

The City Record

Official Publication of the City of Cleveland

December the Third, Nineteen Hundred and Ninety-Seven

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	John C. Skrha	5100 Broadway Avenue	44127
14	Helen K. Smith	3016 Carroll Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111
	Clerk of Council-Artha Woods, 216 City Hall, 664-2840. First Assistant Clerk-Sandra Franklin.		
MAYOR-Michael R. White			
	LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy		
	Barry Withers, Executive Assistant for Administration		
	Judith Zimomra, Executive Assistant for Service		
	Kenneth Silliman, Executive Assistant for Economic Development		
	Richard Werner, Executive Assistant for Governmental Affairs.		
	Susan E. Axelrod, Executive Assistant for Communications and Support Services		
	Linda Willis, Director, Office of Equal Opportunity		
DEPT. OF LAW - Sharon Sobol Jordan, Director of Law, Room 106;			
	Karen E. Martines, Law Librarian; Criminal Branch-Justice Center, 8th Flr., Court Towers, 1200 Ontario		
	Carolyn Watts-Allen, Chief Asst. Prosecutor		
	Lessie M. Milton, Chief Counsel		
DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit			
	DIVISIONS - Accounts - Howard Frank, Acting Commissioner, Room 19		
	City Treasury - Mary Christine Jackman, Treasurer, Room 115		
	Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122		
	Purchases and Supplies - William A. Moon, Commissioner, Room 128		
	Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue		
	Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue		
	Financial Reporting and Control - Keith D. Schuster, Controller, Room 18		
	Information Systems Services - Hamid Manteghi, Commissioner, 1404 E. 9th St.		
DEPT. OF PUBLIC UTILITIES - Michael Konicek, Director, 1201 Lakeside Avenue			
	DIVISIONS - 1201 Lakeside Avenue		
	Water - Julius Ciaccia, Jr., Commissioner		
	Water Pollution Control - Darnell Brown, Commissioner		
	Utilities Fiscal Control - M. Blech, Commissioner		
	Cleveland Public Power - Jim Majer, Acting Commissioner		
	Street Lighting Bureau - Frank Schilling, Acting Chief.		
DEPT. OF PORT CONTROL - William F. Cunningham, Jr., Director, Cleveland Hopkins International Airport, 5300 Riverside Drive; Cleveland Hopkins International Airport - Stephen Sheehan, Commissioner Burke Lakefront Airport - Michael C. Barth, Commissioner			
DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113			
	DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner, 5600 Carnegie Avenue.		
	Streets - Randell T. Scott, Commissioner, Room 25		
	Engineering and Construction - J. Christopher Nielson, Acting Commissioner, Room 518		
	Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards		
	Architecture - Kenneth Nobile, Commissioner, Room 517		
DEPT. OF PUBLIC HEALTH -Robert O. Staib, Director, Mural Building 1925 St. Clair Avenue.			
	DIVISIONS - Health - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue		
	Environment - Joseph W. Jasper, Jr., Commissioner, Mural Building, 1925 St. Clair Avenue		
	Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road		
DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.			
	DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street		
	Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue		
	Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.		
	Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street		
	Emergency Medical Service - Bruce Shade, Commissioner, 1708 South Pointe Drive		
DEPT. OF PARKS, RECREATION & PROPERTIES - Oliver B. Spellman, Jr., Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.			
	DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.		
	Property Management - Vernon Robinson, Commissioner, E. 49th & Harvard		

Parking Facilities - Alfred T. Miller, Jr., Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.	
Park Maintenance and Properties -Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.	
Recreation - Michael Cox, Acting Commissioner, Room 8	
Research, Planning & Development - M. Fallon, Commissioner, Burke Lakefront Airport	
DEPT. OF COMMUNITY DEVELOPMENT -Terri Hamilton, Director, 3rd Floor, City Hall.	
DIVISIONS - Administrative Services - Terrence Ross, Commissioner.	
Neighborhood Services - Louise V. Jackson, Acting Commissioner.	
Neighborhood Development - Terri Hamilton, Commissioner.	
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.	
DEPT. OF PERSONNEL AND HUMAN RESOURCES - Joseph Nolan, Director, Room 121	
DEPT. OF ECONOMIC DEVELOPMENT - Christopher P. Warren, Director, Room 210	
DEPT. OF AGING - Rm. 122, Delores A. Lynch, Director	
COMMUNITY RELATIONS BOARD - Room 11, Gary L. Holland, Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.	
CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; Donna K. Nelson, Secretary; Margaret Hopkins, Member, Earl Preston, Member.	
SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y.; _____, Director; President of Council Jay Westbrook.	
BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Hunter Morrison, Acting Sec'y.	
BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room 516, J. F. Denk, Chairman; J. Bowes, James Williams, Alternate Members - D. Cox, P. Frank, E. P. O'Brien, Richard Pace, Arthur Saunders, J.S. Sullivan.	
BOARD OF REVISION OF ASSESSMENTS - Law Director, Sharon Sobol Jordan; Pres. Finance Director, _____, Director Sec'y. Council President Jay Westbrook.	
BOARD OF SIDEWALK APPEALS - Henry Guzmán, Service Director; Law Director, Sharon Sobol Jordan, Councilman Roosevelt Coats.	
BOARD OF REVIEW - (Municipal Income Tax) - Law Director, Sharon Sobol Jordan, Utilities Director, Michael Konicek; President of Council, Jay Westbrook.	
CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director; Rev. Albert T. Rowan, Chairman; _____, Vice Chairman, David Bowen, Anthony J. Coyne, Lawrence A. Lumpkin, Gloria Jean Pinkney, Councilman Edward W. Rybka.	
CLEVELAND BOXING AND WRESTLING COMMISSION - Robert Jones, Chairman; Clint Martin, Mark Rivera.	
MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, _____, Councilman Jay Westbrook.	
BOARD OF EXAMINERS OF ELECTRICIANS - Raymond Ossovicki, Chairman; _____, Anton J. Eichmuller, Samuel Montfort J. Gilbert Steele, Laszlo V. Kemes, Secretary.	
BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.; Earl S. Bumgarner, _____, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.	
CLEVELAND LANDMARKS COMMISSION - Room 519, _____, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison, Kenneth Nobile, Theodore Sande, Randall Shorr, Shirley Thompson, Councilmen Craig E. Willis and Helen K. Smith.	
CLEVELAND MUNICIPAL COURT JUSTICE CENTER-1200 ONTARIO CENTRAL SCHEDULING DEPARTMENT	
JUDGE COURTROOM ASSIGNMENTS	
Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge Salvatore R. Calandra	13A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connally	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A
Earle B. Turner-Clerk of Courts, John J. O'Toole-Court Administrator, Robert C. Townsend, II-Bailiff; Kenneth Thomas-Chief Probation Officer, Michelle L. Paris-Chief Referee	

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OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 84

WEDNESDAY, DECEMBER 3, 1997

No. 4382

CITY COUNCIL

MONDAY, DECEMBER 1, 1997

The City Record

Published weekly under authority of the Charter of the City of Cleveland
Subscription (by mail) \$75.00 a year
January 1 to December 31
Interim subscriptions prorated \$6.00 per month
Address all communications to

ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

November 26, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 26, 1997, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch
Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 957-97.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of October, 1997 in the amount \$25,854.19, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 958-97.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Anacomp, Inc. for an estimated quantity of Microfiche Services (all items) for the Various Divisions of City Government, Department of Finance, for the period of two (2) years beginning with the date of execution of a contract received on October 3rd, 1997, pursuant to the authority of Ordinance No. 1472-97, passed September 15, 1997, which on the basis of the estimated quantity would amount to Seventy Thousand and 00/100 Dollars (\$70,000.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 01390 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 959-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Vallejo/Terrace Joint Venture, contractor for public improvement contract for Invermere Avenue and East 188th Street sewer replacement, City Contract No. 50878, pursuant to Board of Control Resolution No. 644-96, adopted September 25, 1996, is hereby approved:

SUBCONTRACTOR

WORK

Cook Paving and Construction Company

Asphalt paving

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 960-97.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc. for the following: One (1) 4 x 4 Medium Duty Passenger Vehicle for the Division of Burke Lakefront Airport, Department of Port Control, received on the 1st day of August, 1997, pursuant to the authority of Ordinance No. 956-92, passed June 8, 1992, which on the basis of the order quantity would amount to \$41,998.00 is hereby approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into contract for such items.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Valley Ford Truck Sales, Inc. for one (1) 4 x 4 medium duty passenger vehicle for the Division of Burke Lakefront Airport, the Department of Port Control is hereby approved:

SUBCONTRACTOR SERVICE & SUPPLIES

Logical Services
4614 Prospect Ave. #302
Cleveland, Ohio 44113
(MBE - \$625.00)

Inspect, delivery, and supply accessories

Yeas: None.

Nays: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Absent: None.

Resolution No. 961-97.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1258-97, passed by the Council of the City of Cleveland on July 16, 1997, the firm of Dodson-Stilson, Inc. (MBE), ("Consultant") is hereby selected upon the nomination of the Director of Public Service, as determined after a full and complete canvass by the Director of Public Service, as the firm of Engineering Consultants to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City in order to furnish professional services necessary to prepare construction contract plans and specifications for the rehabilitation of East 40th Street.

Be it further resolved that the Director of Public Service hereby is authorized to enter into a contract with said Consultant, based on its proposal dated June 5, 1997, as modified by its Addendum No. 1 dated August 27, 1997 and Addendum No. 2 dated September 16, 1997, which contract shall provide that the compensation shall not exceed \$329,486.00. The contract shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultants by Dodson-Stilson, Inc. for the contract authorized hereby is approved:

1. City Blue
1937 Prospect Avenue
Cleveland, Ohio 44115
(FBE) — 1%

2. Oxbow Engineering, Inc.
10 West Erie Street, Suite 10
Painesville, Ohio 44077
(FBE) — 13%

3. Ralph Tyler Companies
1120 Chester Avenue, Suite 200
Cleveland, Ohio 44114-3513
(MBE) — 30%

4. Knight & Stolar, Inc.
13212 Shaker Square
Cleveland, Ohio 44120

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 962-97.

By Director Guzman.

Whereas, by Resolution No. 550-97, adopted July 9, 1997, pursuant to the authority of Ordinance No. 210-97, passed by the Cleveland, City Council March 24, 1997, this Board of Control approved the bid of Kenmore Construction Co., Inc. as the lowest and best for the purchase of the City's requirements for asphalt concrete material (all items); and

Whereas, subsequent to the aforementioned approval but prior to execution of a contract with Kenmore Construction Co., the City determined that the term of Contract 50479 with Kenmore Construction Co. for asphalt concrete material does not expire until December 12, 1997; and

Whereas, the City desires to have the contract with Kenmore approved by said Resolution No. 550-97 commence immediately after termination of Contract No. 50479, on December 13, 1997; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 550-97, adopted July 9, 1997, hereby is amended by deleting the words "with the date of execution of a contract" and substituting "on December 13, 1997".

Be it further resolved that all other provisions of said Resolution No. 550-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 963-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Phillips/Day & Maddock, Inc. for an estimated quantity of construction equipment parts and labor when needed, on item #7 only, (Sullivan mobile air compressor parts and labor) (List price dated 6/15/97 less 5% off price list) (Labor rate of \$45.00 per hour) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with the date of execution of a contract received on October 17, 1997, pursuant to the authority of Ordinance No. 1150-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Twenty Five Thousand and no/100 Dollars (\$25,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Direc-

tor 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. 105964 which shall be certified against such contract in the sum of Three Thousand and no/100 Dollars (\$3,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 964-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Ohio Machinery Co. for an estimated quantity of construction equipment parts and labor when needed, item #1 only, (Barber Greene Rd. Pavers parts and labor) (Bid price list dated 3/31/97, 4% less with a 12% discount between 12/1/97 to 3/31/98) (labor rate \$52.00 per hour) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with the date of execution of a contract received on October 17, 1997, pursuant to the authority of Ordinance No. 1150-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Thirty Five Thousand and no/100 Dollars (\$35,000.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 105962 which shall be certified against such contract in the sum of Three Thousand and no/100 Dollars (\$3,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 965-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of APO Holdings Inc. for an estimated quantity of construction equipment parts and labor when needed, item 9 only, (Ingersoll Rand air compressor parts and labor) (Bid list

price dated 10/1/97, with 10% discount off list) (Labor rate of \$49.75 per hour) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with date of execution of a contract received on October 17, 1997, pursuant to the authority of Ordinance No. 1150-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Fifteen Thousand and no/100 Dollars (\$15,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requirement No. 105963 which shall be certified against such contract in the sum of One Thousand and no/100 Dollars (\$1,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 966-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Quality First Auto Parts for an estimated quantity of various automotive and truck parts, items 18, 20, 24 and 43 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on October 31, 1997, pursuant to the authority of Ordinance No. 1155-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Seventy Six Thousand and no/100 Dollars (\$76,000.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requirement No. 105972 which shall be certified against such contract in the sum of Eight Thousand and no/100 Dollars (\$8,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 967-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Perkins Motor Service, Ltd. for an estimated quantity of various automotive and truck parts items 6B, 7D, 15 and 18 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on October 31, 1997, pursuant to the authority of Ordinance No. 1155-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately One Hundred Twenty Thousand and no/100 Dollars (\$120,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requirement No. 105971 which shall be certified against such contract in the sum of Ten Thousand and 00/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 968-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Truckpro Limited Partnership for an estimated quantity of various automotive and truck parts items: 2, 7A, B, C, 9, 11, 12 (medium and heavy duty), 14, 19, 21, 22, 27, 30 and 44 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on October 31, 1997, pursuant to the authority of Ordinance No. 1155-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately One Hundred Thirty Five Thousand Five Hundred and no/100 Dollars (\$135,500.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requirement No. 105969 which shall be certified against such contract in the sum of Twenty Thousand and no/100 Dollars (\$20,000.00).

