

# The City Record

Official Publication of the City of Cleveland

---

November the Twenty-Sixth, Nineteen Hundred and Ninety-Seven

---

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

Containing	PAGE
City Council	3
The Calendar	24
Board of Control	24
Civil Service	29
Board of Zoning Appeals	29
Board of Building Standards and Building Appeals	29
Public Notices	29
Public Hearings	29
City of Cleveland Bids	29
Adopted Resolutions and Ordinances	30
Rules of the Director of Parks, Recreation & Properties	34
Committee Meetings	34
Index	35

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

First Class Mail

RECYCLE.....Save the Future



Printed on Recycled Paper.....Council Cares

# DIRECTORY OF CITY OFFICIALS

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

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

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

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

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

**DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean**  
Alford, Manager, Internal Audit  
**DIVISIONS - Accounts - 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 North-  
field 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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 84

WEDNESDAY, NOVEMBER 26, 1997

No. 4381

## CITY COUNCIL

MONDAY, NOVEMBER 24, 1997

### The City Record

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

### ARTHA WOODS

Clerk of Council  
216 City Hall

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

#### MONDAY—Alternating

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

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY—Alternating

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

Cleveland, Ohio November 24, 1997.  
The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

Councilmen present: Britt, Coats, Dolan, Gordon, Jackson, Johnson, Lewis, Melena, Moran, Patton, Polensek, Robinson, Rybka, Skrha, Smith, Sweeney, Westbrook, White, Willis, Zone.

Also present were Mayor White, and Directors Sobol-Jordan, Carmody, Konicek, Guzman, Staib, Denihan, Hamilton, Nolan, Willis and Acting Directors Brown, Charles and Huth.

Absent: Directors Warren and Morrison.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Major Charles Williams, Executive Director of the Salvation Army, Harbor Light Complex. Pledge of Allegiance.

#### MOTION

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

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 2118-97**—Elsie Tarcai.

**Res. No. 2119-97**—Joanne Crockett.

**Res. No. 2120-97**—James H. Worthen.

**Res. No. 2121-97**—Juanita Bolton Davis.

**Res. No. 2122-97**—Mary McCalaster.

#### CONGRATULATORY RESOLUTIONS

The rules were suspended and the following Resolutions were adopted with objection:

**Res. No. 2123-97**—Reverend Ruth McDonald.

**Res. No. 2124-97**—Kiwanis of Southeast Cleveland.

#### RESOLUTION OF RECOGNITION

The rule was suspended and the following Resolution was adopted with objection:

**Res. No. 2125-97**—Dr. Robert C. Wallace.

#### FIRST READING EMERGENCY ORDINANCES REFERRED

**Ord. No. 2097-97.**

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

**An emergency ordinance to make temporary appropriation for the current payrolls and other ordinary expenses of the City of Cleveland for the period from January 1, 1998 until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 1998.**

Whereas, it is desired to postpone the passage of the annual appropriation ordinance until an amended certificate is received, based on the actual balances as the same may be determined by the Director of Finance and the County Budget Commission: 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.** To provide for the current payrolls, sinking fund and other ordinary expenses of the City of Cleveland for the period from January 1, 1998, until the effective date of the Annual Appropriation Ordinance for the fiscal year ending December 31, 1998, there be and there is hereby appropriated for the period from January 1, 1998, to the effective date of the Annual Appropriation Three hundred seventy four million one hundred nine thousand two hundred thirty five dollars (\$374,109,235) out of taxes due the City of Cleveland and any other revenues accrued or occurring during said period of time and said funds are respectively appropriated as follows:

## GENERAL FUND

## LEGISLATIVE BRANCH

COUNCIL AND CLERK OF COUNCIL		\$1,066,923
I. Personnel and Related Expenses	\$734,500	
II. Other Expenses	332,424	

TOTAL LEGISLATIVE BRANCH	\$1,066,923	\$1,066,923
--------------------------	-------------	-------------

## MUNICIPAL COURT

JUDICIAL DIVISION		\$4,786,294
I. Personnel and Related Expenses	\$3,696,734	
II. Other Expenses	1,089,560	

CLERK'S DIVISION		\$2,878,745
I. Personnel and Related Expenses	1,899,017	
II. Other Expenses	979,728	

