor E/S. (Ward 14). Received.

File No. 540-98.

Re: Transfer of Ownership Application - 4949240 - L & B 750 Club, Inc. dba L & B 750 Club, 4406-10 Warner Road. (Ward 12). Received.

File No. 541-98.

Re: Transfer of Ownership and Location Application - 1928800 - Danzey Discount Center, Inc. dba Danzeys Discount Center, 7809 Woodland Avenue. (Ward 5). Received.

File No. 542-98.

Re: Transfer of Ownership and Location Application - 1549930 - Clebra, Inc. dba The Rose Garden, first floor, basement and patio, 15721 Waterloo Road. (Ward 11). Received.

File No. 543-98.

Re: Stock Transfer Application - 7672461 - Sahara Corporation dba Sahara Club, 4301 Payne Avenue, first floor and basement. (Ward 13). Received.

COMMUNICATIONS

File No. 544-98.

March 23, 1998

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

Dear Council President Westbrook:

I am pleased to recommend Ms. Dorothy Adams for appointment to the Police Review Board. This appointment will expire on August 8, 1998.

Thank you for your consideration.

Sincerely,
MICHAEL R. WHITE
Mayor

Received. Referred to Committee on Mayor's Appointments.

CONDOLENCE RESOLUTIONS

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

Res. No. 573-98. Constance Wisniewski.

Res. No. 574-98. Joseph S. Rembowski.

Res. No. 575-98. Quintina Jakubowski.

Res. No. 576-98. Alice T. Meyers.
Res. No. 577-98. John Bobowicz.
Res. No. 578-98. Charles Rozanski.
Res. No. 579-98. Jacob Epstein.
Res. No. 580-98. Lawrence H. Lloyd.
Res. No. 581-98. Waldo H. Tyler.
Res. No. 582-98. Isabel Watts Foster.
Res. No. 583-98. Werner Thomas.

CONGRATULATORY RESOLUTIONS

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

Res. No. 584-98. Pastor Otis F. Newton.
Res. No. 585-98. Bernadette Gillota.
Res. No. 586-98. Annetta Marion.
Res. No. 587-98. Reverend Ralph Hughley, Sr.
Res. No. 588-98. Dr. Luther J. Blackwell, Jr.
Res. No. 589-98. Reverend Bruce T. Goode.
Res. No. 590-98. Robert Lockwood, Jr.
Res. No. 591-98. Ralph W. Muntz.
Res. No. 592-98. Joyce Wiedenhofer.

RECOGNITION RESOLUTION

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

Res. No. 593-98. National Forum for Black Public Administrators.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 545-98.
By Councilmen Patmon, Rybka and Johnson (by departmental request).
An emergency ordinance determining the method of making the public improvement of cleaning and cement mortar lining of distribution water mains, and authorizing the Director of Public Utilities 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, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of cleaning and cement mortar lining of distribution water mains in 1999, for the Division of Water, Department of Public Utilities, 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 Public Utilities is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 23417.

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

Ord. No. 546-98.
By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for landscape maintenance at various waterworks facilities and work stations, for the Division of Water, Department of Public Utilities, 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 Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary for landscape maintenance at various waterworks facilities and work stations 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 Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 24006)

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

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

Ord. No. 547-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair water mains and appurtenances, for the Division of Water, Department of Public Utilities, 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 Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to repair water mains and appurtenances 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 Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 24008)

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

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

Ord. No. 548-98.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into contract with OfficeTeam, a division of Robert Half, Inc. for providing temporary clerical services, for the 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 contract with OfficeTeam, a division of Robert Half, Inc. for temporary clerical services, in the total sum not to exceed \$38,930.37, payable from

Fund No. 60 SF 001, Request No. 22544, for the Department of Port Control.

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. 549-98.

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

An emergency ordinance determining the method of making the public improvement of constructing an asphalt overlay and repairing Runway 6L-24R and associated appurtenances at Burke Lakefront Airport, 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, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing an asphalt overlay and repairing Runway 6L-24R and associated appurtenances at Burke Lakefront Airport, for the Division of Burke Lakefront Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 60 SF 119, and from any funds or subfunds to which are credited any federal grants for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above improvement, Request No. 22533.

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

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

Ord. No. 550-98.

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

An emergency ordinance determining the method of making the public improvement of performing remediations to the underground storage tank farm sites at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into contract for the making of such improvement; and authorizing said director to employ professional design engineering services to design the public 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, it is hereby determined to make the public improvement of performing remediations to the underground storage tank farm sites at Cleveland Hopkins International Airport, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of 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 for a gross price 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 for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the Director of Port Control is hereby authorized and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering 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 the improvement.

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 compensation to be paid for such services 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 costs of the improvement and services herein contemplated shall be paid from Fund No. 60 SF 119, and from any funds or subfunds to which are credited any federal grants for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above improvement, Request No. 22532.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

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

Ord. No. 551-98.

By: Councilman Britt (by request). An emergency ordinance authorizing the Director of Public Service to issue a permit to Case Western Reserve University to encroach into the public right-of-way of Carlton Road S.E., as part of the University's Five Year Residence Hall Improvement Project.

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

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

Section 1. That the Director of 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 Case Western Reserve University, 10900 Euclid Avenue, Cleveland, Ohio; its successors and assigns, for the construction, use and maintenance landscaping, pedestrian amenities, construction of walkways, coordinated lighting, and traffic pattern improvement, in this area, as part of the University's five-year Residence Hall Improvement Project, which will encroach into the public right-of-way of Carlton Road S.E., and is more fully described as follows:

PROPOSED ENCROACHMENT AREA WITHIN CARLTON ROAD S.E.

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of Original One Hundred Acre Lot No. 404, bounded and described as follows:

Beginning on the northwesterly line of Carlton Road S.E., 50.00 feet in width, at its intersection with the southerly line of said One Hundred Acre Lot No. 404, being also the City Limits Line between the City of Cleveland and the City of Cleveland Heights; COURSE NO. 1: thence North 34°-13'-08" East along said northwesterly line of Carlton Road S.E., 104.03 feet to a point; COURSE NO. 2: thence South 55°-46'-52" East and perpendicular to said northwesterly line of Carlton Road S.E., 50.00 feet to a point in the southeasterly line thereof; COURSE NO. 3: thence South 34°-13'-08" West along said southeasterly line of Carlton Road S.E., 69.97 feet to its intersection with the aforementioned City Limits Line between the City of Cleveland and the City of Cleveland Heights; COURSE NO. 4: thence South 89°-57'-22" west along said City Limits Line, 60.50 feet to the place of beginning, containing 4,350 square feet of land (0.0999 acres), as compiled from record data by Garrett and Associates, Inc. Registered Engineers and Surveyors, in February 1998, be the same more or less.

Section 2. That said Case Western Reserve University's five-year Residence Hall Improvement Project will be located within the public right-of-way of Carlton Road S.E. and shall 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 losses which may result from said permit.

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

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

Ord. No. 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.

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 E.Z. Pack packer parts, including 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 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.

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

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.

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 Ford passenger and police car parts, including 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 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.

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

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.

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 remanufactured transmissions, including 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 24131)

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

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

Ord. No. 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.

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 Chevrolet-GMC car, van and truck parts, including 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 Commis-

sioner 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 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.

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

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.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair, clean, recore or replace radiators, heater cores, gas tanks and air conditioning units in City vehicles and 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 24129)

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

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

Ord. No. 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.

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to service and maintain police aircraft, including installation if necessary, in the approximate amount as purchased during the preceding year, with one (1) option exercisable by the Director of Public Safety, to renew for an additional year, 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 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 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 24381)

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. 558-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the procurement by requirement contract of the lease of golf carts at Seneca Golf Course and Highland Golf Course, including maintenance and repair, for the Division of Recreation, 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 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 lease of golf carts at Seneca Golf Course and Highland Golf Course, including maintenance and repair, for a period commencing upon execution of a contract and ending on December 31, 1998, 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 Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 21125)

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

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

Ord. No. 559-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of small equipment for grounds maintenance, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for a period not to exceed two years.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement 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 various types of small equipment needed for grounds maintenance, including but not limited to chain saws, pole runners, leaf blowers, edgers, outside vacuums, drills, lawn mowers, and spraying equipment, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22437)

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

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

Ord. No. 560-98.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties and the Mayor to execute a release for the mortgage on a Gateway Development Parcel, which mortgage was expected to secure Gateway payments to the City of Cleveland on Gateway parking facilities.