Said requirement contract shall further provide that the Contractor will 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 subcontractors by Truckpro Limited Partnership for various automotive and truck parts, (items #2, 7A, B, C), 9, 11, 12 (medium and heavy duty), 14, 19, 21, 22, 27, 30 and 44, is hereby approved:

Servco Products

MBE — 10%

Poly Services

MBE — 10%

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 969-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of H and H Wheel Service Detroit, Inc. for an estimated quantity of various automotive and truck parts items: 6A, C, D, E, 8, 10, 12 (auto, light duty trucks, vans) and 36 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on October 31, 1997, pursuant to the authority of Ordinance No. 1155-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately One Hundred Thousand and no/100 Dollars (\$100,000.00), (2% Net 10th), 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. 105968 which shall be certified against such contract in the sum of Thirteen Thousand and no/100 Dollars (\$13,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 970-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of The Cleveland Ignition Co. for an estimated quantity of various automotive and truck parts, items 1, 4 and 5 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on October 31, 1997, pursuant to the authority of Ordinance No. 1155-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Sixty Nine Thousand and no/100

Dollars (\$69,000.00), (2% 10th), 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. 105967

which shall be certified against such contract in the sum of Eight Thousand and no/100 Dollars (\$8,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 971-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Jalco Truck Products dba Admiral Truck Parts for an estimated quantity of various automotive and truck parts items: 7E, 16, 17, 23, 25, 26, 29, 32, 33, 34, 37, 38 and 46 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on October 31, 1997, pursuant to the authority of Ordinance No. 1155-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately One Hundred Twenty Five Thousand and no/100 Dollars (\$125,000.00), (2% 31 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 105966

which shall be certified against such contract in the sum of Fifteen Thousand and no/100 Dollars (\$15,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 972-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Servco Products, Inc. for an estimated quantity of various automotive and truck parts, item #39 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year

beginning with the date of execution of a contract received on October 31, 1997, pursuant to the authority of Ordinance No. 1155-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Twenty Five Thousand and no/100 Dollars (\$25,000.00), (1% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 105970

which shall be certified against such contract in the sum of Two Thousand Five Hundred and no/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 Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 973-97.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on November 14, 1997 for diesel fuel (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 1152-97, passed by the Council of the City of Cleveland on August 13, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 974-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Ferrara Fire Apparatus, Inc. for an estimated quantity of one (1) rescue squad (all items) for various Divisions of City Government, Department of Various, for the period of one (1) year beginning with the date of execution of a contract received on October 31, 1997, 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 Two Hundred Seventy Four Thousand Nine Hundred Ninety Nine and no/100 Dollars (\$274,999.00), (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. 105973

which shall be certified against such contract in the sum of Two Hundred Seventy Four Thousand Nine Hundred Ninety Nine and no/100 Dollars (\$274,999.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 975-97.

By Director Denihan.

Whereas, by Resolution No. 918-97, adopted November 5, 1997, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Board of Control approved the bid of Abele Davis Corp. as the lowest and best for the purchase of various items of uniforms, for the Division of Police, Department of Public Safety; and

Whereas, in said Resolution No. 918-97, item number 150 was incorrectly approved in lieu of item no. 143; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 918-97, adopted November 5, 1997, affirming and approving the bid of Abele Davis Corp. as the lowest and best for the purchase of various items of uniforms for the Division of Police, Department of Public Safety, is amended by changing item number "150" to "143", where appearing.

Be it further resolved that all other provisions of said Resolution No. 918-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 976-97.

By Director Denihan.

Whereas, by Resolution No. 914-97, adopted November 5, 1997, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Board of Control approved the bid of Shuttlers Uniform Inc. as the lowest and best for the purchase of various items of uniforms, for the Division of Police, Department of Public Safety; and

Whereas, in said Resolution No. 914-97, item no. 143 was incorrectly approved in lieu of item no. 150; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 914-97 adopted November 5, 1997, affirming and approving the Bid of Shuttlers Uniform Inc. as the lowest and best for the purchase of various items of uniforms for the Division of Police, Department of Public Safety, is amended by changing item number "143" to "150", where appearing.

Be it further resolved that all other provisions of said Resolution No. 914-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 977-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Werx Corp., for an estimated quantity of uniforms, item nos. 12, 13, 35, 36, 37, 38, 40, 45, 46, and 63 for the Division of Emergency Medical Services, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 29, 1997, 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, Seven Hundred Seventeen and no/100 Dollars (\$7,717.00), 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. 107324
Uniform Items

450 Short Sleeved T-Shirt, Item #45, as specified, which shall be certified against such contract in the sum of Two Thousand, One Hundred Thirty-Seven and 50/100 Dollars (\$2,137.50).

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 Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 978-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Finley Fire Equipment, Co., Inc., for an estimated quantity of uniforms, item nos. 32, 33, 34, and 69 for the Division of Emergency Medical Services, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 29, 1997, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Eight Thousand, One Hundred Sixty-Six and no/100 Dollars (\$8,166.00), (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. 107318
Uniform Items

50 Oversized Gear Bags, Item #69, as specified, which shall be certified against such contract in the sum of One Thousand, Eight Hundred Ninety-Six and no/100 Dollars (\$1,896.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement for such goods

and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 979-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Goldfish Uniform Store, Inc., for an estimated quantity of uniforms, item nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 41, 42, 43, 44, 47, and 65 for the Division of Emergency Medical Services, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 29, 1997, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Thirty-Seven Thousand, Eight Hundred Twenty-Eight and 30/100 Dollars (\$37,828.30), 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. 107319
Uniform Items

100 Cargo Pocket Trousers-Male, Item #5, as specified, which shall be certified against such contract in the sum of Three Thousand, Eight Hundred Ninety-Eight and no/100 Dollars (\$3,898.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 980-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Abele Davis Corp. for an estimated quantity of uniforms, item nos. 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 68, 70, 71, 72, 73, 74a, 74b, 74c, 75, and 76 for the Division of Emergency Medical Services, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 29, 1997, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Fifty Thousand, Two Hundred Sixty-Six and 85/100 Dollars (\$50,266.85), (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. 107317

30 — Item #29 Waterproof Insulated Boots — Male, as specified, which shall be certified against such contract in the sum of Two Thousand, Eight Hundred Forty-One and no/100 Dollars (\$2,841.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 981-97.

Resolved by the Board of Control of the City of Cleveland that the bid of Stonewall Uniform Corporation for an estimated quantity of uniforms, item nos. 1, 48, 49, and 50 for the Division of Emergency Medical Services, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 29, 1997, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Fifteen Thousand, Four Hundred Sixty and no/100 Dollars (\$15,460.00), (Net 10 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. 107322
Uniform Items

20 Windbreaker Jacket, Item #1, as specified, which shall be certified against such contract in the sum of Three Thousand, Seven Hundred Seventy and no/100 Dollars (\$3,770.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 982-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Shutler's Uniform, Inc., for an estimated quantity of uniforms, item nos. 39, 52, 53, 54, 55, 56, 57, 59, 60, 61, 66, 78, 79, 80, and 81 for the Division of Emergency Medical Services, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 29, 1997, pursuant to Section 135.06 of the

Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Ten Thousand One Hundred Four and 50/100 Dollars (\$10,104.50), 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. 107323
Uniform Items

70 Mini Mag-Lites Flashlight/Holster Combo, Item #78, as specified, 40 Dress Trousers — Male, Item #54, as specified, which shall be certified against such contract in the sum of One Thousand Nine Hundred Seventy-Three and no/100 Dollars (\$1,973.00). Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 983-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Standard Law Enforcement Supply Co., Inc. for an estimated quantity of uniforms, item nos. 51, 58, 62, 64, 67, 77, and 83 for the Division of Emergency Medical Services, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on August 29, 1997, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Six Thousand Eight Hundred Seventy-Seven and 50/100 Dollars (\$6,877.50), (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. 107321

70 Uniform Item #77 "D" Cell Flashlight/Ring Holder, as specified, which shall be certified against such contract in the sum of One Thousand Four Hundred Ninety Eight and no/100 Dollars (\$1,498.00). Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 984-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland, that all bids received on August 11, 1997 for Uniform Requirements (EMS), Item # 11 for the Division of Emergency Medical Services, Department of Public Safety, pursuant to Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976, be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 985-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland that the bid of EnviroCom Construction Inc., including Add-Alternates G-2, G-3, G-4A, G-4B, G-4C, G-5A, G-5B, G-5C, G-6A, G-6B, G-6C, G-7A, G-7B, G-7C, G-8, G-9, G-10, G-12 and G13, for the public improvement of Parks Maintenance Facilities (Humphrey Park, E. 40th, Johnston Parkway), for the Division of Parks Maintenance, Department of Parks, Recreation and Properties, received on October 23, 1997, pursuant to the authority of Ordinance Nos. 2740-90 and 1284-96, passed December 17, 1990, and October 14, 1996, respectively, for a gross price for the improvement in the aggregate amount of Two Million Five Hundred Fifty Three Thousand Six Hundred Seventy and no/100 Dollars (\$2,553,670.00), 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 to EnviroCom Construction, Inc., is hereby approved:

United Ready Mix, Inc.
MBE — 1.93%

Cook Paving and Construction
MBE — 2.23%

A & L Sewer Co., Inc.
MBE — 5.64%

Able Contracting
FBE — .66%

Work Best Electric, Inc.
FBE — 3.25%

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.

Absent: Mayor White.

Resolution No. 986-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 007-06-004 located at 2095 West 41 Street in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies,

when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, James H. McMahan, Sr. and Katherine McMahan, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

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

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with James H. McMahan, Sr. and Katherine McMahan for the sale and development of Permanent Parcel No. 007-06-004 located at 2095 West 41 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: Mayor White.

Resolution No. 987-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on October 30, 1997 for hydraulic repairs for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 2197-96, passed by the Council of the City of Cleveland on February 10, 1997 are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 988-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on November 6, 1997 for labor and materials to repair tree lawns for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 809-97, passed by the Council of the City of Cleveland on June 9, 1997 are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 989-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on November 21, 1997 for Furnishings and related appurtenances for the renovation of the Carl B. Stokes Public Utilities Building for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 2096-92, passed by the Council of the City of Cleveland on December 14, 1992 are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 990-97.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on November 19, 1997 for Bid Package 6C (Architectural Precast Concrete); Bid Package 6F (Roofing System); Bid Package 6G (Combination of Bid Package 6A through 6F); and Bid Package 6H (Complete Bid Package 6A through 6F) for the new Cleveland Browns Stadium project for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, pursuant to the authority of Ordinance No. 304-96, passed by the Council of the City of Cleveland on March 8, 1996 be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 991-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Montgomery KONE Inc. for the public improvement of the new Cleveland Browns NFL Stadium Bid Package 6E: Elevators and Escalators, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on November 19, 1997, 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 Nine Hundred Sixty-Two Thousand Five Hundred Eighty-Five and no/100 (\$1,962,585.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following sub-contractors to Montgomery KONE, Inc. is hereby approved:

J & A Construction
MBE — \$66,664.00

Forest City Erectors
FBE — \$51,790.00

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 992-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of E.P.I. of Cleveland, Inc. for the public improvement of the new Cleveland Browns NFL Stadium Bid Package 6D: Metals Fabrication; Rails and Guardrails; Overhead Coiling Doors and Shutters; all items and alternate #7, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on November 19, 1997, 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 Ten Million Two Hundred Eighty-one Thousand Eighty and no/100 (\$10,281,080.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following sub-contractors to EPI of Cleveland, Inc. is hereby approved:

Rittman Inc. DBA Mull Iron
MBE — \$3,100,000.00

Able Contracting
FBE — \$427,700.00

Nordonia Building
FBE — \$702,000.00

Rivera Construction
FBE — \$389,000.00

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 993-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Giambrone Masonry, Inc. for the public improvement of the new Cleveland Browns NFL Stadium Bid Package 6B: Exterior Masonry, Masonry Partitions and Stone Veneer, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on November 19, 1997, 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 Ten Million Two Hundred Seventy-Six Thousand Seven Hundred Seventy-Seven and no/100 (\$10,276,777.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following sub-contractors to Giambrone Masonry, Inc. is hereby approved:

Wilson Maintenance & Construction
MBE — \$3,109,321.00

Rivera Construction
FBE — \$18,200.00

Forest City Erectors
FBE — \$1,061,972.00

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.

Absent: None.

Resolution No. 994-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Krug's Glazing Services, Inc. for the public improvement of the new Cleveland Browns NFL Stadium Bid Package 6A: Curtain Wall, Aluminum Systems and Louvers; all items and alternate No. 1, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on November 19, 1997, 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 Seven Million Five Hundred Six Thousand and no/100 (\$7,506,000.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following sub-contractors to Krug's Glazing Services, Inc. is hereby approved:

Rivera Construction
FBE — \$11,000.00

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Director Waldron, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

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

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

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

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

FREDDIE J. FENDERSON,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, DECEMBER 15, 1997

9:30 A.M.

Calendar No. 97-248: 15314 Macauley Ave., N.E.

Frank Zigman, owner, and Macauley Village Inc. c/o Jeffrey Ginn-Secy., prospective purchaser, appeal to change use to a day care center (maximum of 87 children 6 mos. to 11 yrs.) the entire 48' x 50' two-story masonry nonconforming funeral home and one dwelling unit building on a 160' x 147' parcel located in a Two-Family District at 15314 Macauley Ave.; said use being contrary to the residence limitations of Section 337.03 but subject to the approval authority of Section 337.02(f)(3)(C) and the substitution provisions of Section 359.01 and the outdoor play area to be less than 30' from the south and east property lines as required by Section 337.02(f) of the Codified Ordinances.

Calendar No. 97-251: 1489 East 107th Street

Parry Strickland, owner, appeals to enclose the 22' x 8' One-story open front porch of the 22' x 35' two-story frame single family dwelling house on a 50' x 125' lot located in a Limited One-Family District at 1489 East 107th Street; said enclosure to be contrary to the setback and enclosure limitations regulated by Sections 357.06 and 357.13 (b)(4) of the Codified Ordinances.

Calendar No. 97-252: 12205 Forest Ave., S.E.

Willie Mae Johnson, owner, appeals to change use to a contractor's business office and a barber shop on the first floor of the 26' x 46' two-story masonry nonconforming stores-and-dwelling unit building on a 33' x 100' corner lot located in a Two-Family District on the northwest corner of E. 123 St. and Forest Ave. at 12205 Forest Ave.; said uses being contrary to the residence limitations of Section 337.03 but subject to the substitution provisions of Section 359.01 and not in total conformance with the landscaping and screening requirements of Sections 352.08, 352.09 and 352.10 of the Codified Ordinances.

Calendar No. 97-255: 1601 East 21st Street

Daniel R. Gray, owner, appeals to add 10 additional parking spaces to the existing 63 car accessory parking lot (for the building at 2101 Superior Ave.) authorized by Building Permit # B105118 on the 141' x 176' irregular shaped parcel located in a Semi-Industry District and also occupied by a two-story frame rooming house at 1601 East 21st Street, said additional parking spaces to be less than 10' from the north and south walls of said residential building as required by Section 349.05(a) of the Codified Ordinances.

HUNTER MORRISON,
Acting Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, DECEMBER 1, 1997

At the Meeting of the Board of Zoning Appeals on, Monday, November 24, 1997, the following appeals were heard by the Board, and, on Monday, December 1, 1997 were decided by the Board.

The following appeals were **Refused:**

Calendar No. 97-234: 16501 Euclid Avenue
Harold Stern, owner, appealed, under Sections 329.01(e) and 329.01(d) of the Codified Ordinances from the issuance of a Notice of Violation dated October 2, 1997.

Calendar No. 97-238: 16501 Euclid Avenue
Harold Stern, owner, appealed, under Section 76-6 of the Charter of the City of Cleveland and Section 201.03 of the Codified Ordinances from a Notice of Violation dated October 13, 1997.

The following appeal was **Granted:**

Calendar No. 97-239: 13806 Wainstead Avenue, S.W.
Patricia Layne, owner, appealed, to enclose the 12' x 6.5' one-story frame open front porch.

The following appeals were **Postponed:**

Calendar No. 97-242: 928 Ida Avenue, N.E. to January 5, 1998.

Calendar No. 97-243: 3912 Archwood Avenue, S.W. to January 26, 1998.

HUNTER MORRISON,
Acting Secretary

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

Re: Report of the Meeting of
November 25, 1997

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

* * *

Dockets A-141-97 to A-167-97.