HOUSING DIVISION		\$470,784
I. Personnel and Related Expenses	\$441,060	
II. Other Expenses	29,724	

TOTAL MUNICIPAL COURT	\$8,135,823	\$8,135,823
-----------------------	-------------	-------------

## EXECUTIVE BRANCH

OFFICE OF THE MAYOR		\$541,205
I. Personnel and Related Expenses	\$441,528	
II. Other Expenses	99,678	

TOTAL EXECUTIVE BRANCH	\$541,205	\$541,205
------------------------	-----------	-----------

## DEPARTMENT OF PUBLIC SAFETY

PUBLIC SAFETY ADMINISTRATION		\$3,460,828
I. Personnel and Related Expenses	\$3,127,335	
II. Other Expenses	333,493	

DIVISION OF POLICE		\$52,616,701
I. Personnel and Related Expenses	\$47,865,964	
II. Other Expenses	4,750,737	

DIVISION OF FIRE		\$24,114,040
I. Personnel and Related Expenses	\$22,565,217	
II. Other Expenses	1,548,823	

DIVISION OF EMERGENCY MEDICAL SERVICES		\$5,425,805
I. Personnel and Related Expenses	\$4,795,835	
II. Other Expenses	629,970	

DIVISION OF TRAFFIC ENGINEERING		\$1,435,800
I. Personnel and Related Expenses	\$913,154	
II. Other Expenses	522,646	

DIVISION OF DOG POUND		\$288,732
I. Personnel and Related Expenses	\$178,685	
II. Other Expenses	110,047	

TOTAL DEPARTMENT OF PUBLIC SAFETY	\$87,341,905	\$87,341,905
-----------------------------------	--------------	--------------

## COMMUNITY RELATIONS BOARD

COMMUNITY RELATIONS BOARD		\$295,670
I. Personnel and Related Expenses	\$270,419	
II. Other Expenses	25,252	

TOTAL COMMUNITY RELATIONS BOARD	\$295,670	\$295,670
---------------------------------	-----------	-----------

## DEPARTMENT OF PUBLIC SERVICE

PUBLIC SERVICE ADMINISTRATION		\$100,481
I. Personnel and Related Expenses	\$91,845	
II. Other Expenses	8,636	

DIVISION OF ARCHITECTURE		\$188,564
I. Personnel and Related Expenses	\$170,380	
II. Other Expenses	18,184	

DIVISION OF WASTE COLLECTION & DISPOSAL		\$11,386,694
I. Personnel and Related Expenses	\$6,311,938	
II. Other Expenses	5,074,756	
DIVISION OF ENGINEERING AND CONSTRUCTION		\$1,684,502
I. Personnel and Related Expenses	\$1,460,954	
II. Other Expenses	223,548	
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$13,360,241	\$13,360,241
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
PARKS, RECREATION AND PROPERTIES ADMINISTRATION		\$199,345
I. Personnel and Related Expenses	\$178,892	
II. Other Expenses	20,453	
DIVISION OF RESEARCH, PLANNING & DEVELOPMENT		\$206,222
I. Personnel and Related Expenses	\$160,876	
II. Other Expenses	45,346	
DIVISION OF RECREATION		\$3,009,581
I. Personnel and Related Expenses	\$2,047,632	
II. Other Expenses	961,949	
DIVISION OF PARKING FACILITIES - ON STREET		\$285,696
I. Personnel and Related Expenses	\$272,837	
II. Other Expenses	12,859	
DIVISION OF PROPERTY MANAGEMENT		\$3,643,098
I. Personnel and Related Expenses	\$2,514,639	
II. Other Expenses	1,128,459	
DIVISION OF PARK MAINTENANCE & PROPERTIES		\$3,442,628
I. Personnel and Related Expenses	\$2,623,264	
II. Other Expenses	819,364	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$10,786,570	\$10,786,570
BOXING AND WRESTLING COMMISSION		
BOXING AND WRESTLING COMMISSION		\$2,646
I. Personnel and Related Expenses	\$2,519	
II. Other Expenses	127	
TOTAL BOXING AND WRESTLING COMMISSION	\$2,646	\$2,646
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
DIRECTOR'S OFFICE		\$32,165
I. Personnel and Related Expenses	\$32,165	
DIVISION OF ADMINISTRATIVE SERVICES		\$30,198
I. Personnel and Related Expenses	\$30,198	
DIVISION OF BUILDING & HOUSING		\$2,491,369
I. Personnel and Related Expenses	\$2,157,431	
II. Other Expenses	333,938	
DIVISION OF NEIGHBORHOOD SERVICES		\$28,562
I. Personnel and Related Expenses	\$28,562	
DIVISION OF NEIGHBORHOOD DEVELOPMENT		\$183,874
I. Personnel and Related Expenses	\$89,351	
II. Other Expenses	94,523	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT	\$2,766,168	\$2,766,168
REGULATORY BOARDS & COMMISSIONS		
LANDMARKS COMMISSION		\$36,557
I. Personnel and Related Expenses	\$28,057	
II. Other Expenses	8,500	