Whereas, pursuant to Ordinance No. 328-92, passed February 24, 1992, the City of Cleveland and the Gateway Economic Development Corporation of Cleveland ("Gateway") entered into an Agreement (the "Agreement"), for the purpose of providing funds for the construction of Gateway parking facilities; and

Whereas, pursuant to said Agreement, Gateway granted to the City a mortgage (the "Mortgage"), on certain property (the "Redevelopment Parcel"), in order to secure its payment of obligations under the Agreement; and

Whereas, the parties wish to release the Mortgage, in order that the Redevelopment Parcel be developed, conditioned upon certain requirements; 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 and directed to release the Mortgage granted to the City of Cleveland pursuant to the authority of Ordinance No. 328-92, passed February 24, 1992, for the following described property:

REDEVELOPMENT PARCEL

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Sublot Nos. 42 to 45, both inclusive, in the David Long Subdivision of part of Original Two Acre Lot Nos. 109 to 116, both inclusive, as shown by the recorded plat in Volume K of Deeds, Page 508 of Cuyahoga County Records, together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of Bolivar Road S.E., 66 feet in width, at its intersection with the Westerly line of East 9th Street, 99 feet in width;

Course No. 1: thence due South, along said Westerly line of East 9th Street, 112.46 feet to the Northeast corner of the Indians' Baseball Stadium Parcel;

Course No. 2: thence due West, along the Northerly line of said Indians' Baseball Stadium Parcel, 203.39 feet to the Southeast corner of the Garage Parcel;

Course No. 3: thence due North, along the most Easterly line of said Garage Parcel, 112.28 feet to a point in the aforementioned Southerly line of Bolivar Road S.E.;

Course No. 4: thence North 89°-56'-58" East, along said Southerly line of Bolivar Road S.E., 203.39 feet to the place of beginning, containing 22,854 square feet of land (0.5247 acres), according to a survey by Garrett & Associates, Inc., Registered Engineers and Surveyors, made in May, 1992, be the same more or less, but subject to all legal highways.

The bearings used herein are based on an assumed meridian and are used only to denote angles.

Section 2. That the Director of Law shall prepare, and the Mayor is hereby authorized to execute a release, for the Mortgage and such additional documents as the Director of Law may deem necessary or appropriate to protect and serve the interests of the City of Cleveland, including certain provisions.

Section 3. That the mortgage release shall be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The mortgage release itself (or, alternatively, such other recordable documents as the Director of Law shall deem appropriate) shall contain provisions including restrictive covenants and reversionary interests (or amendments of existing covenants or interests) as may be specified by the Board of Control or Director of Law protecting the parties as the respective interests require and shall specifically contain the following provisions: that Bolivar Ninth Development Company, LLC (the "Purchaser"), be required to complete construction of a hotel with approximately 250 rooms and ancillary facilities such as restaurant and lounges within 24 months of the date the release is executed; that Purchaser shall adopt and use best efforts dur-

ing construction to pursue a residency hiring goal of 50%; a minority hiring goal of 25% and a female hiring goal of 7%; that Purchaser provide that on all design and construction contracts entered into by Purchaser for construction or design of the hotel, that Purchaser be committed to make best efforts toward awarding contracts with a minority hiring goal of 30% and a female hiring goal of 10%; and that Purchaser adopt and use best efforts during operation of the hotel to pursue a 50% residency hiring and compliance with OEO affirmative action standards on all new hires.

Section 4. That the Clerk of Council is hereby directed to notify the County Recorder and Auditor of Cuyahoga County of the release of the Mortgage herein described by transmitting to them a certified copy of this ordinance.

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

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

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.

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

FIRST READING ORDINANCE REFERRED

Ord. No. 562-98.

By Councilman Melena.

An ordinance to change the Use and Area Districts of lands on both side of Walworth Avenue, S.W. between West 65 Street and West 59 Street (Map Change No. 1973, Sheet Nos. 1 & 2)

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

Section 1. That the Use and Area Districts of lands bounded and described as follows:

Beginning at the intersection of the center line of the N.Y.C. Railroad tracks and the center line of Clark Avenue, S.W.; thence westerly along said center line of Clark Avenue, S.W. to the center line of West 65 Street; thence northerly along said center line of West 65 Street to its intersection with the southeasterly line of I-90 Right of Way; thence southeasterly along said I-90 Right of Way line to the center line of West 59 Street; thence southerly along said center line of West 59 Street to the center line of Walworth Avenue, S.W.; thence northeasterly along said center line of Walworth Avenue, S.W. to its intersection with the northerly extension of the easterly line of Sublot No. 49 in the James Purdy Subdivision as recorded in Volume 1, Page 45 of the Cuyahoga County Map Records; thence southerly along said northerly extension and continuing southerly along the easterly lines of Sublots Nos. 48, 47, 46, 45, and 44 in said James Purdy Subdivision and along its southerly extension to said center line of said N.Y.C. Railroad tracks; thence southwesterly along said center line of said N.Y.C. Railroad tracks to the place of beginning, and as outlined in red on the map hereto attached, be and the same are hereby changed to a General Industry Use District and a 'C' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1973, Sheet Nos. 1 & 2 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance 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 RESOLUTIONS REFERRED

Res. No. 563-98.

By Councilman Cimperman (by request).

An emergency resolution declaring the intention to vacate portions of East 12th Street and Webster Avenue S.E.

Whereas, this Council; is satisfied that there is good cause for vacate portions of East 12th Street and Webster Avenue S.E. as hereinafter described, and

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

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

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

EAST 12TH STREET (60.00 feet wide), Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being the Southwesterly 20.00 feet of East 12th Street (60.00 feet wide), extending Southeasterly from the Southeasterly line of Carnegie Avenue S.E. (99.00 feet wide), to the Southwesterly prolongation of the Southeasterly line of Gardiner Court (15.00 feet wide).

AND

WEBSTER AVENUE S.E. (60.00 feet wide) Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being all of that portion of Webster Avenue (60.00 feet wide), bounded on the West by the Southeasterly prolongation of the Southwesterly line of East 13th Street (60.00 feet wide); on the East by that portion of Webster Avenue (vacated by the Council of the City of Cleveland by Ordinance No. 2693-89, passed on December 12, 1989); on the Northwest by the Northwesterly line of Webster Avenue S.E.; and on the Southeast by the Northwesterly line of the Innerbelt Freeway, so called.

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

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

Res. No. 564-98.

By Councilman Cintron (by request).

An emergency resolution declaring the intention to vacate a portion of Stone Court N.W.

Whereas, this Council; is satisfied that there is good cause to vacate a portion of Stone Court N.W., as hereinafter described, and

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

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

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

STONE COURT N.W. (12.00 feet wide), Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being all that portion of Stone Court N.W. (12.00 feet wide) extending Westerly from the Westerly line of West 25th Street (82.5 feet wide), a distance of 193.00 feet.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 480-A-98 (As substitute for Ordinance No. 480-98).

By Councilman Dolan (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with the Board of Education of the Cleveland City School District for the construction and maintenance of two ball diamonds at Clara Westropp Elementary School.

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 an agreement with the Board of Education of the Cleveland City School District for the construction and maintenance of two ball diamonds at Clara Westropp Elementary School. Said agreement shall contain such additional terms and conditions as are acceptable to the Directors of Parks, Recreation and Properties and Law. No block grant funds or UDAG repayment funds shall be used to pay the cost of construction and maintaining the two ball diamonds.

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.

Without objection, substitute agreed to. Ordinance No. 480-98 laid on the table.

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. 565-98.**By Councilman Cimperman.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to CVS/pharmacy to stretch a banner at 1900 Euclid Avenue north side of the street publicizing the start and a banner at East 22nd Street & Euclid Avenue publicizing the finish, for the period from April 1, 1998 to May 6, 1998, inclusive, publicizing the CVS-Cleveland Marathon & 10K.

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 CVS-pharmacy to install, maintain and remove banners at 1900 Euclid Avenue north side of the street (north side of street: pole number B 65 30, south side of street: pole number B 65 16) publicizing the start and a banner at East 22nd Street & Euclid Avenue (north side of street: B 65 19, south side of street: BO 21 14 & BO 21 15) publicizing the finish, for the period from April 1, 1998 to May 6, 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 banner.

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. 566-98.**By Councilmen Cimperman, Cintron and Melena.**

An emergency ordinance consenting and approving the issuance of a permit for the CVS-Cleveland Marathon & 10K on May 3, 1998 sponsored by CVS-pharmacy.