RE: Appeal of First Vanguard Corporation, Owner of the Properties located on the premises known as (Various Addresses) from a NOTICE OF VIOLATION — RES. MAINTENANCE of the Commissioner of the Division of Building and Housing dated May 28, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Dockets A-141-97 to A-167-97 have been POSTPONED; to be rescheduled for December 10, 1997.

* * *

Dockets A-169-97 to A-171-97.

RE: Appeal of Black Economic Union of Ohio, Owner of the Properties located on the premises

known as 10510 Parklane Drive from a NOTICE OF VIOLATION — INTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated May 28, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Dockets A-169-97 to A-171-97 have been POSTPONED; to be rescheduled for December 10, 1997.

* * *

Docket A-330-97.

RE: Continuance of Appeal of Sharon L. Hoey, Owner of the Residential Property located on the premises known as 10515-17 Arthur Avenue from a VACATE ORDER of the Commissioner of the Division of Building and Housing dated July 29, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 10515-17 Arthur Avenue to the Division of Building and Housing for further action, noting the continuing lack of security which was ordered in the Resolution dated October 29, 1997. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

Docket A-385-97.

RE: Continuance of Appeal of The Cleveland Clinic Foundation, Owner of the Property located on the premises known as 2022 East 105th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated September 23, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to require a second means of egress in the back of the mechanical room allowing that exit to be a hitch louver panel marked as an exit and an alternate ladder up to an operational section of the area well graded. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket A-389-97.

RE: Appeal of Ann-Marie Ogletree, Owner of the Property located on the premises known as 12500 Buckeye Road from an ADJUDICATION ORDER #2 of the Commissioner of the Division of Building and Housing dated November 13, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to OBBC Section 904.10 and permit the basement area to be occupied as planned with all requirements for a sprinkler system, noting that the two exits are fire protected to grade and to the exterior and that there will be an audible smoke and fire alarm system in the building and that there will be a maximum

of twenty-five (25) children in the lower level. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-336-97—The White Elephant, Inc.
- A-340-97—Green L. Rawlinson
- A-341-97—Chase Mortgage Services
- A-342-97—James Martin
- A-344-97—Gino Tonti
- A-346-97—Willie Oates
- A-348-97—Guang Lin Liu & Yu Mei Huang
- A-349-97—John & Elizabeth Toth
- A-370-97—Anni R. Moss
- A-371-97—Mary Daniels
- A-373-97—Emerald Homes, Inc.
- A-384-97—Cleveland Public Power

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

* * *

APPROVAL OF MINUTES:

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

November 12, 1997

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

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

Each bid must be made in accordance with the specifications and

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

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

THURSDAY, DECEMBER 11, 1997

Pawnee Avenue Storm Sewer Replacement, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2199-96, 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 FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A MANDATORY PRE-BID MEETING WILL BE HELD AT THE OFFICE OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108, ON DECEMBER 5, 1997, 9:00 A.M. BIDDERS WHO DO NOT ATTEND WILL NOT BE CONSIDERED.

Rustic Avenue Storm Sewer Replacement, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2201-96, 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 FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A MANDATORY PRE-BID MEETING WILL BE HELD AT THE OFFICE OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108, ON DECEMBER 5, 1997, 10:00 A.M. BIDDERS WHO DO NOT ATTEND WILL NOT BE CONSIDERED.

Cleveland EMS Uniforms (Item #11-Rebid), for the Division of Emergency Medical Service, Department

of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

November 26, 1997 and December 3, 1997

FRIDAY, DECEMBER 12, 1997

Diesel Fuel, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1152-97, passed by the Council of the City of Cleveland, August 13, 1997.

November 26, 1997 and December 3, 1997

THURSDAY, DECEMBER 18, 1997

Lonnice Burton Recreation Center Renovation, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1284-96, 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 FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON MONDAY, DECEMBER 12, 1997, 10:00 A.M. AT THE LONNIE BURTON RECREATION CENTER, 2511 EAST 46TH STREET.

Rehabilitating and Reconstructing East 55th Street from Blanche Avenue to Woodland Avenue (Phase I), for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1330-96, passed by the Council of the City of Cleveland, July 17, 1996.

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

The Rehabilitation of Bessemer Avenue from East 65th Street to East 97th Street, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1330-96 and 1468-96, passed by the Council of the City of Cleveland, July 17, 1996 and October 14, 1996, respectively.

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

Install New Fencing and Repair Existing Fencing, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 669-97, passed by the Council of the City of Cleveland, June 2, 1997.

November 26, 1997 and December 3, 1997

FRIDAY, DECEMBER 19, 1997

Four (4) Air Compressors, for the Division of Motor Vehicle Maintenance, Department of Public Utilities, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

One (1) Lawn Tractor and Two (2) Front Cutter Mowers, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

November 26, 1997 and December 3, 1997

WEDNESDAY, DECEMBER 17, 1997

Breath Alcohol Content Machines, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1167-97, passed by the Council of the City of Cleveland, August 13, 1997.

Ready-Mixed Concrete, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 737-93, passed by the Council of the City of Cleveland, April 19, 1993.

Toro Mower Parts, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1737-97, passed by the Council of the City of Cleveland, November 17, 1997.

December 3, 1997 and December 10, 1997

FRIDAY, DECEMBER 19, 1997

Furnishings and Related Appurtenances for the Renovation of the Carl B. Stokes Public Utilities Building, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 1254-92 and 2086-92, passed by the Council of the City of Cleveland, June 15, 1992 and December 14, 1992, respectively.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

December 3, 1997 and December 10, 1997

WEDNESDAY, DECEMBER 24, 1997

Inductively Coupled Plasma Mass Spectrometer and Accessories, for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of the City of Cleveland, 1976.

Anthracite Filter Media, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1458-97, passed by the Council of the City of Cleveland, September 22, 1997.

Repairing and Refurbishing the Spectator Deck, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 1464-97, passed by the Council of the City of Cleveland.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 16, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

Repair and Maintain Rolling Overhead Doors, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 1467-97, passed by the Council of the City of Cleveland, September 22, 1997.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, DECEMBER 18, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

December 3, 1997 and December 10, 1997

TUESDAY, DECEMBER 30, 1997

The New Cleveland Browns NFL Football Stadium: Bid Packages 6C — Architectural Precast Concrete and 6F — Roofing Systems (Re-Bid), for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96, passed by the Council of the City of Cleveland.

BID DOCUMENTS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES FOR THE NON-REFUNDABLE COST OF TWO HUNDRED FIFTY DOLLARS (\$250.00). ONLY CERTIFIED OR CASHIER'S CHECKS WILL BE ACCEPTED. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO OBTAIN PLANS AND SPECIFICATIONS. THE CHARGE WILL BE WAIVED FOR THOSE HOLDERS OF PLANS PREVIOUSLY PURCHASED FOR BID PACKAGE NO. 6. A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 16, 1997, 10:00 A.M. IN ROOM 212B OF THE CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 3, 1997 and December 10, 1997

WEDNESDAY, DECEMBER 31, 1997

Meals for Prisoners, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1936-96, passed by the Council of the City of Cleveland, December 2, 1996.

December 3, 1997 and December 10, 1997

FRIDAY, JANUARY 16, 1998

The New Cleveland Browns NFL Football Stadium: Bid Packages #9 — General Trades, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96, passed by the Council of the City of Cleveland.

PLANS AND SPECIFICATIONS MAY BE PURCHASED FOR THE NON-REFUNDABLE COST OF TWO HUNDRED FIFTY DOLLARS (\$250.00). ONLY CERTIFIED OR CASHIER'S CHECKS WILL BE ACCEPTED. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO OBTAIN PLANS AND SPECIFICATIONS. A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, DECEMBER 17, 1997, 10:00 A.M. IN ROOM 212B OF THE CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 3, 1997 and December 10, 1997

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 2045-97.**

By Councilman Westbrook (by departmental request).

An emergency resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies certifying them to the County Auditor.

Whereas, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget, for the fiscal year commencing January 1, 1998; and

Whereas, the Budget Commission of Cuyahoga County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part thereof is without and what part within the 10-Mill limitation; 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 the amounts and rates as determined by the Budget Commission in its certification be and the same are hereby accepted.

Section 2. That there be and is hereby levied on the tax duplicate of the City of Cleveland the rate of each tax necessary to be levied within and without the 10-Mill limitation, as follows:

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY
TAX APPROVED BY BUDGET COMMISSION AND COUNTY
AUDITOR'S ESTIMATED TAX RATES**

	Amount to be Derived From Levies		County Auditor's Estimate of Tax Rate To Be Levied	
	Outside 10-Mill Limitation Column II	Inside 10-Mill Limit Column V	Inside	Outside
			10-Mill Limit Column V	10-Mill Limit Column VI
GENERAL FUND			7.75	
BOND RETIREMENT FUND		4.35		
POLICE PENSION FUND				0.30
FIRE PENSION FUND		0.05		0.25
TOTAL		4.40		8.30

Section 3. That the Clerk of Council be and she hereby is directed to certify a copy of this resolution to the County Auditor of said County.

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

Adopted November 24, 1997.

Effective December 2, 1997.

Res. No. 2046-97.
By Councilman Westbrook (by departmental request).

An emergency resolution requesting the County Auditor to make tax advances during the year 1998, pursuant to Section 321.34, Ohio Revised Code.

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 the County Auditor be and he hereby is requested to draw, and the County Treasurer to pay on such draft to the Treasury of the City of Cleveland such money as may be in the County Treasury from time to time during the year 1998 to the account of the City of Cleveland and lawfully applicable to the purpose of the current fiscal year in which such request is made, such payments to be made from time to time as the Director of Finance or the Mayor of the City of Cleveland may request.

Section 2. That the Clerk of Council be and she hereby is directed to transmit a certified copy of this resolution to the Auditor of 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 November 24, 1997.

Effective December 2, 1997.

Res. No. 2089-97.
By Councilmen Polensek, Smith, Robinson, Britt, Lewis, Rybka, Zone and Skrha.

An emergency resolution urging the Ohio Board of Pharmacy and the Ohio legislature to reclassify the controlled substance Rohypnol, also known as the date rape drug, to a Schedule 1 depressant which will allow for stricter enforcement and penalties.

Whereas, Rohypnol (flunitrazepam) is a prescription sleeping aid that is currently classified as a Schedule IV drug under Chapter 3719 of the Ohio Revised Code; and

Whereas, there have been increasing reports of Rohypnol being illegally diverted into the United States and illicitly sold. It is reported that Rohypnol is being put in women's drinks and then a rape occurs without the woman remembering because of the amnesia effect the drug has on the person taking it; and

Whereas, the majority of the reports of diversion and illicit use have been in southern Florida and Texas; and

Whereas, the Florida legislature have taken appropriate steps to reclassify Rohypnol as a Schedule 1 depressant and the federal government, through the Food and Drug Administration, is also considering reclassifying the drug as a Schedule 1 drug under the Federal Controlled Substance Act;

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

Section 1. That this Council urges the Ohio Board of Pharmacy and the Ohio legislature to evaluate the reclassification of the controlled substance Rohypnol, also known as the date rape drug, to a Schedule 1 depressant from its current classification as a Schedule IV depressant,

especially in light of the reports of its use in cases of date rape and the actions to reclassify it by the FDA and the State of Florida.

Section 2. That the Clerk of Council transmit copies of this resolution to the Ohio Board of Pharmacy and the Cuyahoga County delegation of the Ohio State legislature.

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 November 17, 1997.

Effective November 22, 1997.

Res. No. 2115-97.
By Councilman Coats.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 552 East 152nd Street & Gas Pumps, and repealing Res. No. 1534-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 552 East 152nd Street & Gas Pumps, by Res. No. 1534-97, 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 552 East 152nd Street & Gas Pumps, be and the same is hereby withdrawn and Res. No. 1534-97, 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 November 24, 1997.
Effective December 2, 1997.

Res. No. 2116-97.

By Councilman Coats.

An emergency resolution urging President Clinton to veto HR Bill 1534, relating to local land use issues.

Whereas, this Council opposes HR 1534, the so called taking legislation; and

Whereas, HR 1534 will seriously impair the ability of local governments and agencies to protect the public health, safety and environment of their respective citizenry; and

Whereas, under current law, developers are first required to pursue all local remedies, including negotiating with local zoning boards to reach mutually acceptable agreements that satisfy both the developer and community residents before proceeding into court; and

Whereas, unless vetoed, HR 1534 will permit developers to proceed to federal court to challenge local land use and zoning determinations without first having to exhaust their local administrative remedies or being required to pursue a state court appeal;

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

Section 1. That the Council of the City of Cleveland urges President Clinton to veto HR 1534 for the reasons set forth in the above "Whereas" clauses.

Section 2. That the Clerk of Council transmit a copy of this resolution to President Clinton, Senators Glenn and DeWine, and Representatives Stokes and Kucinich.

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 November 24, 1997.
Effective December 2, 1997.

Res. No. 2117-97.

By Councilman Rybka.

An emergency resolution to nominate the Cuyahoga River as an American Heritage River.

Whereas, President Clinton recently announced a national initiative to designate ten rivers in the United States as American Heritage Rivers; and

Whereas, the Cuyahoga River has a unique history and status as a

symbol of America's environmental recovery that makes it an ideal candidate for designation as an "American Heritage River" by the President of the United States; and

Whereas, this designation would qualify the Cuyahoga River for focused federal attention to assist the community in implementing its vision for the river without imposing additional federal regulations; and

Whereas, this effort will require broad-based community support to be successful;

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

Section 1. That the Council of the City of Cleveland concludes that the Cuyahoga River has a unique history and status as a symbol of America's environmental recovery that makes it an ideal candidate for designation as an "American Heritage River" by the President of the United States.

Section 2. That the Council of the City of Cleveland endorses the initiative seeking to designate the Cuyahoga River as an "American Heritage River" and hereby requests favorable action by President Clinton.

Section 3. That local communities and other interested parties are encouraged to endorse this designation as a sign of broad public support for the Cuyahoga River as a model for community based environmental restoration.

Section 4. That the Clerk of Council transmit a copy of this resolution to President Clinton, Senators Glenn and DeWine, and Representatives Stokes and Kucinich and other appropriate federal, state and local agencies.

Section 5. 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 November 24, 1997.
Effective December 2, 1997.

Ord. No. 945-96.

By Councilman Johnson.

An ordinance establishing the Buckeye Business Revitalization District and to repeal Ordinance No. 539-91 passed June 3, 1991. (Map Change No. 1906, Sheet No. 9)

Whereas, the Board of Trustees of the Buckeye Area Development Corporation has submitted a written request dated April 19, 1996 to the City Planning Commission for expansion and designation of a Business Revitalization district in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

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

Whereas, the City Planning Commission has determined that the proposed District meets the criteria for designation set forth in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio 1988;

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

Section 1. That the following area, further defined and outlined on the map hereto attached, be and the

same is hereby designated the Buckeye Business Revitalization District.