BOARD OF BUILDING STANDARDS & APPEALS		\$44,769
I. Personnel and Related Expenses	38,795	
II. Other Expenses	5,974	
BOARD OF ZONING APPEALS		\$128,478
I. Personnel and Related Expenses	\$121,815	
II. Other Expenses	6,663	
BOARD OF EXAMINERS OF PLUMBERS AND ELECTRICIANS		\$38,850
I. Personnel and Related Expenses	\$35,582	
II. Other Expenses	3,269	
FAIR CAMPAIGN FINANCE COMMISSION		\$6,083
II. Other Expenses	\$6,083	
TOTAL REGULATORY BOARDS	\$254,737	\$254,737
DEPARTMENT OF ECONOMIC DEVELOPMENT		
ECONOMIC DEVELOPMENT ADMINISTRATION		\$412,837
I. Personnel and Related Expenses	\$399,486	
II. Other Expenses	13,351	
OFFICE OF EQUAL OPPORTUNITY		\$248,160
I. Personnel and Related Expenses	\$193,791	
II. Other Expenses	54,369	
CITY PLANNING COMMISSION		\$490,584
I. Personnel and Related Expenses	\$468,816	
II. Other Expenses	21,768	
PORT CONTROL-HARBOR DEVELOPMENT		\$19,876
I. Personnel and Related Expenses	\$19,876	
II. Other Expenses	—	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$1,171,457	\$1,171,457
DEPARTMENT OF PUBLIC HEALTH		
HEALTH ADMINISTRATION		\$111,336
I. Personnel and Related Expenses	\$39,708	
II. Other Expenses	71,628	
DIVISION OF CORRECTION		\$2,517,602
I. Personnel and Related Expenses	\$1,844,768	
II. Other Expenses	672,834	
DIVISION OF HEALTH		\$1,014,233
I. Personnel and Related Expenses	\$741,242	
II. Other Expenses	272,990	
DIVISION OF THE ENVIRONMENT		\$681,870
I. Personnel and Related Expenses	\$563,634	
II. Other Expenses	118,236	
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$4,325,041	\$4,325,041
DEPARTMENT OF AGING		
DEPARTMENT OF AGING		\$80,958
I. Personnel and Related Expenses	\$63,713	
II. Other Expenses	17,246	
TOTAL DEPARTMENT OF AGING	\$80,958	\$80,958
SUPPORT FUNCTIONS		
FINANCIAL AND LEGAL ADMINISTRATION		
DEPARTMENT OF FINANCE		
FINANCE ADMINISTRATION		\$106,990
I. Personnel and Related Expenses	\$86,204	
II. Other Expenses	20,786	