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 CVS-Cleveland Marathon and 10K, sponsored by CVS-pharmacy on May 3, 1998,

marathon course beginning within Cleveland City Limits: start at Cleveland State University (1900 Euclid Avenue), west on Euclid Avenue to East Public Square Drive, north on East Public Square Drive to Superior Avenue, east on Superior Avenue to East 45th Street, north on East 45th Street to St. Clair Avenue, west on St. Clair Avenue to Ontario Street, south on Ontario Street to Carnegie Avenue, west on Carnegie Avenue to Hope-Memorial Bridge, west over Hope-Memorial Bridge to West 25th Street, north on West 25th Street to Detroit Avenue, west on Detroit Avenue to Lake Avenue, west on Lake Avenue into Lakewood, return from Lakewood, east on Lake Avenue to Detroit Avenue, east on Detroit Avenue to Veterans Memorial Bridge, east on Veterans Memorial Bridge to West Public Square Drive, south on West Public Square Drive to Euclid Avenue, east on Euclid Avenue to Finish Line, finish at Cleveland State University, 10K meter course (entirely within Cleveland City Limits): start at Cleveland State University (1900 Euclid Avenue), west on Euclid Avenue to East Public Square Drive, north on East Public Square Drive to Superior Avenue, east on Superior Avenue to East 45th Street, north on East 45th Street to St. Clair Avenue, west on St. Clair Avenue to Ontario Street, south on Ontario Street to Euclid Avenue, east on Euclid Avenue to finish line, finish at Cleveland State University, East 22nd Street Euclid Avenue, 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.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 567-98.**By Councilman Westbrook.**

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 9410 Denison Ave., and repealing Res. No. 534-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 9410 Denison Ave., by Res. No. 534-97, adopted April 7, 1997; and

Whereas, this Council wishes to withdraw its objection to the

above transfer of ownership and consents to said transfer of ownership; and

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 9410 Denison Ave., be and the same is hereby withdrawn, pursuant to the terms of the cooperation agreement executed between the permit holder and Councilman Westbrook, and Res. No. 534-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 568-98.**By Councilman Patmon.**

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 10218 St. Clair Ave., and repealing Res. No. 1542-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 10218 St. Clair Ave., by Res. No. 1542-97, 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 C2 and C2X Liquor Permit to 10218 St. Clair Ave., be and the same is hereby withdrawn, pursuant to the terms of the cooperation agreement executed between the permit holder and Councilman Patmon, and Res. No. 1542-97, 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. 569-98.**By Councilman Patmon.**

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 9021 St. Clair Ave., 1st Fl. and Bsmt., and repealing Res. No. 1573-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 9021 St. Clair Ave., 1st Fl. and Bsmt., by Res. No. 1573-97, 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 9021 St. Clair Ave., 1st Fl. and Bsmt., be and the same is hereby withdrawn, pursuant to the terms of the cooperation agreement executed between the permit holder and Councilman Patmon, and Res. No. 1573-97, 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. 570-98.**By Councilman Patmon.**

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 1076 E. 105th St., 1st Fl., and repealing Res. No. 1537-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 1076 E. 105th St., 1st Fl., by Res. No. 1537-97, 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 C2 and C2X Liquor Permit to 1076 E. 105th St., 1st Fl., be and the same is hereby withdrawn, pursuant to the terms of the cooperation agreement executed between the permit holder and Councilman Patmon, and Res. No. 1537-97, 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. 571-98.**By Councilman Coats.**

An emergency resolution urging the City of Cleveland to adopt a public policy position requiring that all publicly owned facilities and those facilities that receive public subsidies to use electrical power provided by Cleveland Public Power.

Whereas, as we enter the age of deregulation of the public utilities industry, the City of Cleveland, Department of Public Utilities, must work to ensure the survival of Cleveland Public Power ("CPP"); and

Whereas, CPP's annual debt service is currently approximately \$20 Million; and

Whereas, the City of Cleveland provides economic incentives to a number of enterprises, including those that are publicly-owned and those which although privately owned receive substantial public assistance; and

Whereas, this Council desires to ensure the survival of CPP for the future generations of this City;

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

Section 1. That the City of Cleveland adopt public policy positions that require all publicly-owned facilities and those facilities that receive some type of public assistance to use Cleveland Public Power as their electrical provider.

Section 2. That the Director of Public Utilities, with the assistance of other appropriate Administrative officials, provide this Council a written report on this important policy issue on or before May 15, 1998.

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. 572-98.**By Councilman Cintron.**

An emergency resolution objecting to the transfer of ownership and location of a C1 Liquor Permit to 4616 Lorain Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C1 Liquor Permit from Permit No. 3133110, George Georges, DBA Bailey Delicatessen, 2254 W. 41st St.,

1st Fl., Cleveland, Ohio 44113, to Permit No. 21757120005, John Dimmian, DBA Neighbors Choice, 4616 Lorain Avenue, Cleveland, Ohio 44113; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a C1 Liquor Permit from Permit No. 3133110, George Georges, DBA Bailey Delicatessen, 2254 W. 41st St., 1st Fl., Cleveland, Ohio 44113, to Permit No. 21757120005, John Dimmian, DBA Neighbors Choice, 4616 Lorain Avenue, 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.

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 67-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to repair not to exceed three valves, for the Division of Water, Department of Public Utilities.

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

Ord. No. 242-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to make alterations and modifications in Contract No. 51412, for the rehabilitation of East 9th Street Pier, Phase II with S.E. Johnson Companies, Inc., for the Department of Public Service.

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

Ord. No. 243-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of steel, for the Division of Streets, 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, line 4; and in Section 1, line 5, insert "American-made" before "steel".
Amendment agreed to.

Ord. No. 244-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair and maintain overhead doors, for the Division of Fire, Department of Public Safety, for a period not to exceed two years.

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

1. In the title, strike lines 7 and 8 in their entirety and insert in lieu thereof "Public Safety."

2. In Section 1, line 4 and in lines 12 and 13, strike "two (2) years" and insert in lieu thereof in both places "one (1) year".

Amendments agreed to.

Ord. No. 294-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the repair and resurfacing of Ridge Road from Brookpark Road to Denison Avenue to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

Ord. No. 300-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance to amend Sections 3 and 4 of Ordinance No. 1256-97, passed July 16, 1997, relating to the Ridge Road Transfer Station Rehabilitation Project.

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

Ord. No. 303-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the County of Cuyahoga for the cost of rehabilitating Lakewood Heights Boulevard from Alger Road to Berea Road.

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

Ord. No. 320-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various items necessary to conduct the D.A.R.E. program, for the Division of Police, Department of Public Safety.

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

Ord. No. 321-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance to amend Section 4 of Ordinance No. 1282-96, passed October 14, 1996, relating to rehabilitating, renovating or otherwise improving City Hall and for the professional services necessary therefor.

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

Ord. No. 354-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of landfill sites for dumping excavation debris, for the Divisions of Water and Water Pollution Control, Department of Public Utilities, for a period of two years.

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

1. In the title, line 5 and in Section 1, line 8, after "Divisions of" insert "Cleveland Public Power".
Amendment agreed to.

Ord. No. 362-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of tire recapping, 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. 366-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to accept a cash gift for completion of the Cleveland Police Patrolmen's Tactical Training Center.

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

Ord. No. 425-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of confined space entry equipment, including training if necessary, for the Divisions of Water Pollution Control, Water and Cleveland Public Power, Department of Public Utilities for a period not to exceed two years.

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

**SECOND READING EMERGENCY
ORDINANCE PASSED**

Ord. No. 197-98.

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

An emergency ordinance authorizing the Director of Public Health to amend Contract Nos. 51609, 51610, 51611, and 51612 with various entities to provide housing related services in connection with the Housing Opportunities for People with AIDS Program; and to amend Memorandum of Understanding No. 51634 between the Departments of Public Health and Community Development.

Approved by Directors of Public Health, Community Development, Finance, Law; Relieved of Committee on Community and Economic Development; Recommended by Committees on Public Health, Finance.
The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

**THIRD READING EMERGENCY
ORDINANCES PASSED**

Ord. No. 146-98.

By Councilman Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to AT&T Communications of Ohio, Inc. to encroach into the public right-of-way at East 7th Street and Huron Road with a Manhole which will provide fiber-optic access to AT&T equipment by outside vendors.

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

Ord. No. 156-98.

By Councilman Cimperman.

An emergency ordinance to vacate a portion of East 36th Place herein-after described.

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

Ord. No. 194-98.

By Councilman Johnson (by departmental request).

An emergency ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland for the year 1998.

Read third time. Passed. Yeas 19. Nays 2.

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

Ord. No. 290-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of commercial gases, for the various divisions of City government, for a period not to exceed two years.

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

Ord. No. 422-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the payment of membership dues of the City of Cleveland in various professional organizations for the years 1998 and 1999.

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

THIRD READING EMERGENCY RESOLUTION ADOPTED

Res. No. 87-98.

By Councilman Britt (by request). An emergency resolution declaring the intention to vacate a portion of East 84th Place.

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

The Council adjourned at 7:55 p.m. to meet on Monday, April 6, 1998 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 67-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to repair not to exceed three valves, for the Division of Water, Department of Public Utilities.

Ord. No. 242-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to make alterations and modifications in Contract No. 51412, for the rehabilitation of East 9th Street Pier, Phase II with S.E. Johnson Companies, Inc., for the Department of Public Service.