Beginning at the intersection of the center line of Buckeye Avenue, S.E. and the center line of East 130 Street; thence southerly along said center line of East 130 Street to its intersection with the easterly extension of the northerly line of Sublot No. 543 in the Rice Heights Allotment No. 2 as recorded in Volume 48, Page 2 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said northerly line of said Sublot No. 543 to its intersection with the westerly line of Sublot No. 544 in said Rice Heights No. 2 Allotment; thence northerly along said westerly line of said Sublot No. 544 to its intersection with the northerly line of Sublot No. 479 in said Rice Heights No. 2 Allotment; thence westerly along said northerly line of said Sublot No. 479 and along its westerly extension to the center line of East 128 Street; thence continuing along the easterly extension of the northerly line of Sublot No. 402 in said Rice Heights No. 2 Allotment and along said northerly line of said Sublot No. 402 to its intersection with the southerly line of Sublot No. 397 in said Rice Heights No. 2 Allotment; thence westerly along said southerly line of said Sublot No. 397 to its intersection with the westerly line thereof; thence northerly along said westerly line of said Sublot No. 397 to its intersection with the southerly line of Sublot No. 396 in said Rice Heights No. 2 Allotment; thence westerly along said southerly line of Sublot No. 396 to its intersection with the westerly line thereof; thence northerly along said westerly line of said Sublot No. 396 to its intersection with a line located thirty five (35) feet north of the northerly line of Sublot No. 392 in said Rice Heights No. 2 Allotment; thence westerly along said line which is parallel to and thirty five (35) feet north of said northerly line of said Sublot No. 392 and along its westerly extension to its intersection with the center line of East 126 Street; thence northerly along said center line of East 126 Street to its intersection with the easterly extension of the northerly line of Sublot No. 309 in the Rice Heights Allotment as recorded in Volume 45, Page 8 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said northerly line of said Sublot No. 309 to its intersection with the easterly line of Sublot No. 300 in said Rice Heights Allotment; thence northerly along said easterly line of said Sublot No. 300 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 300 and along its westerly extension to its intersection with the center line of East 125 Street; thence northerly along said center line of East 125 Street to its intersection with the easterly extension of the northerly line of Sublot No. 209 in said Rice Heights Allotment; thence westerly along said easterly extension and along said northerly line of said Sublot No. 209 to its intersection with the easterly line of Sublot No. 203 in said Rice Heights Allotment; thence northerly along said easterly line of said Sublot No. 203 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 203 and along its westerly extension to its intersection with the center line

of East 123 Street; thence northerly along said center line of East 123 Street to its intersection with the easterly extension of the northerly line of Sublot No. 114 in said Rice Heights Allotment; thence westerly along said easterly extension and along said northerly line of said Sublot No. 114 to its intersection with the easterly line of Sublot No. 4 in said Rice Heights Allotment; thence northerly along said easterly line of said Sublot No. 108 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 108 and along its westerly extension to the center line of East 121 Street; thence continuing westerly along the easterly extension of the northerly line of Sublot No. 4 in said Rice Heights Allotment and along said northerly line of said Sublot No. 4 to its intersection with the easterly line of Sublot No. 'T' in said Rice Heights Allotment; thence southerly along said easterly line of said Sublot No. 'T' to its intersection with the southerly line thereof; thence westerly along said southerly line of said Sublot No. 'T' and along its westerly extension to its intersection with the center line of East 120 Street; thence northerly along said center line of East 120 Street to its intersection with the easterly extension of the northerly line of Sublot No. 141 in the Rice Homestead Allotment as recorded in Volume 45, Page 12 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said northerly line of said Sublot No. 141 to its intersection with the easterly line of Sublot No. 114 in said Rice Homestead Allotment; thence northerly along said easterly line of said Sublot No. 114 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 114 and along its westerly extension to its intersection with the center line of East 119 Street; thence southerly along said center line of East 119 Street to its intersection with the easterly extension of the northerly line of Sublot No. 106 in said Rice Homestead Allotment; thence westerly along said easterly extension and along said northerly line of said Sublot No. 106 to its intersection with a line located one hundred four (104) feet east of the easterly line of East 118 Street; thence northerly along said line which is parallel to and one hundred four (104) feet east of said easterly line of East 118 Street to its intersection with the northerly line of Sublot No. 79 in said Rice Homestead Allotment; thence westerly along said northerly line of said Sublot No. 79 and along its westerly extension to its intersection with the center line of East 118 Street; thence northerly along said center line of East 118 Street to its intersection with the easterly extension of the northerly line of Sublot No. 73 in said Rice Homestead Allotment; thence westerly along said easterly extension and along said northerly line of said Sublot No. 73 to its intersection with the easterly line of Sublot No. 42 in said Rice Homestead Allotment; thence northerly along said easterly line of said Sublot No. 42 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 42 and along its intersection with the center line of East 117 Street; thence northerly along said center line of East 117

Street to its intersection with the easterly extension of the northerly line of Sublot No. 36 in said Rice Homestead Allotment; thence westerly along said easterly extension and along said northerly line of said Sublot No. 36 to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 36 and continuing southerly along the westerly lines of Sublots No. 35, 34, 33, 32, 31, 30, and 29 in said Rice Homestead Allotment to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 29 and along its easterly extension to its intersection with the center line of East 117 Street; thence southerly along said center line of East 117 Street to its intersection with the easterly extension of the northerly line of Sublot No. 26 in said Rice Homestead Allotment; thence westerly along said easterly extension and along said northerly line of said Sublot No. 26 to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 26 and continuing southerly along the westerly line of Sublots Nos. 25, 24, 23, 22, 21, and 20 in said Rice Homestead Allotment and along its southerly extension to the center line of Honeydale Avenue, S.E.; thence continuing southerly along the northerly extension of the westerly line of Sublot No. 169 in said Rice Heights Allotment as recorded in Volume 45, Page 8 of the Cuyahoga County Map Records; and along said westerly line of said Sublot No. 169 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 169 to its intersection with a line located one hundred forty (140) feet east of the easterly line of East 116 Street; thence southerly along said line which is parallel to and one hundred forty (140) feet east of said easterly line of East 116 Street and along its southerly extension to its intersection with the center line of Forest Avenue, S.E.; thence westerly along said center line of Forest Avenue, S.E. to its intersection with the southerly extension of the easterly line of Sublot No. 32 in the Marek Allotment as recorded in Volume 44, Page 28 of the Cuyahoga County Map Records; thence northerly along said southerly extension and along said easterly line of said Sublot No. 32 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 32 to its intersection with a line located one hundred sixty three and five tenths (163.5) feet east of the westerly line of East 115 Street; thence northerly along said line which is parallel to and one hundred sixty three and five tenths (163.5) feet east of said westerly line of East 115 Street to its intersection with a line located one hundred twenty (120) feet south of the southerly line of Harvey Avenue, S.E.; thence easterly along said line which is parallel to and one hundred twenty (120) feet south of said southerly line of Harvey Avenue, S.E. to its intersection with a line located one hundred twenty (120) feet west of said westerly line of East 116 Street; thence northerly along said line which is parallel to and one hundred twenty (120) feet west of said westerly line of East 116 Street and along its northerly extension to its intersection with the center line of Harvey Avenue, S.E.; thence west-

erly along said center line of Harvey Avenue, S. E. to its intersection with the southerly extension of a line located one hundred sixty one (161) feet west of said westerly line of East 116 Street; thence northerly along said southerly extension and along said line which is parallel to and one hundred sixty one (161) feet west of said westerly line of East 116 Street to its intersection with a line located two hundred fifty (250) feet north of the northerly line of Harvey Avenue, S.E.; thence westerly along said line which is parallel to and two hundred fifty (250) feet north of said northerly line of Harvey Avenue, S.E. to its intersection with a line located one hundred sixty five (165) feet west of said westerly line of East 116 Street; thence northerly along said line which is parallel to and three hundred twenty (320) feet north of said northerly line of Harvey Avenue, S.E. and along its westerly extension to its intersection with the center line of East 115 Street; thence northerly along said center line of East 115 Street to its intersection with the easterly extension of a line located forty five (45) feet north of the southerly line of Sublot No. 158 in the Harvey Rice Jr. Allotment as recorded in Volume 14, Page 42 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said line which is parallel to and forty five (45) feet north of said southerly line of said Sublot No. 158 and along its westerly extension to its intersection with the easterly line of Sublot No. 156 in said Harvey Rice Jr. Allotment; thence southerly along said easterly line of said Sublot No. 156 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Sublot No. 156 to its intersection with the westerly line thereof; thence northerly along said westerly line of said Sublot No. 156 to its intersection with the northerly line of Sublot No. 42 in said Harvey Rice Jr. Allotment; thence westerly along said northerly line of said Sublot No. 42 and along its westerly extension to its intersection with the center line of East 114 Street; thence northerly along said center line of East 114 Street to its intersection with the easterly extension of the northerly line of Sublot No. 71 in said Harvey Rice Allotment; thence westerly along said easterly extension and along said northerly line of said Sublot No. 71 to its intersection with the easterly line of Sublot No. 72 in said Harvey Rice Jr. Allotment; thence northerly along said easterly line of said Sublot No. 72 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 72 to its intersection with the westerly line of Sublot No. 149 in said Harvey Rice Jr. Allotment; thence northerly along said westerly line of said Sublot No. 149 to its intersection with a line located sixty six (66) feet north of said northerly line of said Sublot No. 72; thence westerly along said line which is parallel to and sixty six (66) feet north of said northerly line of said Sublot No. 72 and along its westerly exten-

sion to its intersection with the center line of East 112 Street; thence southerly along said center line of East 112 Street to its intersection with the easterly extension of the northerly line of Sublot No. 103 in said Harvey Rice Jr. Allotment; thence westerly along said easterly extension and along said northerly line of said Sublot No. 103 to its intersection with the easterly line of Sublot No. 104 in said Harvey Rice Jr. Allotment; thence northerly along said easterly line of said Sublot No. 104 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 104 to its intersection with the easterly line of Sublot No. 141 in said Harvey Rice Jr. Allotment; thence northerly along said easterly line of said Sublot No. 141 to its intersection at a point located sixty six (66) feet north of said northerly line of said Sublot No. 104; thence northwesterly from said point to a point located on the east line of East 111 Street said point being located sixty eight (68) feet north of said northerly line of said Sublot No. 104 and along its northwesterly extension to its intersection with the center line of East 111 Street; thence northerly along said center line of East 111 Street to its intersection with the easterly extension of a line located seventy (70) feet north of the northerly line of Sublot No. 137 in said Harvey Rice Jr. Allotment; thence westerly along said easterly extension and along said line which is parallel to and seventy (70) feet north of said northerly line of said Sublot No. 137 to its intersection with the westerly line of Sublot No. 138 in said Harvey Rice Jr. Allotment; thence northerly along said westerly line of said Sublot No. 138 in said Harvey Rice Jr. Allotment; to its intersection with a line located forty five (45) feet north of the southerly line of Sublot No. 3 in the Czernak Realty Company Non-Recorded Subdivision; thence westerly along said line which is parallel to and forty five (45) feet north of said southerly line of said Sublot No. 3 to its intersection with the easterly line of Martin Luther King Jr. Drive; thence north-easterly along said easterly line of Martin Luther King Jr. Drive continuing northeasterly across Buckeye Avenue, S.E. and along the southeasterly line of Martin Luther King Jr. Drive to its intersection with the westerly extension of the northerly line of Sublot No. 1 in the Southern and Latimer Allotment as recorded in Volume 14, Page 38 of the Cuyahoga County Map Records; thence easterly along said westerly extension of said northerly line of said Sublot No. 1 and continuing easterly along the northerly lines of Sublots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 in said Southern and Latimer Allotment to its intersection with the southerly prolongation of the westerly line of Sublot No. 35 in the F.L. Crobaugh Subdivision as recorded in Volume 30, Page 21 of the Cuyahoga County Map Records; thence northerly along said southerly prolongation of said westerly line of said Sublot No. 35 to its intersection with a line located one hundred twenty (120) feet south of the southerly line of Methyl Avenue, S.E.; thence easterly along said line which is parallel to and one hundred twenty (120) feet south of said southerly line of Methyl Avenue, S.E. to its intersection with a line located one hundred

twenty (120) feet west of the westerly line of East 116 Street; thence northerly along said line which is parallel to and one hundred twenty (120) feet west of said westerly line of East 116 Street and continuing northerly across Methyl Avenue, S.E. to its intersection with the southerly line of Shaker Boulevard, S.E.; thence easterly along said southerly line of Shaker Boulevard, S.E. and continuing easterly across East 116 Street to its intersection with a line located one hundred twenty five and thirty three hundredths (125.33) feet east of the easterly line of East 116 Street; thence southerly along said line which is parallel to and one hundred twenty five and thirty three hundredths (125.33) feet east of said easterly line of East 116 Street to the center line of Williams Avenue, S.E.; thence westerly along said center line of Williams Avenue, S.E. to its intersection with the northerly extension of a line located one hundred twenty (120) feet west of the westerly line of East 117 Street; thence southerly along said northerly extension and along said line which is parallel to and one hundred twenty (120) feet west of said westerly line of East 117 Street to its intersection with the northerly line of Sublot No. 25 in the South Woodland Rice Avenue Allotment Non-Recorded Allotment; thence easterly along said northerly line of said Sublot No. 25 and along its easterly extension to its intersection with the center line of East 117 Street; thence southerly along said center line of East 117 Street to its intersection with the westerly extension of a line located seven hundred five (705) feet south of the southerly line of Williams Avenue, S.E.; thence easterly along said westerly extension and along said line which is parallel to and seven hundred five (705) feet south of said southerly line of Williams Avenue, S.E. and along its easterly extension to its intersection with the center line of East 118 Street; thence southerly along said center line of East 118 Street to its intersection with the westerly extension of a line located seven hundred eighty five (785) feet south of said southerly line of Williams Avenue, S.E.; thence easterly along said westerly extension and along said line which is parallel to and seven hundred eighty five (785) feet south of said southerly line of Williams Avenue, S.E. and along its easterly extension to its intersection with the center line of East 119 Street; thence southerly along said center line of East 119 Street to its intersection with the westerly extension of the southerly line of Sublot No. 153 in the South Woodland Rice Avenue Non-Recorded Subdivision; thence easterly along said westerly extension and along said southerly line of said Sublot No. 153 and continuing easterly along the southerly line of Sublot No. 160 in said South Woodland-Rice Avenue Non-Recorded Subdivision and along its easterly extension to its intersection with the center line of East 120 Street; thence southerly along said center line of East 120 Street to its intersection with the westerly extension of the southerly line of Sublot No. 202 in said South Woodland-Rice Avenue Non-Recorded Subdivision; thence easterly along said westerly extension and along said southerly line of said Sublot No. 202 and continuing easterly along the southerly line of Sublot No. 209 in said South