Ord. No. 243-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of **American-made** steel 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 **American-made** steel in the estimated sum of \$75,000, 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 21348)

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. 244-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair and maintain overhead doors, for the Division of Fire, Department of **Public Safety**.

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio 1976 for the requirements for the period of **one (1) year** for the necessary items of labor and materials needed to repair and maintain overhead doors 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 Fire, Department of Public Safety. Bids shall be taken in such man-

ner 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 **one (1) year** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. 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 20616)

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. 294-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the repair and resurfacing of Ridge Road from Brookpark Road to Denison Avenue to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

Ord. No. 300-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance to amend Sections 3 and 4 of Ordinance No. 1256-97, passed July 16, 1997, relating to the Ridge Road Transfer Station Rehabilitation Project.

Ord. No. 303-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the County of Cuyahoga for the cost of rehabilitating Lakewood Heights Boulevard from Alger Road to Berea Road.

Ord. No. 320-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various items necessary to conduct the D.A.R.E. program, for the Division of Police, Department of Public Safety.

Ord. No. 321-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance to amend Section 4 of Ordinance No. 1282-96, passed October 14, 1996, relating to rehabilitating, renovating or otherwise improving City Hall and for the professional services necessary therefor.

Ord. No. 354-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of landfill sites for dumping excavation debris, for the Divisions of **Cleveland Public Power**, Water and Water Pollution Control, Department of Public Utilities, for a period of two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of landfill sites for dumping excavation debris, 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 Divisions of **Cleveland Public Power**, Water and Water Pollution Control, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 24004)

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. 362-98.

By Councilmen Sweeney and Johnson (by departmental request).

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

Ord. No. 366-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to accept a cash gift for completion of the Cleveland Police Patrolmen's Tactical Training Center.

Ord. No. 425-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of confined space entry equipment, including training if necessary, for the Divisions of Water Pollution Control, Water and Cleveland Public Power, Department of Public Utilities for a period not to exceed two years.

BOARD OF CONTROL

March 25, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 25, 1998, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod

Absent: None.

Others: William A. Moon, Commissioner, Purchases and Supplies. Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 188-98.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Sherwin-Williams Automotive Finishes Corp. for an estimated quantity of Automotive Paint (All items) for the Division of various divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on March 6th, 1998, pursuant to the authority of Ordinance No. 642-96, passed May 13th, 1996, which on the basis of the estimated quantity would amount to Twenty-Five Thousand and 00/100 Dollars (\$25,000.00), (2% 10 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. 19528

which shall be certified against such contract in the sum of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00).

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: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 189-98.

By Director Konicek.

Whereas, pursuant to the authority of Ordinance No. 31-95, passed by the Council of the City of Cleveland

on May 22, 1995, and Board of Control Resolution No. 820-96, adopted November 13, 1996, the City through its Director of Public Utilities entered into City Contract No. 51319 with EMA Services, Inc., ("Consultant") for professional services necessary to establish an information management system, for the Division of Water, Department of Public Utilities; and

Whereas, the Division of Water requires additional services to accelerate the upgrading of the computer network prior to the scheduled renovation of the Carl B. Stokes Public Utilities Building and the relocation to 75 Erieview during the renovation project; and

Whereas, by its November 26, 1997 proposal, Consultant has proposed to perform such additional services for an increased total contract amount not to exceed \$89,700.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is hereby authorized to enter a first modification to Contract No. 51319 with EMA Services, Inc., based upon its proposal dated November 26, 1997 which amendment shall increase the total contract amount from \$490,000.00 to \$579,700.00.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 190-98.

By Director Konicek.

Whereas, pursuant to the authority of Ordinance No. 1254-92 and 2096-92, passed by the Council of the City of Cleveland on June 15, 1992 and December 14, 1992, respectively, and Board of Control Resolution No. 789-94, adopted October 26, 1994, the City through its Director of Public Utilities entered into City Contract No. 48173 with Bialosky & Partners Architects, ("Consultant") for professional services required in connection with the design and renovation of the buildings located at 1201 and 1825 Lakeside Avenue, for the Division of Water; and

Whereas, the Division of Water requires additional architectural and engineering services relative to the renovation of the Carl B. Stokes Public Utilities Building and the renovation of the division's facility at 1825 Lakeside Avenue; and

Whereas, by its January 7, 1998 proposal, Consultant has proposed to perform such additional services for an increased total contract amount not to exceed \$224,294.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is hereby authorized to enter a first modification to Contract No. 48173 with Bialosky & Partners Architects, based upon its proposal dated January 7, 1998 which amendment shall increase the total contract amount from \$998,450.00 to \$1,222,744.00.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 191-98.

By Director Konicek.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Beacon Metal Fabricators, Inc., for an estimated quantity of metering equipment (sheet metal fabrication), all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on February 25, 1998, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Twenty Five Thousand and no/00 Dollars (\$25,000.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 10225 which shall be certified against such contract in the sum of One Thousand Five Hundred and no/100 Dollars (\$1,500.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.
 Nays: None.
 Absent: None.

Resolution No. 192-98.

By Acting Director Sheffield-McClain.

Whereas, pursuant to Ordinance No. 561-97, passed by the Cleveland City Council on June 2, 1997, this Board of Control by its Resolution No. 186-98, adopted March 18, 1998, affirmed and approved G. R. Osterland Company, Inc. as the lowest responsible bidder for the public improvement of final paving of the Consolidated Car Rental Facility at Cleveland Hopkins International Airport; and

Whereas, G. R. Osterland Company has failed to fulfill the promises made in its bid to execute a contract and furnish a satisfactory performance bond, and further demanded additional compensation after notice of an award of contract; and

Whereas, Anthony Allega Cement Contractor Inc. was the next lowest responsible bidder for said improvement; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that G. R. Osterland Company which this Board affirmed and approved by Resolution No. 186-98, adopted March 18, 1998, as the lowest responsible bidder for the public improvement of final paving for the Consolidated Car Rental Facility at Cleveland Hopkins International Airport is hereby declared to be in default of its bid promises, as a result of which its bid bond shall be forfeited to the City as the agreed amount of liquidated damages.

Be it further resolved that in light of the default of G. R. Osterland

Company set forth above, the bid of Anthony Allega Cement Contractor, Inc. for the public improvement of the final paving for the Consolidated Car Rental Facility at Cleveland Hopkins International Airport Department of Port Control, received on March 6, 1998, pursuant to the authority of Ordinance No. 561-97, passed June 2, 1997, for the improvement in the aggregate amount of Two Million Two Hundred Fifty-Seven Thousand Seven Hundred Thirty-Six and no/100 Dollars (\$2,257,736.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

Be it resolved by the Board of Control of the City of Cleveland that the following subcontractors to Anthony Allega Cement Contractor Inc. for the public improvement of final paving Consolidated Rental Car Facility at Cleveland Hopkins International Airport, for the Department of Port Control, is hereby approved:

SUBCONTRACTOR	WORK
Ballast Construction (FBE - \$207,825-10%)	Fencing
Bradley Construction (MBE - \$246,665-13%)	Masonry, walks, and aprons
Granger Trucking (MBE - \$334,335-17%)	Trucking

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.
 Nays: None.
 Absent: None.

Resolution No. 193-98.

By Director Guzman.
 Resolved by the Board of Control of the City of Cleveland, that all bids received on February 20, 1998 for various dump bodies and accessories to outfit vehicles (all items) for various Divisions of City Government, Department of Public Service, pursuant to the authority of Ordinance No. 1113-97, passed by the Council of the City of Cleveland on July 16, 1997 be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.
 Nays: None.
 Absent: None.

Resolution No. 194-98.

By Director Guzman.
 Resolved by the Board of Control of the City of Cleveland, that all bids received on February 6, 1998 for custom made snow plows (item #2) for various Divisions of City Government, Department of Public Service, pursuant to the authority of Ordinance No. 1113-97, passed by the Council of the City of Cleveland on July 16, 1997 be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Direc-

tors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
 Absent: None.

Resolution No. 195-98.

By Director Guzman.
 Resolved, by the Board of Control of the City of Cleveland that the bid of G - S Ford, Inc. for an estimated quantity of Skid Steer Loader and additional equipment (item #1) including options 1 and 2 for various Divisions of City Government, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on February 6, 1998, pursuant to the authority of Ordinance No. 1113-97, passed July 16, 1997, which on the basis of the estimated quantity would amount to approximately Twenty Five Thousand Eight and no/100 Dollars (\$25,008.00), (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. 19520 which shall be certified against such contract in the sum of Twenty Five Thousand Eight and no/100 Dollars (\$25,008.00).

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 by G-S Ford, Inc., for the purchase of Skid Steer Loader and additional equipment, (item #1), including options 1 and 2, is hereby approved:

Independent Brokers
 MBE — \$200.00

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.
 Nays: None.
 Absent: None.

Resolution No. 196-98.

By Director Denihan.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of F. Buddie Contracting Ltd. for the public improvement of Fire Station 21 Plumbing Improvements, for the Division of Fire, Department of Public Safety, received on February 19, 1998, pursuant to the authority of Ordinance No. 1028-93, passed June 7, 1993, for a gross price for the improvement in the aggregate amount of Forty Four Thousand Nine Hundred Sixty and No/100 Dollars (\$44,960.00), 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 said bidder.

Be it further resolved, that the employment of the following subcontractors to F. Buddie Contracting Ltd. is hereby approved:

United Ready Mix, Inc.
MBE — 1.33%

Ware Plumbing
MBE — 5.78%

Genley Transfer Inc.
MBE — 3.95%

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 197-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Stonewall Uniform Corp., for an estimated quantity of uniforms, item nos. 2, 3, 4, 6, 8, 9, 16, 17, 18, 45 and 47 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1998, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Eighty-Five Thousand, Ninety-Seven and 50/100 Dollars (\$85,097.50), (5%-30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No: 108435
Uniform Clothing, various items which shall be certified against such contract in the sum of Four Thousand, Two Hundred Fifty-Four and 88/100 Dollars (\$4,254.88).

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

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 198-98.

By Director Denihan.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Cleveland Fire Distributors, Inc., for an estimated quantity of uniforms, item nos. 25, 26, 27, 28, 29, 30, 31, 32, 33 and 53 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1998, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Seven Thousand, Three Hundred Twenty-Seven and 34/100 Dollars (\$7,327.34), (2% Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which

shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 108426
Uniform Clothing, various items which shall be certified against such contract in the sum of One Thousand Twelve and 75/100 Dollars (\$1,012.75).

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

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 199-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Lehigh Safety Shoe Company, for an estimated quantity of uniforms, item no. 24 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1998, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Thirty and no/100 Dollars (\$130.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 108427
Uniform Clothing, item #24 which shall be certified against such contract in the sum of Thirty Two and 50/100 Dollars (\$32.50).

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

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 200-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Abele-Davis Corporation, for an estimated quantity of uniforms, item nos. 20, 21, 22, and 23 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1998, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Eighteen Thousand, One Hundred Ninety-Three and 25/100 Dollars

(\$18,193.25), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 108429
Uniform Clothing, various items which shall be certified against such contract in the sum of Nine Hundred, Nine and 66/100 Dollars (\$909.66).

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

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 201-98.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Incorporated for the following: one 4x4 Cab and Chassis with Dump Body and Additional Equipment for the Division of Recreation, Department of Parks, Recreation and Properties, received on the 20th day of February 1998, pursuant to the authority of Ordinance No. 666-97, passed June 2, 1997 which on the basis of the order quantity would amount to \$40,999.00, is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 202-98.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Perfecturf, Inc. for the public improvement of Mall B — Hanna Pavilion Tree Replacement/Irrigation, for Base Bid Items 1-9 including the 5% contingency line item, Alternate Bid 'A' including the 5% contingency line item and Alternate Bid 'B' including the 5% contingency line item, for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on March 11, 1998, pursuant to the authority of Ordinance No. 714-95, passed June 19, 1995, upon a unit basis for the improvement in the aggregate amount of One hundred twenty nine thousand, seven hundred seventy and 47/100 (\$129,770.47) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for Perfecturf, Inc. on the public improvement for Mall B — Hanna Pavilion Tree Replacement/Irrigation are hereby approved.

SUBCONTRACTORS

RESPONSIBILITY

Caver Brothers
(MBE)

Landscaping

Barrow Sign
(FBE)

Signage

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 203-98.

By Director Hamilton.

Resolved by the Board of Control of the City of Cleveland, that all bids received February 12, 1998 for Photo Equipment (Item #4) One (1) Kreonite Black and White Table-Top Processor for the Division of Building & Housing, Department of Community Development, pursuant to the authority of Ordinance No. 1303-97, passed by the Council of the City of Cleveland on October 6, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 204-98.

By Director Hamilton.

Resolved by the Board of Control of the City of Cleveland, that the bid of M & W Equipment, Inc. for the following: Photographic Equipment, (Item #1) One (1) Kreonite Table Top Color Print Processor for the Division of Building & Housing, Department of Community Development, received on the 12th day of February, 1998, pursuant to the authority of Ordinance No. 1303-97, passed October 6, 1997, which on the basis of the order quantity would amount to \$14,975.00 is hereby approved as the lowest and best bid, and the Director of Community Development is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 205-98.

By Director Hamilton.

Resolved by the Board of Control of the City of Cleveland, that the bid of Electronic Systems Engineering Company dba Esec Speedmaster for the following: Photographic Equipment (Item #3) One (1) Esec-Speedmaster AF-45 Enlarger with Auto Focus Analyzing System for the Division of Building & Housing, Department of Community Development, received on the 12th day of February, 1998,

pursuant to the authority of Ordinance No. 1303-97, passed October 6, 1997, which on the basis of the order quantity would amount to \$30,360.00 is hereby approved as the lowest and best bid, and the Director of Community Development is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 206-98.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the conditional bid of American Seating Company for the public improvement of the new Cleveland Browns NFL Stadium, Bid Package #11, furnishing and installation of seating, all items including alternates 2, 3 and 4, except for bidder conditions and clarifications inconsistent with the specifications, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on March 20, 1998, pursuant to the authority of Ordinance No. 304-96, passed March 8, 1996, for a gross price for the improvement in the aggregate amount of Five Million Six Hundred Forty Thousand Nine Hundred Sixty-Five and 00/100 Dollars (\$5,640,965.00), 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 subcontractors by American Seating Company for the public improvement of the new Cleveland Browns Stadium for the furnishing and installation of seating, hereby is approved:

J.A. Construction
(MBE) — \$883,189

Rivera Construction
(FBE) — \$340,388

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 207-98.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Lake Erie Electric, Inc. for the public improvement of the new Cleveland Browns NFL Stadium for the sports lighting, Bid Package #8F, all items, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties received on March 20, 1998, pursuant to the authority of Ordinance No. 304-96, passed March 8, 1996, for a gross price for the improvement in the aggregate amount of One Million Two Hundred Eighty-Three Thousand and 00/100 Dollars (\$1,283,000.00), 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 subcontractors by Lake Erie Electric, Inc. for the public improvement of the new Cleveland Browns Stadium sports lighting hereby is approved:

Artisan Electrical Contractors, Inc.
(MBE) — \$385,000

Work Best Electrical, Inc.
(FBE) — \$128,300

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service 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, APRIL 13, 1998

9:30 A.M.

Calendar No. 98-48: 4381-4383 West 140th Street

Gary Mullins owner, appeals to change use of a 22' x 35' two-story masonry and frame two-family dwelling house to three dwelling units, located in a Two-Family District on a 42' x 202' lot on the easterly side of West 140th Street at 4381-4383 West 140th Street; said use being contrary to the two-family residence limitations of Section 337.03(a), and the north side yard being 6' instead of 8' in width as required by Section 357.09(b)(2)C of the Codified Ordinances.

Calendar No. 98-49: 3238 West 41st Street

Paula and John Clark, owners, appeal to erect approximately 50 linear feet of 6' high wood privacy fence on the rear northwesterly side of a 45' x 132' located in a Multi-Family District with a 2-1/2 story frame dwelling house on the west side of W. 41st Street at 3238 West 41st Street; portions of said proposed 6' fence to be approximately 1' from the adjacent dwelling house to the north at 4121 Hyde Avenue instead of the 6' required distance from said dwelling per Section 337.23(a)(6) of the Codified Ordinances.

Calendar No. 98-50: 1258 East 124th Street

Northeast Neighborhood Development Corporation, owner c/o Emery Gibson, Project Manager, appeal to erect a 30' x 36' one-family two-story dwelling house with a 12' x 24' one-car attached garage on a 40' x 150' lot located in a Multi-Family District on the westerly side of East 124th Street at 1258 East 124th Street; the proposed interior side yard at the north property line would be 11' instead of 3' as required by Section 357.09(b)(2)A&B of the Codified Ordinances.

Calendar No. 98-51: 9401 Denison Avenue

Michael J. Comella dba: Bonkers, appeals under Section 76-6 of the Charter of the City of Cleveland and Section 688.06 of the Codified Ordinances from the refusal to issue a Pool Table License for the premises at 9401 Denison Avenue; said refusal being by the Commissioner of Assessments and Licenses upon the recommendation of the Commissioner of Buildings under authority of Chapter 688 of the Codified Ordinances.