Woodland-Rice Avenue Non-Recorded Subdivision and along its easterly extension to its intersection with the center line of East 122 Street; thence southerly along said center line of East 122 Street to its intersection with the northwesterly extension of a line from a point located eighty five (85) feet north of the northerly line of Buckeye Avenue, S.E. on the easterly line of East 122 Street; thence southeasterly from said point to a point located ninety (90) feet north of the northerly line of Buckeye Avenue, S.E. and approximately fifty and ninety two hundredths (50.92) feet west of the westerly line of East 124 Street; thence northerly from said point along a line which is parallel to and approximately fifty and ninety two hundredths (50.92) feet west of said westerly line of East 124 Street for a distance of approximately fifty (50) feet; thence an easterly prolongation from said point to its intersection with the center line of East 124 Street; thence southerly along said center line of East 124 Street to its intersection with the westerly extension of the southerly line of Sublot No. 21 in the William M. Southern Brugge Farm Allotment as recorded in Volume 35, Page 9 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said southerly line of said Sublot No. 21 and continuing easterly along the southerly line of Sublot No. 27 in said William M. Southern Brugge Farm Allotment and along its easterly extension to its intersection with the center line of East 125 Street; thence southerly along said center line of East 125 Street to its intersection with the westerly extension of the southerly line of Sublot No. 69 in said William M. Southern Brugge Farm Allotment; thence easterly along said westerly extension and along said southerly line of said Sublot No. 69 to its intersection with the westerly line of Sublot No. 75 in said William M. Southern Brugge Farm Allotment; thence southerly along said westerly line of said Sublot No. 75 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 75 and along its easterly extension to its intersection with the center line of East 126 Street to its intersection with the westerly extension of the southerly line of Sublot No. 119 in said William M. Southern Brugge Farm Allotment; thence easterly along said westerly extension and along said southerly line of said Sublot No. 119 and continuing easterly along the southerly line of Sublot No. 125 in said William M. Southern Brugge Farm Allotment to its intersection with the easterly line of Sublot No. 122 in said William M. Southern Brugge Farm Allotment; thence southerly along said easterly line of said Sublot No. 122 to its intersection with a line located one hundred (100) feet northeast of the northeasterly line of Buckeye Avenue, S.E.; thence southeasterly along said line which is parallel to and one hundred (100) feet northeast of said northeasterly line of Buckeye Avenue, S.E.; and along its southeasterly extension to its intersection with the center line of East 127 Street; thence northerly along said center line of East 127 Street to its intersection with the northwesterly extension of the southwesterly line of Sublot No. 180 in said William M. Southern Brugge

Farm Allotment; thence southeasterly along said northwesterly extension and along said southwesterly line of said Sublot No. 180 to its intersection with the northwesterly line of Sublot No. 29 in the Kuster Estate Allotment as recorded in Volume 47, Page 26 of the Cuyahoga County Map Records; thence southwesterly along said northwesterly line of said Sublot No. 29 to its intersection with the southwesterly line thereof; thence southeasterly along said southwesterly line of said Sublot No. 29 and along its southeasterly extension to its intersection with the center line of East 128 Street; thence continuing southeasterly along the northwesterly extension of the southwesterly line of Sublot No. 38 in said Kuster Estate Allotment and along said southwesterly line of said Sublot No. 38 to its intersection with the northwesterly line of Sublot No. 75 in said Kuster Estate Allotment; thence southwesterly along said northwesterly line of said Sublot No. 75 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 75 and along its easterly extension to its intersection with the center line of East 130 Street; thence southerly along said center line of East 130 Street to its intersection with the center line of Buckeye Avenue, S.E.; thence northwesterly along said center line of Buckeye Avenue, S.E. to the place of beginning.

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

Section 3. To repeal Ordinance No. 589-91, passed June 3, 1991 establishing the existing Buckeye Business Revitalization District.

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

Passed November 24, 1997.

Effective January 3, 1998.

Ord. No. 795-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 11908 Kinsman Road to King Baker.

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

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

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 130-21-034, as more fully described in Section 2 below, to King Baker.

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

P.P. No. 130-21-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 2 in John E. Dean's Allotment of part of Original One Hundred Acre Lot No. 444, as shown by the recorded plat in Volume 14 of Maps, Page 22 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Southwesterly line of Kinsman Road, S.E. at the most Northerly corner of Sublot No. 2; thence Southeasterly along said Southwesterly line of Kinsman Road, S.E. 52.237 feet to the Easterly line of Sublot No. 2; thence Southerly along said Easterly line of Sublot No. 2, 145.32 feet; thence Westerly on a line at right angles to said Easterly line of Sublot No. 2, 50 feet to the Westerly line of Sublot No. 2; thence Northerly along said Westerly line of Sublot No. 2, 160.465 feet the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed November 24, 1997.

Effective December 2, 1997.

Ord. No. 1074-97.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to execute easements granting to the Board of County Commissioners of Cuyahoga County, Ohio, certain easement rights in property located in Shaker Heights west of Warrensville Center Road and south of Shelburne Road, and declaring said easement rights no longer needed for public use.

Whereas, the Board of County Commissioners of Cuyahoga County, Ohio, has requested the Director of Parks, Recreation and Properties to convey certain easement rights in property located in Shaker Heights west of Warrensville Center Road and south of Shelburne Road; and

Whereas, the subject property is under a Lease by Way of Concession with Shaker Heights for park and boulevard purposes; and

Whereas, the easement rights to be granted are no longer needed for public use; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that easement interests in the following described property is no longer needed for public use:

Warrensville Center Road

Culvert No. 19

County Road No. 4

Culvert Replacement

Auditors Parcel No. 733-15-002

Parcel 1S

Easement for construction and maintenance of a Culvert.

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 25 and also being a part of land conveyed to the City of Cleveland, bounded and described as follows:

Beginning at the intersection of the centerline of Warrensville Center Road, 105 feet wide, with the centerline of Shelburne Road, 60 feet wide;

Thence South 03° 36' 35" West, along the centerline of said Warrensville Center Road, a distance of 99.14 feet;

Thence North 86° 23' 25" West 50.00 feet to the Westerly line of said Warrensville Center Road, said point being 50.00 feet left of Station 99+00.86 of said Warrensville Center Road and the principal place of beginning;

Thence North 86° 23' 25" West a distance of 31.78 feet;

Thence North 53° 46' 16" West a distance of 29.35 feet;

Thence North 81° 08' 42" West a distance of 31.75 feet;

Thence North 03° 36' 56" East a distance of 57.37 feet;

Thence South 89° 06' 46" East a distance of 32.22 feet;

Thence North 48° 26' 06" East a distance of 17.40 feet to Southerly line of said Shelburne Road;

Thence along a curve deflecting to the right an arc distance of 96.06 feet to the Westerly line of said

Warrensville Center Road, said arc has a radius of 97.39 feet and a chord which bears South 24° 39' 12" East 92.21 feet;

Thence South 03° 36' 35" West, along said Westerly line, a distance of 8.75 feet to the principal place of beginning, containing 5,638 square feet of land.

Warrensville Center Road
Culvert No. 19
County Road No. 4
Culvert Replacement
Auditors Parcel No. 733-15-002

Parcel 1T
Temporary Easement for construction of a Culvert.

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of Original Warrensville Township Lot No. 25 and also being a part of land conveyed to the City of Cleveland, bounded and described as follows:

Beginning at the intersection of the centerline of Warrensville Center Road, 105 feet wide, with the centerline of Shelburne Road, 60 feet wide;

Thence South 03° 36' 35" West, along the centerline of said Warrensville Center Road, a distance of 99.14 feet;

Thence North 86° 23' 25" West 50.00 feet to the Westerly line of said Warrensville Center Road, said point being 50.00 feet left of Station 99+00.86 of said Warrensville Center Road;

Thence North 86° 23' 25" West a distance of 31.78 feet;

Thence North 53° 46' 16" West a distance of 29.35 feet;

Thence North 81° 08' 42" West a distance of 31.75 feet to the principal place of beginning;

Thence North 81° 08' 42" West, along a temporary easement line, a distance of 49.98 feet;

Thence North 76° 39' 16" West, continuing along a temporary easement line, a distance of 46.91 feet;

Thence North 03° 36' 35" East, continuing along a temporary easement line, a distance of 40.30 feet;

Thence South 89° 06' 46" East, continuing along a temporary easement line, a distance of 96.11 feet;

Thence South 03° 36' 56" West, continuing along a temporary easement line, a distance of 57.37 feet to the principal place of beginning, containing 4,780 square feet of land.

Section 2. That the easements shall be non-exclusive and the purpose of the easements shall be to remove an existing culvert and construct a new culvert over Doan Brook.

Section 3. That the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interests to the Board of County Commissioners of Cuyahoga County, Ohio, at a price of One Dollar (\$1.00) per year.

Section 4. That the duration of the easements shall be one temporary and one perpetual; that the easements may include reasonable access rights; that the easements shall be assignable; and that the easements shall require the grantee to indemnify the City and provide reasonable insurance to the extent allowed by law, maintain any grantee improvements located within the permanent easement, and pay any applicable taxes and assessments.

Section 5. That the conveyance referred to above shall be made by Official Deed of Easement prepared by Director of Law and executed by the Director of Parks, Recreation and Properties on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to protect the interests of the parties.

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

Passed November 24, 1997.

Effective December 2, 1997.

Ord. No. 1300-97.

**By Councilman Skrha (by request).
An emergency ordinance authorizing the Director of Public Service to issue a permit to the United States Government, General Services Administration, Federal Courthouse, to install closed circuit television cameras, and their appurtenances within the public right-of-way of the Southeast corner of Rockwell Avenue and Public Square, and the Northwest corner of Superior Avenue and East 3rd Street.**

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 written consent of the Director of Public Service to the United States Government, General Services Administration, United States Federal Courthouse, 201 Superior Avenue, Room 500, Cleveland, Ohio 44114; its successors and assigns, for the construction, use and maintenance of four (4) Closed Circuit Surveillance Television Cameras; atop two (2) support poles, 16-foot high and 7-inches square; and three (3) protective four-inch diameter concrete filled steel bollards; to be constructed at the United States Federal Courthouse Site, as aforesaid, to meet minimum anti-terrorist government standards; and which cameras, poles and bollards will encroach into the public right-of-way more fully described as follows:

PROPOSED ENCROACHMENT
AREA: UNITED STATES FEDERAL
GOVERNMENT, GENERAL SERVICES
ADMINISTRATION, UNITED
STATES FEDERAL COURTHOUSE

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being the house number address of; 201 Superior Avenue, Cleveland, Ohio 44114, which is the present location of the United States Federal Courthouse, will erect closed circuit surveillance cameras and their appurtenances; which will encroach into the public right-of-way at the Southeast corner of Rockwell Avenue and Public Square; and the Northwest corner of Superior Avenue and East 3rd Street.

Section 2. That said surveillance cameras and their appurtenances will be constructed in the public right-of-way at the Southeast corner of Rockwell Avenue and Public Square; and the Northwest corner of Superior Avenue and East 3rd Street as aforesaid in Section 1, 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 loss which may result from said permit.

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

Passed November 24, 1997.

Effective December 2, 1997.

Ord. No. 1451-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the State of Ohio for the cost of rehabilitating and reconstructing Adelbert Road Bridge over N/S, Conrail, and RTA.

Whereas, in Ordinance No. 2025-87, passed November 30, 1987, this Council gave consent to the Director of Transportation of the State of Ohio, for rehabilitating and reconstructing Adelbert Road Bridge over N/S, Conrail, and RTA; and

Whereas, this Council authorized the City to cooperate with the State of Ohio in the cost of the above-referenced improvement; and

Whereas, the City's share of the cost of said improvement is currently estimated to be \$160,000; 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 hereby authorizes payment to the State of Ohio of the City's share of the rehabilitating and reconstructing Adelbert Road Bridge over N/S, Conrail, and RTA, from Fund Nos. 20 SF 190, 20 SF 322, 20 SF 302, 20 SF 312, 20 SF 334, and from the proceeds of the sale of general obligation bonds authorized by Ordinance No. 920-97, passed June 9, 1997, Request No. 21950.

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 November 24, 1997.

Effective December 2, 1997.

**Ord. No. 1452-97.
By Councilmen Coats and Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the State of Ohio and the County of Cuyahoga for the cost of repairing and resurfacing portions of East 200th Street.

Whereas, in Ordinance No. 646-86, passed June 16, 1986, this Council gave consent to the Director of Transportation of the State of Ohio and the County Engineer of Cuyahoga County, for repairing and resurfacing portions of East 200th Street; and

Whereas, this Council authorized the City to cooperate with the State of Ohio and the County of Cuyahoga in the cost of the above-referenced improvement; and

Whereas, the City's share of the cost of said improvement is currently estimated to be \$225,000; 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 hereby authorizes payment to the State of Ohio and the County of Cuyahoga of the City's share of repairing and resurfacing portions of East 200th Street, from Fund Nos. 20 SF 190, 20 SF 322, 20 SF 302, 20 SF 312, 20 SF 334, and from the proceeds of the sale of general obligation bonds authorized by Ordinance No. 920-97, passed June 9, 1997, Request No. 21948.

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 November 24, 1997.
Effective December 2, 1997.

**Ord. No. 1453-97.
By Councilmen Coats and Westbrook (by departmental request).**

An emergency ordinance to amend Section 1 of Ordinance No. 1245-92, passed June 15, 1992, relating to rehabilitating or reconstructing the West 44th Street Bridge over Greater Cleveland Regional Transit Authority and Norfolk and Western Railway Company.

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. 1245-92, passed June 15, 1992, is hereby amended to read as follows:

Section 1. That this Council hereby authorizes payment to the State of Ohio of the City's share of the cost of the rehabilitation and reconstruction of the West 44th Street Bridge over Greater Cleveland Regional Transit Authority and Norfolk and Western Railway Company from Fund Nos. 20 SF 181, 20 SF 190, 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 344, and from the proceeds of the

sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 920-97, passed June 9, 1997, Request No. 14320.

Section 2. That existing Section 1 of Ordinance No. 1245-92, passed June 15, 1992, 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 November 24, 1997.
Effective December 2, 1997.

**Ord. No. 1454-97.
By Councilmen Coats and Westbrook (by departmental request).**

An emergency ordinance to amend Section 12 of Ordinance No. 2368-92, passed December 14, 1992, relating to the rehabilitation of Memphis Avenue from Ridge Road to Pearl Road.

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

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

Section 1. That Section 12 of Ordinance No. 2368-92, passed December 14, 1992, is hereby amended to read as follows:

Section 12. That the payment authorized in the above section shall be payable from Fund Nos. 20 SF 190, 20 SF 181, 20 SF 146, 20 SF 170, 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 344, and from the proceeds of the sale of the general obligation bonds of the City of Cleveland authorized by Ordinance No. 920-97, passed June 9, 1997, Request No. 14325.

Section 2. That existing Section 12 of Ordinance No. 2368-92, passed December 14, 1992, 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 November 24, 1997.
Effective December 2, 1997.

**Ord. No. 1456-97.
By Councilmen Jackson, Skrha and Lewis.**

An emergency ordinance authorizing the Director of Public Service to issue a permit to Midtown Corridor, to encroach into the public right-of-way with Neighborhood Identification Signs to be placed at various locations within the Midtown Corridor area, within three Cleveland, City Wards; (Ward 5, Ward 13 and Ward 7).