Calendar No. 98-52: 5209 Detroit Avenue

West Side Ecumenical ministry, owner, c/o Elving Otero and Positive Education Program c/o Theresa Johnson, tenant appeal to change the use of an existing 60' x 196' irregular shaped two-story and basement masonry warehouse building, located in a Semi-Industry and Two-Family District to a business use including offices, classrooms and medical therapy and counseling, all located on an irregular shaped acreage parcel at 5209 Detroit Avenue; 22 parking spaces are proposed instead of the 56 parking spaces required contrary to the required parking spaces limitations of Section 349.04 and some of the proposed parking areas to be within the residence district and not conforming to the drainage, hard-surfaced landscape and screening required by Sections 337.03, 349.08, 349.07, 352.09 to 352.11 and subject to the substitution limitations of Section 359.01 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, MARCH 30, 1998

At the Meeting of the Board of Zoning Appeals on Monday, March 23, 1998, the following appeals were heard by the Board, and, on Monday, March 30, 1998 were decided by the Board.

The following appeals were **Granted:**

Calendar No. 97-265: 15408 Holmes Avenue

Mr. & Mrs. Steven Zorichak, owners, appealed to add a 20' 4" x 7' 1" one-story extension to install a bathroom and laundry room. (Conditional grant)

Calendar No. 98-22: 4379 Fulton Road

Debra Mosolovich, owner, appealed to enclose in an existing 8' x 24' one-story open porch at the front of an existing one-family dwelling house. (Conditional grant)

Calendar No. 98-25: Appeal of Edward T. King

Ed T. King appealed under Section 76-6 of the Charter of the City of Cleveland and Section 443.131(g) of the Codified Ordinances from the revocation of the license to operate a taxicab by Robert J. Schneider the Commissioner of Assessments & Licenses.

Calendar No. 98-36: 5451 North Marginal Road

Quay 55 Limited Partnership, owner c/o Mark C. Coffin, appealed to renovate the existing 100' x 560' 4-story warehouse building for offices, retail and 77 residential units and add a fifth floor and construct parking areas. (Conditional grant)

The following appeal was **Refused:**

Calendar No. 98-13: 4201 Jennings Road

Angelo Martin, owner, appealed under authority of Sections 329.01(e) and 329.02(d) the issuance of the violation notice on December 30, 1997, by Lisa Thomas, Commissioner of Building and Housing.

The following appeal was **Postponed:**

Calendar No. 97-9: 2121 West 117th Street

that was postponed indefinitely from February 24, 1998 is being heard before the Board on Monday, April 13, 1998.

The following appeals were **Postponed** to April 13, 1998.

Calendar No. 98-35: 2184 Cornell Road.**Calendar No. 98-45:** Appeal of Terry Lee Harbach.**Calendar No. 98-27:** 3400 Vega Avenue.

The following appeals were **Withdrawn:**

Calendar No. 98-35: 2184 Cornell Road.**Calendar No. 97-130:** 1973 West 96th Street.

EUGENE CRANFORD, JR.,
Secretary

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

NO MEETING

438

PUBLIC NOTICE

The following are in violation of C.O. 623.14:

Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

Richard Norris, last known address, 10127 South Blvd., Apartment 2, Cleveland, Ohio 44108.

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, APRIL 8, 1998

Five (5) Insulated Food Distribution Carts, for the Division of Correction, Department of Public Health, as authorized by Ordinance No. 2042-97, passed by the Council of the City of Cleveland, December 15, 1997.

Mobile Transformer/Generator, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

Ford Truck Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 151-98, passed by the Council of the City of Cleveland, March 9, 1998.

Crane Carrier Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 149-98, passed by the Council of the City of Cleveland, March 9, 1998.

Solid Waste Disposal and Recyclable Processing, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 256-97, passed by the Council of the City of Cleveland, May 9, 1997.

March 25, 1998 and April 1, 1998

THURSDAY, APRIL 16, 1998

General Office Renovation for Cleveland City Hall, 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 THURSDAY, APRIL 2, 1998, 10:00 A.M. AT CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE, ROOM 517.

March 25, 1998 and April 1, 1998

FRIDAY, APRIL 17, 1998

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.

BIDS DOCUMENTS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, FOR THE NON-REFUNDABLE COST OF ONE HUNDRED FIFTY DOLLARS (\$150.00) CERTIFIED OR CASHIER'S CHECK ONLY.

A MANDATORY PRE-BID MEETING WILL BE HELD ON FRIDAY, APRIL 6, 1998, 10:00 A.M. IN ROOM 211 OF THE CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO.

Cab and Chassis with Body and Crew Cab and Chassis with Dump Body (15,000 GVW), for various divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

Cab and Chassis with Chip Dump Body/Bucket and Cab and Chassis with Body/Bucket, for the various divisions of City Government, Department of Public Ser-

vice, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

March 25, 1998 and April 1, 1998

WEDNESDAY, APRIL 22, 1998

Veterans Memorial Bridge Ductline Extension C-16, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, APRIL 8, 1998, 10:00 A.M. AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO.

March 25, 1998 and April 1, 1998

WEDNESDAY, APRIL 15, 1998

Site Demolition for Existing Hertz, National and Budget Lots at Cleveland Hopkins International Airport, for the Department of Port Control, as authorized by Ordinance No. 561-97, passed by the Council of the City of Cleveland.

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

A PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 9, 1998, 10:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

Lease or Rental of One (1) High Performance Production Printer, for the Division of Printing and Reproduction, Department of Finance, as authorized by Ordinance No. 423-98, passed by the Council of the City of Cleveland.

April 1, 1998 and April 8, 1998

WEDNESDAY, APRIL 22, 1998

Inmate Clothing, Bedding and Shoes, for the Division of Correction, Department of Public Health, as authorized by Ordinance No. 1861-97, passed by the Council of the City of Cleveland, December 15, 1997.

SPECIFICATIONS WILL BE AVAILABLE ON OR AFTER FRIDAY, APRIL 3, 1998.

April 1, 1998 and April 8, 1998

THURSDAY, APRIL 23, 1998

Repair of One (1) Oshkosh Dump Truck, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 1270-97, passed by the Council of the City of Cleveland, September 22, 1997.

Street Lighting Lamps, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 9, 1998, 10:00 A.M. AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO.

April 1, 1998 and April 8, 1998

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 435-98.

By Councilmen Johnson and Zone. An emergency resolution urging the Ohio State legislature to adopt legislation that will permit judges in the Housing Court Division of Municipal Court to refer certain criminal cases to magistrates.

Whereas, in 1997 the City of Cleveland filed over 6500 new criminal code violation cases in Cleveland Housing Court, all of which were assigned to the single Housing Division Judge; and

Whereas, the 1997 filings of 6500 cases is an increase of 1000+ over the cases filed in 1996, which represents an 18% increase; and

Whereas, since violations of the Cleveland Housing Code are criminal cases, each case involves arraignment, adjudication, and sentencing, and many cases involve criminal trials; and

Whereas, because it is a goal of the Cleveland Housing Court to obtain compliance by the criminal defendants in its court, many cases are not resolved in a single hearing but are continued after the need for and the benefits of compliance are explained to the defendant; and

Whereas, the ever-increasing misdemeanor caseload in Cleveland Municipal Court, particularly in the Housing Division, makes it difficult for a judge to give cases the individualized attention they deserve; and court dockets, which last four to five hours, disrupt the normal work schedules of inspectors and require criminal defendants, many of whom are employed, to be in court for several hours; and

Whereas, the Housing Court currently employs magistrates to assist with the civil docket; and

Whereas, magistrates are experienced, licensed attorneys who review case files, conduct trials, and recommend decisions to the judge; and

Whereas, the judge must approve each magistrate recommendation before the recommendation becomes the final decision of the court; and

Whereas, the magistrates in the Housing Court currently by law have a very limited ability to participate in the criminal cases before the court; and

Whereas, in many courts in other municipalities, judges assign greater responsibility to the magistrates for standard criminal matters, thereby freeing up the judges to

address more complex matters and cases having greater community impact; and

Whereas, in all cases, the judge will be the party responsible making the decision whether or not to refer a matter to magistrate; and

Whereas, the state legislature is currently considering legislation that would enable magistrates to provide judges with more assistance in criminal cases such as permitting them to conduct the arraignment, trial and sentencing, with all decisions of the magistrates becoming final only upon review and approval by the judge;

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

Section 1. That the Council of the City of Cleveland, for the reasons stated in the preambles to this Resolution, supports passage of state legislation empowering the Judge of the Housing Division of the Cleveland Municipal Court to refer criminal cases to the Housing Division magistrates for arraignment, trial and sentencing, with the decision whether to refer a matter to a magistrate still resting with the Judge, and with all decisions of the magistrates becoming final only upon review and approval by the Judge of the Housing Division.

Section 2. That the Clerk of Council transmit copies of this resolution to members of the Ohio legislature representing the City of Cleveland.

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 March 16, 1998.

Effective March 26, 1998.

Res. No. 481-98.

By Councilman Dolan.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 15239 Triskett Ave., and repealing Res. No. 1521-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 15239 Triskett Ave., by Res. No. 1521-97, adopted August 13, 1997; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 15239 Triskett Ave., be and the same is hereby withdrawn and Res. No. 1521-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer 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 March 16, 1998.

Effective March 26, 1998.

Res. No. 482-98.

By Councilman Robinson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 11703 Union 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. 9154910, Union Discount Inc., DBA Union Discount, 11703 Union Ave., Cleveland, Ohio 44105; 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. 9154910, Union Discount Inc., DBA Union Discount, 11703 Union Ave., Cleveland, Ohio 44105, 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 March 16, 1998.

Effective March 26, 1998.

Res. No. 521-98.

By Councilman Moran.

An emergency resolution withdrawing objection to the renewal of a C1 Liquor Permit to 4519 Bush Ave., and repealing Res. No. 1532-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 Liquor Permit to 4519 Bush Ave., by Res. No. 1532-97, 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 Liquor Permit to 4519 Bush Ave., be and the same is hereby withdrawn and Res. No. 1532-97, 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 March 23, 1998.

Effective April 1, 1998.

Res. No. 522-98.

By Councilman Lewis.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 9200 Wade Park Avenue, and repealing Res. No. 908-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 9200 Wade Park Avenue, by Res. No. 908-97, 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 9200 Wade Park Avenue, be and the same is hereby withdrawn, pursuant to the terms of the cooperation agreement executed between the permit holder and Councilman Lewis, and Res. No. 908-97, 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 March 23, 1998.

Effective April 1, 1998.

Res. No. 523-98.
By Councilman Polensek.
An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 17318 Lakeshore Blvd., and repealing Res. No. 179-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 17318 Lakeshore Blvd., by Res. No. 179-97, adopted February 3, 1997; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 17318 Lakeshore Blvd., be and the same is hereby withdrawn, pursuant to the terms of the cooperation agreement executed between the permit holder and Councilman Polensek, and Res. No. 179-97, 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 March 23, 1998.

Effective April 1, 1998.

Ord. No. 195-98.
By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Mayor to apply for, and the Director of Community Development to accept, a XXIV year grant pursuant to Title I of the Housing and Community Development Act of 1974; and authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the 1998 Federal HOME Grant Program, and 1998 Emergency Shelter Program, and the Housing Opportunities for Persons with AIDS Program.

Whereas, pursuant to Title I of the Housing and Community Development Act of 1974 (hereinafter referred to as the "Act"), the City of Cleveland may apply for and be

granted approximately Thirty Million Two Hundred Forty Eight Thousand Dollars (\$30,248,000) from the United States Department of Housing and Urban Development (hereinafter referred to as "HUD"); and

Whereas, under the Act, the City of Cleveland is defined as the entitlement City; and

Whereas, in accordance with Section 104(a) of the Act, the City of Cleveland has held public hearings to inform the public concerning the nature of the Act to obtain the public's views on Community Development and housing needs; and

Whereas, the application requires that the Mayor and the Director of Law sign certain assurances that the City will comply with the Civil Rights Act of 1964 and 1968 and Executive Order 11063 on Equal Opportunity Housing, as well as assurances set forth in the Housing Act of 1974; and

Whereas, under the Act, the Chief Executive Officer assumes the stature of the responsible Federal official under the National Environmental Policy Act of 1969 for projects to be carried out pursuant to the application and grant; and

Whereas, the Community Development Plan and Program as set forth in the application gives maximum feasible priority to activities which benefit low and moderate income families to aid in the prevention or elimination of slum and blight; and

Whereas, the City of Cleveland may also apply for and accept approximately Nine Million Two Hundred Thirty-Nine Thousand Dollars (\$9,239,000) from the United States Department of HUD to implement the Federal Home Grant Program, the Emergency Shelter Grant Program and the Housing Opportunities for Persons with AIDS Program; and

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

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

Section 1. That the Mayor is hereby authorized to submit an application to HUD on behalf of the City of Cleveland for a XXIV year grant the Act for the fullest extent of funding allowed and determined under said Act. That the Mayor is hereby authorized to act as the authorized representative of the City of Cleveland for purposes of said Act, and to provide such further information as may be necessary to obtain a grant under the Act.

Section 2. That the application, Community Development Plan and Program as set forth in File No. 195-98-A, copies of which are also in said file are hereby approved. This Council hereby approves the Projected Use of Funds detailed in said file, including the sum of One Million Dollars (\$1,000,000) to be used for HIV/AIDS prevention, education, and assistance programs.

Section 3. That the Director of Community Development is hereby authorized to accept the XXIV year grant, pursuant to The Act.

Section 4. That the Mayor, the Directors of Community Development and Law and such other officers of the City of Cleveland as may be necessary, are hereby authorized to execute such assur-

ances and certifications as may be required under the Community Development Block Grant Rules and Regulations.

Section 5. That the Director of Community Development is hereby authorized to apply for and accept a grant in the amount of Seven Million Four Hundred Thirteen Thousand Dollars (\$7,413,000) from the United States Department of Housing and Urban Development to conduct the Federal Home Grant Program; a grant in the amount of One Million Two Hundred Eight Thousand Dollars (\$1,208,000) to conduct the Emergency Shelter Grant Program; and a grant in the amount of Six Hundred Eighteen Thousand Dollars (\$618,000) to conduct the Housing Opportunities for Persons with AIDS Program, for the purposes set forth in the application and according thereto; that the Director of Community Development is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grants.

Section 6. That the applications for the grants authorized in Section 5 of this ordinance, placed in the file specified in Section 2 above, are made a part hereof as if fully rewritten herein, are hereby approved in all respects.

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.

Passed March 23, 1998.

Effective April 1, 1998.

Ord. No. 286-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of lumber, 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 lumber in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a peri-

od less than 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 22988)

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 March 23, 1998.
Effective April 1, 1998.

Ord. No. 287-98.
By Councilman Johnson (by departmental request).

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

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

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

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

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

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

Section 1. That the Director of Finance, for the Cleveland Municipal Court, is hereby authorized and directed to enter into contract with the Legal Aid Society of Cleveland for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the period of one year beginning January 1, 1998 through December 31, 1998, at the estimat-

ed cost of \$857,500.00, payable from Fund No. 01-01-15-0320, Request No. 24751.

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 March 23, 1998.
Effective April 1, 1998.

Ord. No. 288-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of office supplies, for the various divisions of City government, for a period of one year, with one option to renew for one additional year.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of office supplies in the approximate amount as purchased during the preceding year, with one (1) option exercisable by the Director of Finance, to renew for one additional year, and cancellable upon thirty days written notice by said director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23241)

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 March 23, 1998.
Effective April 1, 1998 without the signature of the Mayor.

Ord. No. 289-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to pay the cost of extraction of 1996 Ohio income tax master file data.

Whereas, the State of Ohio is the sole source of state income tax data and

Whereas, the State of Ohio has provided 1996 Ohio income tax master file data to the City of Cleveland; and

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

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

Section 1. That the Director of Finance is hereby directed to pay the sum of Eighteen Thousand Eight Hundred Thirty-Five Dollars and 76 Cents (\$18,835.76) to the treasurer of the State of Ohio from Fund No. 81 SF 001, Request No. 21207, for extraction from the 1996 Ohio Individual Master File of taxpayer information relating to the communities served by the Central Collection Agency.

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 March 23, 1998.
Effective April 1, 1998.

Ord. No. 291-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of standard wire, 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 standard wire in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a 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 22990)

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 March 23, 1998.
Effective April 1, 1998.

Ord. No. 292-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of typewriter maintenance and repair, 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 typewriter maintenance and repair in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a 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 22991)

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 March 23, 1998.
Effective April 1, 1998.

Ord. No. 293-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of pole painting, 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 pole painting in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a 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 22992)

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 March 23, 1998.
Effective April 1, 1998.

Ord. No. 423-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to enter into contract for the lease or rental of one high performance production printer, for the Division of Printing and Reproduction, Department of Finance.

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

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

Section 1. That the Director of Finance is authorized and directed to make a written contract with the lowest and best bidder upon a unit basis, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the lease or rental for a term not to exceed five years of one (1) high performance production printer with minimum production of 135 ppm for 8 1/2" x 11" paper and 58 ppm for 11" x 17" paper, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Printing, Department of Finance.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 70 SF 301, Request No. 23352.

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 March 23, 1998.
Effective April 1, 1998.

Ord. No. 467-A-98 (as substitute for Ordinance No. 467-98).

By Councilman Johnson (by departmental request).