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 Midtown Corridor, 4614 Prospect Avenue, Cleveland, Ohio 44103-4314; its successors and assigns, for the construction, use and maintenance of approximately (10) ten neighborhood identification signs, which will encroach into various locations of the public rights-of-way of Wards 5 and Ward 13, and are shown on plans No. _____ filed with the Council of the City of Cleveland, and are also described as follows:

**IDENTIFICATION SIGN
LOCATIONS/IN**

WARD 5 AND WARD 13:

- 1.) Carnegie Avenue (from N.W. curb of East 79th Street) 97' 7" (West from curb at E. 79th) / 3' in from curb on center.
- 2.) Euclid Avenue (from N.W. curb of East 79th Street) 84' 4" (West from curb at E. 79th) / 4' in from curb on center.
- 3.) Chester Avenue (236' (from tip of West Median at E. 79 St.) 236' (West from tip of Median) / 43' 5" north of curb of Chester Avenue South side.
- 4.) East 55th Street (from N.E. curb at Cedar Avenue) 67' (North from Cedar) / 4' in from curb on center.
- 5.) East 55th Street (from South curb of Payne Avenue) 128' 6" (South from Payne Ave.) / 5' in from curb on center.
- 6.) Payne Avenue (from S.E. curb of East 27th Street) 64' (East of East 27th Street) / 3' 6" in from curb on center.
- 7.) Chester Avenue (from S.E. curb of East 30th Street) 93' (East from E. 30th St.) / 4' in from curb on center.
- 8.) Euclid Avenue 5' 5" (West of West building line of 2728 Euclid Avenue) / 4' in from curb on center.
- 9.) Prospect Avenue (from S.E. corner of Innerbelt Ramp behind Central Cadillac) 40' (East of Ramp) / 7' in from the curb on center.
- 10.) Carnegie Avenue between the East building line of 2640 Carnegie and East 28th Street / 4' in from the curb on center.

Section 2. That said Neighborhood Identification Signs will be constructed within the public right-of-way at the locations aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

Passed November 24, 1997.
Effective December 2, 1997.

Ord. No. 1463-97.

**By Councilman Skrha (by request).
An emergency ordinance authorizing the Director of Public Service to issue a permit to The Catholic Diocese of Cleveland to encroach into the public right-of-way of East 9th Street and Superior Avenue by installing fiber optics communication lines to connect their offices.**

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to The Catholic Diocese of Cleveland, 1027 Superior Avenue, Information Services Office, Cleveland, Ohio 44114-2503; its successors and assigns, for the construction, use and maintenance of two (2) four-inch conduits in the East 9th Street right-of-way to connect their buildings at 1031 Superior Avenue and 1404 East 9th Street with private fiber optics communication lines which will encroach into the public right-of-way at the locations more fully described as follows:

**CLEVELAND CATHOLIC
DIOCESE/ENCROACHMENT/E. 9TH
ST. & SUPERIOR AVE.**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being entirely within the right-of-way of East 9th Street (99.00 feet wide), as shown by the plat recorded in Volume 2, Page 58 of Cuyahoga County Map Records, and bounded and described as follows:

Beginning at the intersection of the northwesterly line of Rockwell Avenue N.E. (66.00 feet wide), as shown by said plat and the southwesterly line of said East 9th Street; thence North 34°-00'-35" West along said southwesterly line of East 9th Street, 70.50 feet to the Principal Place of Beginning; thence North 34°-00'-35" West and continuing along the said southwesterly line of East 9th Street, 5.00 feet; thence North 55°-59'-25" East and perpendicular to said southwesterly line of East 9th Street, 16.60 feet; thence North 82°-59'-25" East, 92.48 feet to a point in the northwesterly prolongation of the northeasterly line of said East 9th Street; thence South 34°-00'-35" East along said northwesterly prolongation and the said northeasterly line of East 9th Street, 171.53 feet; thence South 55°-59'-25" West and perpendicular to the said northeasterly line of East 9th Street, 5.00 feet; thence North 34°-00'-35" West and parallel with the said northwesterly line of East 9th Street, 168.47 feet; thence South 82°-59'-25" West, 88.22 feet; thence South 55°-59'-25" West, 15.40 feet to a point in the said southwesterly line of East 9th Street and the Principal Place of Beginning and containing 0.0317 acres of land as described on June 27, 1997 by R. M. Kole & Assoc., Inc., Professional Land Surveyors.

Section 2. That said fiber optics communications lines will be constructed within the public right-of-way at the locations aforesaid in Section 1, and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

Passed November 24, 1997.
Effective December 2, 1997.

**Ord. No. 1641-97.
By Councilmen Coats and Westbrook (by departmental request).**

An emergency ordinance authorizing and directing the purchase by contract of office furniture, workstations, and equipment necessary to renovate and improve the offices of the Division of Engineering and Construction, including installation, if necessary, for the 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 contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: office furniture, workstations, and equipment necessary to renovate and improve the offices of the Division of Engineering and Construction, including installation, if necessary to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Engineering and Construction, Department of Public Service.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-40-04-0456, Request No. 21915.

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 November 24, 1997.
Effective December 2, 1997.

**Ord. No. 1642-97.
By Councilmen Coats and Westbrook (by departmental request).**

An emergency ordinance determining the method of making the public improvement of rehabilitating Carter Road, Columbus Road, Center Street, West 3rd Street, Willow Avenue and Eagle Avenue lift bridges; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing the Director of Public Service to employ professional services necessary to perform architectural, engineering and other services necessary to design the

public improvement; authorizing said Director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make 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 rehabilitating Carter Road, Columbus Road, Center Street, West 3rd Street, Willow Avenue and Eagle Avenue lift bridges, including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, 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 Service is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional architects, engineers, one or more firms of architects and engineers, and other consultants necessary 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 Public Service from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Service 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 Public Service, and certified by the Director of Finance.

Section 4. That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

Section 5. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

Section 6. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

Section 7. That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund No. 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, and 20 SF 342, Request No. 21954.

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

Passed November 24, 1997.
Effective December 2, 1997.

Ord. No. 1649-97.
By Councilmen Johnson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for a park at the northwest corner of East 81st and Mansfield Avenue, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of developing a public park:

Permanent Parcel Number 133-06-005
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Northerly 85 feet of Sublot No. 3 and the Easterly 10 feet of the Northerly 85 feet of Sublot No. 2 in E. S. Gillette's Allotment of part of Original One Hundred Acre Lot No. 447, as shown by the recorded plat in Volume 9 of Maps, Page 14 of Cuyahoga County Records and together forming a parcel of land 50 feet front on the Southerly side of Union Avenue, S.E. and extending back of equal width 85 feet to the Northerly line of Mansfield Avenue, S.E., as appears by said plat, be the same more or less, but subject to, all legal highways.

Subject to easement for Union Avenue slope rights recorded in Volume 1710, Page 268-70 of Cuyahoga County Deed Records.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such property.

Section 3. That the consideration to be paid for such property shall not exceed its fair market value.

Section 4. That all costs of acquisition of land shall be paid from Fund No. 20 SF 330, Request No. 20558.

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

Passed November 24, 1997.
Effective December 2, 1997.

Ord. No. 1650-97.
By Councilmen Johnson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into a requirement contract without competitive bidding with Cleveland Energy Resources, or their assignee, for the purchase of steam heating services and necessary incidentals, for the various divisions of City government for a period up to twenty 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 it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Cleveland Energy Resources. Therefore, the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract for a period up to twenty (20) years which may include an option or options to renew if the Director deems the same advantageous to the City, provided that the total contract term does not exceed twenty (20) years, with said utility for steam heating services and necessary incidentals on such terms and conditions as approved by the Directors of Law and Parks, Recreation and Properties, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Prior to executing the contract authorized by this ordinance, the Director of Parks, Recreation and Properties shall notify this Council of his intent with regard to the length of the contract and whether or not the contract will provide for an option or options to renew.

Section 2. That the cost of said contract shall be charged against the proper appropriation accounts and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, 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 22984)

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 November 24, 1997.
Effective December 2, 1997.

Ord. No. 1740-97.

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

An emergency ordinance to amend Section 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 925-95, passed September 25, 1995, relating to yard encroachments.

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 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 925-95, passed September 25, 1995, is hereby amended to read as follows:

Section 357.13 Yard Encroachments Permitted

Required yard spaces shall be maintained free and unobstructed except for trees and shrubbery, and, in interior side or rear yards, cloths, poles, arbors, garden trellis and similar accessories, and except that the following encroachments shall be permitted.

(a) Underground Garage or Accessory Space in Multi-Family Districts. Within the required yard spaces back of the setback building line in a Multi-Family District an underground garage or other accessory space maybe constructed provided the height of such structure, including parapets, piers or railings, shall not exceed five feet above the grade level, and provided such structure does not prevent free access to the rear yard.

(b) Front Yard and Side Street Yard Encroachments. Except as restricted or limited by other provisions of this Zoning Code, the following front yard and side street yard encroachments shall be permitted in any use district:

(1) Front yard and side street yard encroachments permitted under Chapter 3109, and Chapter 3113, except that in a Dwelling House District no entrance canopy shall be erected, and no marquees or fixed or retractable awning shall project more than six feet beyond the building line or within ten feet of the street line.

(2) Steps and landings, and their appurtenant railings, balustrades and parapets, leading up or down to floor levels directly above or below the grade level.

(3) Fences, walls or hedges not more than fifty-four inches above grade level; provided that on a corner lot no wall, fence or other structure shall be erected and no hedge, shrub, tree or other vegetation shall be maintained which exceeds thirty inches above the sidewalk grades of the intersecting streets in the area bounded by the street lines or such corner lots and a line thirty feet from a point where such street lines intersect, and providing further, that the Board of Zoning Appeals may, after public hearing, permit the construction of a wall or fence not higher than ten feet above the grade level to enclose a public or private playground or any other area or structure which is the property of any agency or branch of government, where adjacent premises will not be substantially injured thereby. Notwithstanding Sections 329.04 and 357.14 of this Zoning Code, the Board of Zoning Appeals may, after public

notice and hearing, permit the erection of structures between the street line and setback building line if such structures are needed to provide protection from crime for the occupants of a building or for property at a building. The Board shall determine if the proposed structures are needed by taking into account security conditions in the neighborhood, including the feasibility of alternative means of security, and by considering any detrimental effect the proposed structures will have on the property itself or on the neighborhood and any positive or mitigating effect created by the installation of landscaping or other design features which are not required by this code. The Board may approve a proposed design in part if the Board finds that only that part meets the requirements of this section. However, when in the discretion of the Zoning Administrator, the proposed corner fence will not block lines of sight and will be constructed of such material such as to not block lines of sight such as a metal chain link, he or she shall issue a permit for such corner fence provided that the fence shall not exceed fifty-four inches.

(4) Open porticos or porches projecting not more than six feet, enclosed porches or vestibules projecting not more than four feet and balconies projecting not more than three feet, provided they do not extend within ten feet of the street line and do not aggregate a vertical area in any story more than twenty percent of the area of the facade in that story.

(5) Structures permitted by division (a) of Section 3113.10, division (a) of Section 3113.13 and Section 3113.16 or where not so permitted, gasoline pump islands, sign poles or similar temporary and easily removable structures, provided that conditional and temporary permits therefor are granted, subject to appropriate conditions and safeguards by the Board after public notice and public hearing, and provided, further, that the erection, maintenance and use thereof do not conflict with the intent and purposes of this Zoning Code.

(c) **Rear Yard and Interior Side Yard Encroachments.** Except as restricted or limited by other provisions of this Zoning Code, the following rear yard and interior side yard encroachments shall be permitted in any use district:

(1) In rear yards only, accessory buildings and uses in connection with Residence Occupancy as defined and limited in Section 337.23, and similar accessory buildings and uses in connection with buildings of Institutional H Occupancy Classification. Accessory buildings or uses attached or forming part of a main building shall be permitted to encroach upon such rear yards to the extent permitted for detached accessory buildings or uses.

(2) Projections for architectural embellishment listed in Section 3109.08, provided that no main cornice or eaves shall project into a required yard more than two feet, measured horizontally, and no bar or oriel shall be constructed in a required interior side yard and none shall project into a required rear yard more than eighteen inches, and no other projection shall exceed the maximum permissible projection specified in Section 3109.08 or be so located as to materially obstruct natural light or ventilation.

(3) Fixed awnings, as permitted by Section 3109.10.

(4) Retractable awnings, as permitted by Section 3109.11.

(5) Steps, landings and their appurtenant railings, balustrades and parapets, leading up or down to floor levels directly above or below the grade level, not extending nearer than one foot to a rear or side lot line.

(6) Chimneys projecting not more than thirty-two inches, downspouts projecting not more than twelve inches, and ventilating ducts or pipes projecting not more than thirty-two inches and having a maximum aggregate cross-sectional area in any yard and at any level or 1,024 square inches.

(7) Fences, walls, hedges or other barriers, as regulated in division (a)(6) of Section 337.23.

(d) **Temporary Structures.** Temporary offices, bridges, barricades and similar structures required for and incident to building construction.

Section 2. That existing Section 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 925-95, passed September 25, 1995, 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 November 24, 1997.
Effective December 2, 1997.

Ord. No. 1745-97.

By Councilman Rybka.

An ordinance to change the Use District of lands bounded by Waterman Avenue, S.E., E. 63 Street, Roland Avenue, S.E., and E. 61 Street. (Map Change No. 1960, Sheet No. 5)

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

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

Beginning at the intersection of the center line of Waterman Avenue, S.E. and the center line of East 63 Street; thence southerly along said center line of East 63 Street to the center line of Roland Avenue, S.E.; thence westerly along said center line of Roland Avenue, S.E. to the center line of East 61 Street; thence northerly along said center line of East 61 Street to said center line of Waterman Avenue, S.E.; thence easterly along said center line of Waterman Avenue, S.E. to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a General Industry Use District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1960, Sheet No. 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 24, 1997.
Effective January 3, 1998.

Ord. No. 1764-97.

By Councilman Johnson.

An ordinance to change the Use, Area and Height Districts of lands bounded by East 89 Street, Cumberland Avenue, S.E., East 93 Street, and Buckeye Road. (Map Change No. 1953, Sheet No. 5)

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

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

Beginning at the intersection of the center line of Cumberland Avenue, S.E. and the center line of East 93 Street, thence southerly along said center line of East 93 Street to the center line of Steinway Avenue, S.E.; thence westerly along said center line of Steinway Avenue, S.E. to the center line of Buckeye Road, S.E.; thence northwesterly along said center line of Buckeye Road, S.E. to the center line of East 89 Street, thence northerly along said center line of East 89 Street to said center line of Cumberland Avenue, S.E.; thence easterly along said center line of Cumberland Avenue, S.E. to the place of beginning,

and as outlined in red on the map hereto attached, be and the same are hereby changed to a Semi Industry Use District, a 'C' Area District and a '1' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1953, Sheet No. 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 24, 1997.
Effective January 3, 1998.

Ord. No. 1780-97.

By Councilman Skrha (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Cleveland State University to encroach into the public right-of-way underneath East 24th Street between Chester and Payne Avenues and north of the Innerbelt exit ramp to construct a Ductbank for communication lines.

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 Cleveland State University, Euclid at East 24th Street, Cleveland, Ohio 44115; its successors and assigns, for the construction, use and maintenance by boring underground horizontally to place a Ductbank and conduit for communication lines at Cleveland State University, which will encroach into the public right-of-way by crossing underneath East 24th Street between Chester and Payne Avenues, and north of the Innerbelt exit ramp, and more fully described as follows:

**C.S.U./ENCROACHMENT/
E. 24TH ST./HORIZONTAL BORE
TO INSTALL CONDUIT**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being an area lying within the bounds of East 24th Street, 60 feet in width, being also a part of Original Ten Acre Lot No. 82, bounded and described as follows:

Beginning in the easterly line of East 24th Street at the northwesterly corner of Sublot No. 55 in the Perry-Payne Subdivision of part of Original Ten Acre Lot Nos. 82, 83 and 84 as shown by the recorded plat in Volume 25 of Maps, Page 9 of Cuyahoga County Records; Course No. 1: thence South 89°-48'-00" West along the westerly prolongation of the northerly line of Sublot No. 55 in the Perry-Payne Subdivision, 60.00 feet to its intersection with the westerly line of said East 24th Street, passing through a drill hole and cross found 1.00 foot westerly from the easterly line of East 24th Street; Course No. 2: thence due South along said westerly line of East 24th Street, 10.00 feet to a point; Course No. 3: thence North 89°-48'-00" East along a line drawn parallel with and distant 10.00 feet southerly by rectangular measurement from the first described line, 60.00 feet to a point in said easterly line of East 24th Street, passing through a drill hole found 1.00 foot Westerly therefrom; Course No. 4: thence Due North along said Easterly line of East 24th Street, 10.00 feet to the place of beginning, according to a survey by Garrett and Associates, Inc. Registered Engineers and Surveyors, made in August, 1997, be the same more or less. The bearings used herein are to an assumed meridian and are used to indicate angles only.

Section 2. That said Ductbank and communication lines will be constructed within the public right-of-way at the location aforesaid in Section 1., and will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

Passed November 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1869-97.

By Councilman Zone.

An ordinance to change the Use and Area Districts of lands on the easterly side of West 118 Street north of Lorain Avenue to Geraldine Avenue, N.W. (Map Change No. 1962, Sheet No. 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 vacated Geraldine Avenue, N.W. and the northerly extension of the easterly line of Sublot No. 60 in the Western Heights (W. L. West, F. C. Smith and C. R. Jordan) Subdivision as recorded in Volume 23, Page 20 of the Cuyahoga County Map Records; thence southerly along said easterly line of said Sublot No. 60 and along its southerly extension to its intersection with the northerly line of Sublot No. 64 in said Western Heights (W. L. West, F. C. Smith and C. R. Jordan) Subdivision, thence westerly along said northerly line of said Sublot No. 64 and continuing southwesterly along the northwesterly lines of Sublots Nos. 63 and 62 in said Western Heights (W. L. West, F. C. Smith and C. R. Jordan) Subdivision and along its southwesterly extension to the center line of West 118 Street; thence northerly along said center line of West 118 Street to the center line of Geraldine Avenue, N.W., thence easterly along said center line of Geraldine Avenue, N.W. and along its easterly extension 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 Retail 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. 1962, Sheet No. 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.

Passed November 24, 1997.

Effective January 3, 1998.

Ord. No. 1940-97.

By Councilman Melena.

An emergency ordinance designating the Hanna-Figueroa House as a Cleveland Landmark.

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of the Hanna-Figueroa House as a landmark; and

Whereas, the owner of the Hanna-Figueroa House has been properly notified of the proposed designation and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Hanna-Figueroa House as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That the Hanna-Figueroa House, whose street address in the City of Cleveland is 5506 Franklin Boulevard, N.W., also known as Cuyahoga County Auditor's Permanent Parcel Number 002-15-030 and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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 November 24, 1997.

Effective December 2, 1997.

Ord. No. 1947-97.

By Councilman Rybka.

An ordinance to change the Use and Area Districts of lands from Aetna Road, S.E., south to the 15' unnamed alley between East 71 Street and East 73 Place. (Map Change No. 1963, Sheet No. 6)

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 East 71 Street and the center line of Aetna Road, S.E.; thence southeasterly along said center line of Aetna Road, S.E. to the center line of East 73 Place, S.E.; thence southerly along said center line of East 73 Place, S.E. to its intersection with the northwesterly line of Sublot No. 43 in the E. Wright Subdivision as recorded in Volume 42, Page 9-1/2 of the Cuyahoga County Map Records; thence southwesterly along said northwesterly line of said Sublot No. 43 to its intersection with the southwesterly line of a fifteen (15) foot unnamed alley; thence northwesterly along said southwesterly line of said fifteen (15) foot unnamed alley and along its northwesterly extension to the center line of East 71 Street; thence northeasterly along said center line of East 71 Street to the place of beginning,

and as outlined in red on the map hereto attached, be and the same are hereby changed to a General Retail 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. 1963, Sheet No. 6 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.

Passed November 24, 1997.

Effective January 3, 1998.

Ord. No. 2026-97.
By Councilmen Coats and Westbrook (by departmental request).
An emergency ordinance authorizing the Director of Public Service to accept a grant from the Ohio Department of Natural Resources for the 1998 Recycle Ohio! Program; and to enter into one or more contracts with various agencies for the implementation and operation of the program and for the purchase of equipment and supplies, if necessary.

Whereas, pursuant to Ordinance No. 1156-97, Council authorized the Director of Public Service to apply for a grant to conduct the within described program; and

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

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

Section 1. That the Director of Public Service is hereby authorized to accept a grant in the approximate amount of \$200,000, from the Ohio Department of Natural Resources, to conduct the 1998 Recycle Ohio! Program, for the purposes set forth in the application and according thereto; that the Director of Public Service is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1156-97-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide varying levels of cash match dependent upon the activities applied for and the Cuyahoga County per capita income (CPCI) as compared to the median county per capita income (MCPCI) of the State of Ohio, payable from Fund No. 01-40-03-0901, is hereby approved in all respects.

Section 3. That the Director of Public Service is hereby authorized to enter into an agreement with the Department of Natural Resources to implement said program.

Section 4. That the Director of Public Service is authorized to enter into a contract or contracts with various entities, including but not limited to Cleanland Ohio, for the implementation and operation of the program, as described in the application contained in the file, and, if necessary, for the purchase of equipment and supplies for the program, and that said contracts are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

Passed November 24, 1997.
 Effective December 2, 1997.

Ord. No. 2108-97.
By Councilman Coats (by departmental request).
An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for housing redevelopment at Cliffview Garden Apartments, for the Department of Community Development authorizing said director to accept funds from the Federal Home Loan Mortgage Corporation to implement the redevelopment; and authorizing said director to enter into contract for demolition of the apartments.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of housing redevelopment:

Cliffview Apartments
 Permanent Parcel Numbers:
 117-27-017

117-27-019, 118-28-002,
 117-28-003, 117-28-007,
 117-28-008, 117-28-009,
 117-28-010, 117-28-011

Parcel No 1:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot No. 50, Tract 10, and bounded and described as follows:

Beginning at a point in the Southwesterly line of land conveyed to Lizzie D. Kennedy by deed dated June 20, 1905, and recorded in Volume 981, Page 83 of Cuyahoga County Records, at its point of intersection with the Westerly line of the Marvel Construction, Inc. Subdivision, as shown by the recorded plat in Volume 144 of Maps, Page 39 of Cuyahoga County Records;

Thence North 45° 34' 36" West along said Southwesterly line, 270.00 feet to a point therein;

Thence South 44° 25' 24" West, 68.95 feet to a point;

Thence South 7° 34' 36" East, 143.00 feet to a point;

Thence North 82° 25' 24" East, 144.00 feet to a point;

Thence South 7° 34' 36" East, 151.81 feet to a point in a Northwesterly line of the Marvel Construction, Inc. Subdivision as aforesaid;

Thence Northeasterly along the curved Northwesterly line of said Subdivision, deflecting to the left, a distance of 49.61 feet to a point of tangency therein, said curved line having a radius of 453.04 feet and a chord which bears North 58° 53' 15" East, 49.59 feet;

Thence North 55° 45' 00" East along said Northwesterly line, 21.03 feet to an angle point therein;

Thence North 0° 12' 50" West along said Westerly line of said Subdivision 96.04 feet to the place of beginning, be the same more or less.

Parcel No. 2:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot No. 50, Tract 10, and bounded and described as follows:

Beginning at a point in the Southwesterly line of land conveyed to Lizzie D. Kennedy by deed dated June 20, 1905, and recorded in Volume 981, Page 83 of Cuyahoga County Records, at its point of intersection with the Westerly line of the Marvel Construction, Inc. Subdivision, as shown by the recorded plat in Volume 144 of Maps, Page 39 of Cuyahoga County Records;

Thence North 45° 34' 36" West along said Southwesterly line, 364.58 feet to a point therein;

Thence North 44° 25' 24" East, a distance of 110.00 feet to a point;

Thence South 45° 34' 36" East, a distance of 105.94 feet to a point;

Thence North 89° 47' 10" East, a distance of 106.75 feet to a point in the Westerly line of said Marvel Construction, Inc. Subdivision;

Thence South 0° 12' 50" East along said Westerly line of Marvel Construction, Inc. Subdivision, 260.00 feet to the place of beginning, be the same more or less.

Parcel No. 3:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Euclid Township Lot No. 50, Tract 10, and bounded and described as follows:

Beginning at the most Southerly corner of land conveyed to The Fidelity Investment Company by deed dated March 30, 1960, and recorded in Volume 9916, Page 460 of Cuyahoga County Records;

Thence North 45° 34' 36" West along the Southwesterly line of land conveyed to The Fidelity Investment Company as aforesaid, a distance of 148.97 feet to a point therein;

Thence North 47° 06' 03" East, a distance of 184.20 feet, to a point;

Thence South 45° 34' 36" East, 148.97 feet to a point in the Southeasterly line of land conveyed to The Fidelity Investment Company as aforesaid;

Thence South 47° 06' 03" West along the Southeasterly line of land so conveyed to The Fidelity Investment Company, a distance of 184.20 feet to the place of beginning, be the same more or less.

Parcel No. 4:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot No. 50, Tract 10, bounded and described as follows:

Beginning at the most Southerly corner of land conveyed to The Fidelity Investment Company by deed dated March 30, 1960, and recorded in Volume 9916, Page 460 of Cuyahoga County Deed Records;

Thence North 47° 06' 03" East, along the Southeasterly line of land conveyed to said The Fidelity Investment Company a distance of 184.20 feet to a point therein and the principal place of beginning of the land herein described;

Thence North 45° 34' 36" West 148.97 feet to a point;

Thence North 47° 06' 03" East, 115.25 feet to a point;

Thence South 45° 51' 15" East, 7.80 feet to a point;

Thence North 44° 25' 24" East, 54.00 feet to a point;

Thence South 45° 51' 15" East, 143.73 feet to a point in the said Southeasterly line of land conveyed to The Fidelity Investment Company;

Thence South 47° 06' 03" West, along the Southeasterly line of land conveyed to The Fidelity Investment Company, 170.04 feet to the principal place of beginning, be the same more or less.

Parcel No. 5:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot No. 50, Tract 10, bounded and described as follows:

Beginning at a point in the Easterly line of Cliffview Road (80 feet wide) at the most Northwesterly corner of the Marvel Construction, Inc. Subdivision, as shown by the recorded plat in Volume 144 of Maps, Page 39 of Cuyahoga County Records;

Thence Southeasterly along a curved Northeasterly line of said Subdivision, deflecting to the left, a distance of 181.79 feet to a point of tangency, said curved line having a radius of 140.00 feet and a chord which bears South 44° 53' 25" East, 169.29 feet;

Thence South 82° 05' 25" East, along a Northerly line of said Subdivision, 32.71 feet to a point of curvature therein;

Thence Easterly along a curved Northerly line of said Subdivision, deflecting to the left, a distance of 39.03 feet to a point therein, said curved line having a radius of 403.04 feet and a chord which bears South 84° 51' 05.5" East, 39.01 feet;

Thence North 2° 21' 42" East, 71.23 feet to a point;

Thence North 7° 34' 36" West, 54.00 feet to a point;

Thence North 82° 25' 24" East, 18.00 feet to a point;

Thence North 7° 34' 36" West, 117.00 feet to a point;

Thence South 82° 25' 24" West, 42.00 feet to a point;

Thence North 7° 34' 36" West, 9.00 feet to a point;

Thence South 82° 25' 24" West, 18.00 feet to a point;

Thence North 7° 34' 36" West, 17.00 feet to a point;

Thence South 82° 25' 24" West, 149.44 feet to a point in the curved Easterly line of Cliffview Road;

Thence Southerly along the curved Easterly line of Cliffview Road, deflecting to the right, 99.80 feet to a point of tangency therein, said curved line having a radius of 740.00 feet and a chord which bears South 11° 33' 14" East, 99.72 feet;

Thence South 7° 41' 25" East along the Easterly line of Cliffview Road, 15.72 feet to the place of beginning, be the same more or less.

Parcel No. 6:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot No. 50, Tract 10, bounded and described as follows:

Beginning at a point in the Southwesterly line of land conveyed to Lizzie D. Kennedy by deed dated June 20, 1905, and recorded in Volume 981, Page 83 of Cuyahoga County Deed Records, at its point of intersection with the Westerly line of the Marvel Construction, Inc. Subdivision, as shown by the recorded plat in Volume 144 of Maps, Page 39 of Cuyahoga County Records;

Thence North 45° 34' 36" West along said Southwesterly line, 270.00 feet to a point therein;

Thence South 44° 25' 24" West 68.95 feet to the principal place of beginning;

Thence South 7° 34' 36" East, 143.00 feet to a point;

Thence North 82° 25' 24" East, 144.00 feet to a point;

Thence South 7° 34' 36" East, 151.81 feet to a point in the Northwesterly line of said Subdivision;

Thence Southwesterly along the curved Northwesterly line of said Subdivision, deflecting to the right, a distance of 68.19 feet to an angle point therein, said curved line having a radius of 453.04 feet and a chord which bears South 66° 20' 12" West, 68.12 feet;

Thence North 45° 16' 05" West along a Northeasterly line of said Subdivision, 56.44 feet to an angle point;

Thence Southwesterly along a curved Northerly line of said Subdivision, deflecting to the right, a distance of 128.06 feet to a point therein, said curved line having a radius of 403.04 feet and a chord which bears South 83° 15' 33" West, 127.52 feet;

Thence North 2° 21' 42" East, 71.23 feet to a point;

Thence North 7° 34' 36" West, 54.00 feet to a point;

Thence North 82° 25' 24" East, 18.00 feet to a point;

Thence North 7° 34' 36" West, 117.00 feet to a point;

Thence South 82° 25' 24" West, 42.00 feet to a point;

Thence North 7° 34' 36" West, 9.00 feet to a point;

Thence South 82° 25' 24" West, 18.00 feet to a point;

Thence North 7° 34' 36" West, 17.00 feet to a point;

Thence North 82° 25' 24" East, 113.14 feet to the principal place of beginning, be the same more or less.