An emergency ordinance to authorize the Director of Finance to obtain a substitute credit enhancement or liquidity facility for the City's Subordinated Income Tax Variable Rate Refundable Bonds, Series 1994, to authorize agreements in connection therewith, and to authorize amendments to the Indenture of Trust in connection therewith and to permit the conversion of the Bonds to a tax-exempt interest rate mode.

Whereas, pursuant to Ordinance No. 367-94 passed on March 14, 1994 (the Bond Legislation), the City of Cleveland, Ohio (the Issuer) issued its Subordinated Income Tax Variable Rate Refunding Bonds, Series 1994, dated June 2, 1994 (the Bonds) which are currently outstanding in the aggregate principal amount of \$72,800,000; and

Whereas, pursuant to the Bond Legislation and the Certificate of Award authorized therein, the Bonds were issued initially as variable rate obligations bearing interest at a Unit Pricing Rate, all as set forth and provided in the Indenture of Trust dated as of May 15, 1994 (the Indenture) between the Issuer and Star Bank, National Association, as trustee, a copy of which is on file with the Clerk of Council in File No. 467-A-98-A.

Whereas, pursuant to the Bond Legislation, the Director of Finance obtained a credit facility from Union Bank of Switzerland, New York Branch and Credit Suisse, New York Branch to enhance the credit and liquidity of the Bonds and, in connection therewith, entered into a letter of credit and reimbursement agreement; and

Whereas, the credit facility has a stated expiration date which precedes the final maturity of the Bonds, and it is therefore necessary to extend or replace the credit facil-

ity in order to continue to provide the necessary liquidity and credit enhancement of the Bonds; and

Whereas, the Indenture permits the Issuer to replace an existing credit or liquidity facility with a substitute credit facility upon the satisfaction of certain conditions; and

Whereas, a substitute credit or liquidity facility may be obtained on more favorable terms than the existing credit or liquidity facility; and

Whereas, it was anticipated at the time of passage of the Bond Legislation that, upon the resolution of certain federal income tax issues raised in litigation to which the City is not a party, an opinion of bond counsel could be obtained to the effect that the interest on the Bonds is excluded from gross income for federal income tax purposes, and it appears that those issues may be resolved in the near future; and

Whereas, in order to obtain the aforesaid opinion of bond counsel and for the Bonds to be marketable as tax-exempt obligations it may be necessary to amend certain provisions of the Indenture; and

Whereas, it is necessary to authorize the Director of Finance to obtain a substitute credit facility as soon as possible in order to provide for the delivery of such substitute credit facility not less than five business days prior to the expiration date of the current credit facility and further to provide for the conversion of the Bonds to a tax-exempt interest rate mode at the earliest opportunity, and thereby to enable the Issuer to achieve the desired debt service savings on the Bonds, and, as a result, this ordinance constitutes an emergency measure providing for the immediate preservation of the public property, health and safety and for the usual and daily operation of a municipal department;

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

Section 1. Substitute Credit or Liquidity Facilities.

If the Director of Finance, based upon the written advice and recommendation of the Issuer's financial advisor, determines that it is in the best interest of the Issuer to obtain a substitute credit and/or liquidity facility for the Bonds, then the Director of Finance is authorized to obtain a substitute credit enhancement and/or liquidity facility for the Bonds in accordance with such recommendation and to execute, deliver and perform any items or agreements in connection therewith, after the same shall have been approved as to form and correctness by the Director of Law, which agreements may provide for the payment of the fees and expenses related to obtaining such substitute credit and/or liquidity facility and the reimbursement of the provider thereof for amounts drawn thereunder from the Pledged Revenues, as defined in the Bond Legislation, and the Director of Finance is authorized to have prepared, and the Mayor and the Director of Finance are authorized to sign and deliver, such amendments to the Indenture as may be necessary to accommodate the requirements of the provider of any such substitute credit and/or liquidity facility, after the same shall have been approved as to form and correctness by the Director of Law,

provided that no such agreement or amendment may purport to entitle the credit or liquidity facility provider to payment or reimbursement from any source other than the Pledged Revenues, and provided further that, notwithstanding any provision to the contrary contained in the Bond Legislation, no such agreement or amendment shall entitle the provider of any such credit or liquidity facility to be paid interest at a rate higher than the maximum rate on the Bonds permitted under the Bond Legislation or to have the principal amount of any Bonds for which such credit or liquidity facility provider has made payment retired more rapidly than would be called for by the Indenture, the provisions of which Indenture are hereby ratified and approved. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and such other officers of the Issuer as may be appropriate are authorized and directed to furnish, execute and deliver such documents, certifications and instruments as may be necessary or appropriate to consummate the transactions contemplated in such agreements and amendments.

Section 2. Conversion to Tax-Exempt Interest Rate Mode.

The Director of Finance is authorized to have prepared such amendments to the Indenture as are necessary or appropriate to provide for the conversion of the Bonds to a tax-exempt interest mode upon receipt of an opinion of nationally recognized bond counsel to the effect that interest on the Bonds is excluded from gross income for federal income tax purposes, and as are not materially adverse to the interests of the City. Those amendments shall specify, among other matters, the method and procedure by which the tax-exempt rate or rates of interest on the Bonds shall be determined, including variable rates, if the Director of Finance determines, based upon the advice of the financial advisor of the Issuer, that the Issuer's best interests will be served by causing the Bonds to bear interest at a variable rate. Those amendments may also provide for revised redemption provisions and a revised Principal Retirement Schedule to be effective upon such conversion if the Director of Finance determines, based upon the advice of the financial advisor of the Issuer, that those revised redemption provisions and Principal Retirement Schedule are to the financial advantage of and in the best interests of the City, provided that the final maturity date of the Bonds shall not be later than the final maturity date provided in the Bond Legislation. The Mayor and the Director of Finance are authorized to sign and deliver such amendments to the Indenture after the same shall have been approved as to form and correctness by the Director of Law. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and such other officers of the Issuer as may be appropriate are authorized and directed to furnish, execute and deliver such documents, certifications and instruments as may from time to time be necessary or appropriate to consummate the transactions contemplated in such amendments.

Section 3. Tax Covenants.

Upon the occurrence of the conversion of the Bonds to a tax-exempt interest mode, the Issuer covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that the interest on the Bonds will be excluded from gross income for federal income tax purposes.

The Issuer further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, or any other officer of the Issuer having responsibility for issuance of the Bonds, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Issuer with respect to the Bonds as the Issuer is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Issuer, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the Issuer setting forth the reasonable expectations of the Issuer regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a

series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

Section 4. Open Meeting Determination.

It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with law.

Section 5. Recitals.

It is hereby determined and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds and the conversion of the Bonds to a tax-exempt interest rate mode in order to make the same legal, valid and binding special obligations issued by the City of Cleveland, Ohio have happened, been done and performed or will happen, be done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, is applicable to the issuance or conversion of the Bonds.

Section 6. Emergency Measure.

For the reasons set forth in the preamble hereto, which are made a part hereof, this ordinance 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 passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest date allowed by law.

Passed March 23, 1998.
Effective April 1, 1998.

Ord. No. 479-98.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (John Nichols/Nation of Islam)

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 5; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow

each person named below to engage in peddling in the public rights of way of Ward 5: John Nichols/Nation of Islam.

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.

Passed March 16, 1998.
Effective March 26, 1998 without the signature of the Mayor.

Ord. No. 520-98.

By Councilman Patmon.

An emergency ordinance consenting and approving the issuance of a permit for the Prayer Vigil on April 5, 1998, sponsored by Pilgrim Church of Christ.

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 Prayer Vigil, sponsored by Pilgrim Church of Christ, on April 5, 1998, at which time the congregation from churches in the Glenville Community will step from their particular places of worship to form a chain from East 105th and St. Clair Avenue to East 105th and Grantwood, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinance of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and 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 March 23, 1998.
Effective April 1, 1998.

Ord. No. 524-98.

By Councilman Cimperman.

An emergency ordinance to amend Section 1 of Ordinance No. 372-98, passed March 2, 1998, relating the issuance of a permit for the Cleveland Indians Run sponsored by the 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 Section 1 of Ordinance No. 372-98, passed by the Council of the City of Cleveland on March 2, 1998, is hereby amended to read as follows:

"Section 1. That pursuant to Section 411.06 of the Codified Ordinances of the City of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cleveland Indians Run, sponsored by Hermes Race Systems, on April 5, 1998, starting on Ontario heading southerly to Hope Memorial Bridge to W. 25th Street to Veterans Memorial Bridge to Huron to Ontario to finish in front of Jacobs Field Plaza, 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 and 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 existing Section 1 of Ordinance No. 372-98, passed March 2, 1998, is hereby repealed.

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

Passed March 23, 1998.
Effective April 1, 1998.

COUNCIL COMMITTEE MEETINGS

Monday, March 23, 1998

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

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

Wednesday, March 25, 1998

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

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

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