Parcel No. 7:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Euclid Township Lot No. 50, Tract 10 and bounded and described as follows:

Beginning at a point in the Southwesterly line of land conveyed to Lizzie D. Kennedy by deed dated June 20, 1905 and recorded in Volume 981, Page 83 of Cuyahoga County Records, at its point of intersection with the Westerly line of the Marvel Construction, Inc., Subdivision, as shown by the recorded plat in Volume 144 of Maps, Page 39 of Cuyahoga County Records;

Thence North 00° 12' 50" West along the Westerly line of said Marvel Construction, Inc., Subdivision and the Westerly line of the Greenlawn Construction Company's Green Acres Subdivision, as shown by the recorded plat in Volume 150 of Maps, Page 29 of Cuyahoga County Records and by the plat recorded in Volume 154 of Maps, Page 12 with corrections recorded in Volume 156 of Maps, Page 8 of Cuyahoga County Records, a distance of 260.00 feet to a point therein and the principal place of beginning of the land herein described;

Thence South 89° 47' 10" West, 106.75 feet to a point;

Thence North 45° 34' 36" West, 105.94 feet to a point;

Thence South 44° 25' 24" West 110.00 feet to a point in the said Southwesterly line of land conveyed to Lizzie D. Kennedy;

Thence North 45° 34' 36" West, along the Southwesterly line of land conveyed to Lizzie D. Kennedy, 123.00 feet to a point therein;

Thence North 44° 25' 24" East, 147.31 feet to a point;

Thence North 89° 47' 10" East, 118.58 feet to a point;

Thence South 00° 12' 50" East, 43.26 feet to a point;

Thence South 45° 34' 36" East, 26.47 feet to a point;

Thence North 89° 47' 10" East, 106.04 feet to a point in the said Westerly line of Greenlawn Construction Company's Green Acres Subdivision;

Thence South 00° 12' 50" East, along the Westerly line of Greenlawn Construction Company's Green Acres Subdivision 125.54 feet to the place of beginning, be the same more or less.

Parcel No. 8:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot Number 50, Tract 10, and bounded and described as follows:

Beginning at a point in the Southwesterly line of land conveyed to Lizzie D. Kennedy by deed dated June 20, 1905 and recorded in Volume 981, Page 83 of Cuyahoga County Records, at its point of intersection with the Westerly line of the Marvel Construction, Inc., Subdivision, as shown by the recorded plat in Volume 144 of Maps, Page 39 of Cuyahoga County Records;

Thence North 00° 12' 50" West, along the Westerly line of said Marvel Construction, Inc., Subdivision and the Westerly line of the Greenlawn Construction Company's Green Acres Subdivision, as shown by the recorded plat in Volume 150 of Maps, Page 29 of Cuyahoga County Records and by the plat recorded in Volume 154 of Maps, Page 12 with corrections as recorded in Volume 156 of Maps, Page 8 of Cuyahoga County Records, a distance of 503.20 feet to a point therein and the principal place of beginning of the land herein described;

Thence South 89° 47' 10" West, 86.00 feet to a point;

Thence North 00° 12' 50" West, 36.00 feet to a point;

Thence South 89° 47' 10" West, 78.33 feet to a point;

Thence North 42° 53' 57" West, 97.95 feet to a point;

Thence North 47° 06' 03" East, 313.89 feet to a point in the Westerly line of said Greenlawn Construction Company's Green Acres Subdivision;

Thence South 00° 12' 50" East, along the Westerly line of the Greenlawn Construction Company's Green Acres Subdivision, 320.81 feet to the place of beginning, be the same more or less.

Parcel No. 9:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot Number 50, Tract 10, and bounded and described as follows:

Beginning at a point in the southwesterly line of land conveyed to Lizzie D. Kennedy by deed dated June 20, 1905 and recorded in Volume 981, Page 83 of Cuyahoga County Records, at its point of intersection with the Westerly line of the Marvel Construction, Inc., Subdivision, as shown by the recorded plat in Volume 144 of Maps, Page 39 of Cuyahoga County Records;

Thence North 00° 12' 50" West, along the Westerly line of said Marvel Construction, Inc., Subdivision and the Westerly line of the Greenlawn Construction Company's Green Acres Subdivision, 320.81 feet to the place of beginning, be the same more or less.

Parcel No. 9:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Lot Number 50, Tract 10, and bounded and described as follows:

Beginning at a point in the southwesterly line of land conveyed to Lizzie D. Kennedy by deed dated June 20, 1905 and recorded in Volume 981, Page 83 of Cuyahoga County Records, at its point of intersection with the Westerly line of the Marvel Construction, Inc., Subdivision, as shown by the recorded plat in Volume 144 of Maps, Page 39 of Cuyahoga County Records;

Thence North 00° 12' 50" West, along the Westerly line of said Marvel Construction, Inc., Subdivision and the Westerly line of the Greenlawn Construction Company's Green Acres Subdivision, 320.81 feet to the place of beginning, be the same more or less.

Acres Subdivision, as shown by the recorded plat in Volume 150 of Maps, Page 29 of Cuyahoga County Records and by the plat re-recorded in Volume 154 of Maps, Page 12 with corrections as recorded in Volume 156 of Maps, Page 8 of Cuyahoga County Records, a distance of 385.54 feet to a point therein and the principal place of beginning of the land herein described;

Thence South 89° 47' 10" West, 106.04 feet to a point;

Thence North 45° 34' 36" West, 26.47 feet to a point;

Thence North 00° 12' 50" West, 43.26 feet to a point;

Thence South 89° 47' 10" West, 43.82 feet to a point;

Thence North 45° 34' 36" West, 162.70 feet to a point;

Thence North 47° 06' 03" East, 73.03 feet to a point;

Thence South 42° 53' 57" East, 97.95 feet to a point;

Thence North 89° 47' 10" East, 78.33 feet to a point;

Thence South 00° 12' 50" East, 36.00 feet to a point;

Thence North 89° 47' 10" East, 86.00 feet to a point in said Westerly line of said Greenlawn Construction Company's Green Acres Subdivision;

Thence South 00° 12' 50" East, along the Westerly line of the Greenlawn Construction Company's Green Acres Subdivision, 117.66 feet to the place of beginning, be the same more or less.

Section 2. That the Director of Community Development is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all such other costs necessary for the acquisition of such property.

Section 3. That the consideration to be paid for such property shall not exceed its fair market value as determined by the Board of Control.

Section 4. That all costs of acquisition of land shall be paid from Fund No. 10 SF 083.

Section 5. That the Director of Community Development is hereby authorized to accept from the Federal Home Loan Mortgage Corporation, an amount no greater than Three Hundred Thousand Dollars (\$300,000) for demolition at the above-described property, and that amount is hereby appropriated for that purpose, and further that such funds shall be credited to Fund No. 10 SF 083.

Section 6. That the Director of Community Development is hereby authorized to enter into contract for demolition of the above-described property, and that said contract is payable from the fund or funds to which are credited the proceeds accepted pursuant to Section 5 of this ordinance and from Fund No. 14 SF 023.

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 November 24, 1997.
Effective December 2, 1997.

Ord. No. 2109-97.

By Councilman Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at Addison Road to Moton Crawford, Sr.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-18-011, as more fully described in Section 2 below, to Moton Crawford, Sr.

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

P.P. No. 106-18-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 342 and bounded and described as follows:

Beginning at the intersection of the Northeasterly line of Addison Road, N.E. (50 feet wide), with the Northerly line of Melrose Avenue NE, (40 feet wide); thence 33° 49' 50" West along the Northeasterly line of Addison Road NE, 90.015 feet to the Southwesterly corner of the first parcel of land conveyed to The Addison Apartment Company by deed dated November 10, 1916, and recorded in Volume 1874, Page 117 of Cuyahoga County Records; thence North 87° 48' 10" East along the Southerly line of the first parcel of land so conveyed 86.03 feet to the Northwesterly corner of land conveyed to Imogene Gillmore by deed dated October 30, 1944, and recorded in Volume 5828, Page 708 of Cuyahoga County Records; thence Southerly along the Westerly boundary line of land so conveyed to Imogene Gillmore the following courses and distances: South 2° 15' 20" East, 15.59 feet; South 87° 45' 40" West 6 feet; South 2° 14' 20" East 21 feet; South 53° 58' 40" West 7.38 feet; South 4° 14' 00" East 34.97 feet to the Northerly line of Melrose Avenue, N.E.; thence South 85° 45' 00" West along the Northerly line of Melrose Avenue, N.E., 27.97 feet to the place of beginning according to a survey date December, 1942 and made by Cleveland Surveyors, Civil Engineers and Surveyors, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordi-

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

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

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

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

Passed November 24, 1997.
Effective December 2, 1997.

Ord. No. 2110-97.

By Councilman Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7211 and 7207 Lexington Avenue to Lillie Ann Brown-Oden

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 106-16-030, 106-16-031 and 106-16-032, as more fully described in Section 2 below, to Lillie Ann Brown-Oden.

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

P.P. No. 106-16-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 14 in Thomas Bolton Estates Subdivision of part of Original One Hundred Acre Lots Nos 339 and 342, as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuya-

hoga County Records, and being 40 feet front on the Northerly side of Lexington Avenue N.E., and extending back 149.53 feet on the Westerly line, 149.58 feet on the Easterly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 106-16-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 15 in the Thomas Bolton Estate's Subdivision of part of Original 100 Acre Lot No. 339 and 342, as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuyahoga County Records and being 40 feet front on the Northerly side of Lexington Avenue and extending back 149.49 feet on the Westerly line, 149.53 feet on the Easterly line and having a rear line of 40 feet, as appears by said plat.

Subject to zoning ordinances, if any.

P.P. No. 106-16-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot No. 16 in the Thos. Bolton Subdivision of part of Original Township Lot No. 342 as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuyahoga County Records, said Sublot has a frontage of 40 feet on the Northerly side of Lexington Avenue and extending back 149.49 feet on the Easterly line, 149.44 feet on the Westerly line, and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed November 24, 1997.
Effective December 2, 1997.

Ord. No. 2111-97.

By Councilman Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1178 East 87th Street to King S. Norfleet.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-10-087, as more fully described in Section 2 below, to King S. Norfleet.

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

P.P. No. 107-10-087

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being as being Sublot No. 26 and the Southerly 16 feet of Sublot No. 27 in George M. Gloyd's Subdivision of part of Original One Hundred Acre Lot No. 384, and Re-Subdivision of part of Joseph Hoffman's of part of Original One Hundred Acre Lots, Nos. 375 and 376, as shown by the recorded plat of said Subdivision and Re-Subdivision in Volume 25 of Maps, Page 6 of Cuyahoga County Records, said Sublot No. 26 and part of Sublot No. 27 together form a parcel of land having a frontage of 49 70/100 feet on the Westerly line of East 87th Street (formerly Gloyd Street), and extending back about 108 2/100 feet on the Northerly line, 108 22/100 feet on the Southerly line, and having a rear line of 49 99/100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Direc-

tor of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

Passed November 24, 1997.
Effective December 2, 1997.

Ord. No. 2114-97.

By Councilman Polensek.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Northeast Shores Development Corporation to stretch banners across East 185th Street at 18482 Lakeshore Blvd., 542 East 185th Street, 632 East 185th Street, 694 East 185th Street, 726 East 185th Street, 782 East 185th Street, 832 East 185th Street, 910 East 185th Street and 1010 East 185th Street, for the period from November 30, 1997 to January 5, 1998, inclusive, publicizing the Holiday Season.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Northeast Shores Development Corporation to install, maintain and remove banners across East 185th Street at 18482 Lakeshore Blvd., 542 East 185th Street, 632 East 185th Street, 694 East 185th Street, 726 East 185th Street, 782 East 185th Street, 832 East 185th Street, 910 East 185th Street and 1010 East 185th Street, for the period from November 30, 1997 to January 5, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all 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 November 24, 1997.
Effective December 2, 1997.

**COUNCIL COMMITTEE
MEETINGS**

NO MEETINGS

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

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- Contract with competitive bidding — Energy Resources, assignee for the purchase of steam
heating (O 1650-97)..... **1991**
- Purchase site at northwest corner of East 81st and Mansfield Avenue (O 1649-97) **1991**
- Shaker Heights, west of Warrensville Center Road and south of Shelbourne Road — easements
— Parks, Recreation and Properties Department — City Planning Department
(O 1074-97) **1987**

Permits

- Permit — Midtown Corridor — encroach into public right-of-way with Neighborhood
identification signs (O 1456-97) **1989**
- Permit — United States Government, General Services Administration, Federal Courthouse
— install closed circuit television cameras — appurtenances within public right-
of-way (O 1300-97) **1988**

Recycling Program

- 1998 Recycle Ohio program — accept grant — \$200,000 — Ohio Department of Natural
Resources (O 2026-97) **1994**

Resolutions — Miscellaneous

Cuyahoga River — designate as an American Heritage River — urge President Clinton (R 2117-97)	1984
Land use issues — zoning determinations — HR Bill 1534 —urge President Clinton to veto (R 2116-97)	1984

Service Department

1998 Recycle Ohio program — accept grant — \$200,000 — Ohio Department of Natural Resources (O 2026-97)	1994
Amend Section 1 of Ordinance No. 1245-92 passed June 15, 1992 — relating to rehabilitating or reconstructing (O 1453-97)	1989
Amend Section 12 of Ordinance No. 2368-92 passed December 14, 1992 — relating to rehabilitation of Memphis Avenue (O 1454-97)	1989
City's share the State of Ohio and the County of Cuyahoga for the cost of repairing and resurfacing (O 1452-97)	1989
City's share to the State of Ohio for the cost of rehabilitating and reconstructing (O 1451-97)	1988
Contract of office furniture, workstations, and equipment — renovate and improve the offices (O 1641-97)	1990
Determining the method of making public improvement — of Carter Road, Columbus Road, Center Street, West 3rd Street Willow Avenue and Eagle Avenue lift bridges (O 1642-97)	1990
Permit — Catholic Diocese of Cleveland — encroach into public right-of-way of East 9th (O 1463-97)	1990
Permit — Cleveland State University — encroach into public right-of-way underneath East 24th Street (O 1780-97)	1992
Permit — Midtown Corridor — encroach into public right-of-way with Neighborhood identification signs (O 1456-97)	1989
Permit — United States Government, General Services Administration, Federal Courthouse — install closed circuit television cameras — appurtenances within public right- of-way (O 1300-97)	1988

Taxes

Amounts and rates — January 1, 1998 fiscal year — accept as determined by Budget Commission (R 2045-97)	1982
Tax Advances (1998) — requesting — County Auditor (R 2046-97)	1983

Zoning

Aetna Road, S. E., between East 71st Street and East 73rd Place — change use and area districts. (O 1947-97)	1993
Change the Use, District of lands bounded by Waterman Avenue, S.E., E. 63 Street, and E. 61 Street (O 1745-97)	1992
Change the Use, Area and Height Districts — East 89th Street, Cumberland Avenue (O 1764-97)	1992
Establishing Buckeye Business — repeal Ordinance No. 589-91 — passed June 3, 1991 (O 945-96)	1984
Land use issues — zoning determinations — HR Bill 1534 —urge President Clinton to veto (R 2116-97)	1984
West 118th Street, north of Lorain Avenue to Geraldine Avenue, N.W. — change Use and Area Districts — City Planning Department (O 1869-97)	1993