DIVISION OF ACCOUNTS		\$508,319
I. Personnel and Related Expenses	\$234,118	
II. Other Expenses	274,201	
DIVISION OF ASSESSMENTS & LICENSES		\$294,761
I. Personnel and Related Expenses	\$249,367	
II. Other Expenses	45,395	
DIVISION OF TREASURY		\$112,986
I. Personnel and Related Expenses	\$92,275	
II. Other Expenses	20,711	
DIVISION OF PURCHASES & SUPPLIES		\$204,645
I. Personnel and Related Expenses	\$165,661	
II. Other Expenses	38,984	
BUREAU OF INTERNAL AUDIT		\$199,410
I. Personnel and Related Expenses	\$61,916	
II. Other Expenses	137,494	
DIVISION OF FINANCIAL REPORTING AND CONTROL		\$330,947
I. Personnel and Related Expenses	\$270,077	
II. Other Expenses	60,870	
TOTAL DEPARTMENT OF FINANCE	\$1,758,057	\$1,758,057
OFFICE OF BUDGET & MANAGEMENT-BUDGET ADMIN.		\$154,277
I. Personnel and Related Expenses	\$131,339	
II. Other Expenses	22,939	
LAW		\$2,841,724
I. Personnel and Related Expenses	\$1,633,815	
II. Other Expenses	1,207,909	
TOTAL FINANCIAL AND LEGAL ADMINISTRATION	\$4,754,059	\$4,754,059
PERSONNEL ADMINISTRATION		
OFFICE OF PERSONNEL		\$720,512
I. Personnel and Related Expenses	\$388,257	
II. Other Expenses	332,255	
CIVIL SERVICE COMMISSION		\$560,061
I. Personnel and Related Expenses	\$218,854	
II. Other Expenses	341,207	
TOTAL PERSONNEL ADMINISTRATION	\$1,280,573	\$1,280,573
NON DEPARTMENTAL		
TRANSFERS TO OTHER FUNDS		\$5,131,139
II. Other Expenses	\$5,131,139	
OTHER ADMINISTRATIVE		\$6,922,952
II. Other Expenses	\$6,922,952	
TOTAL NON DEPARTMENTAL	\$12,054,091	\$12,054,091
TOTAL SUPPORT FUNCTIONS	\$18,088,723	\$18,088,723
TOTAL GENERAL FUND	\$148,218,068	\$148,218,068
SPECIAL REVENUE FUND		
RESTRICTED INCOME TAX FUND		\$32,141,503
I. Capital	\$15,500,000	
II. Debt Service	16,641,503	
STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND		\$12,612,143
I. Personnel and Related Expenses	\$5,289,079	
II. Other Expenses	7,323,064	
TOTAL SPECIAL REVENUE FUNDS	\$44,753,646	\$44,753,646

## INTERNAL SERVICE FUNDS

INFORMATION SYSTEMS SERVICES-TELECOMMUNICATIONS		\$1,221,219
I. Personnel and Related Expenses	\$135,906	
II. Other Expenses	1,085,313	
INFORMATION SYSTEMS SERVICES		\$1,734,123
I. Personnel and Related Expenses	\$383,487	
II. Other Expenses	1,350,636	
DIVISION OF MOTOR VEHICLE MAINTENANCE		6,875,714
I. Personnel and Related Expenses	\$1,618,862	
II. Other Expenses	5,256,852	
DIVISION OF PRINTING AND REPRODUCTION		\$395,411
I. Personnel and Related Expenses	\$160,946	
II. Other Expenses	234,465	
CITY STOREROOM AND CENTRAL WAREHOUSE		\$216,426
I. Personnel and Related Expenses	\$32,126	
II. Other Expenses	184,300	
TOTAL INTERNAL SERVICE FUNDS	\$10,442,893	\$10,442,893

## ENTERPRISE FUNDS

## DEPARTMENT OF PUBLIC UTILITIES

UTILITIES ADMINISTRATION		\$871,148
I. Personnel and Related Expenses	\$295,365	
II. Other Expenses	575,783	
DIVISION OF FISCAL CONTROL		514,349
I. Personnel and Related Expenses	\$470,654	
II. Other Expenses	43,695	
DIVISION OF WATER		\$80,275,323
I. Personnel and Related Expenses	\$22,378,516	
II. Other Expenses	57,896,807	
DIVISION OF WATER POLLUTION CONTROL		\$7,493,634
I. Personnel and Related Expenses	\$2,625,955	
II. Other Expenses	4,867,678	
DIVISION OF CLEVELAND PUBLIC POWER		\$36,554,128
I. Personnel and Related Expenses	\$7,534,545	
II. Other Expenses	29,019,582	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$125,708,581	\$125,708,581

## DEPARTMENT OF PORT CONTROL

AIRPORTS-OPERATIONS		\$27,208,733
I. Personnel and Related Expenses	\$21,839,831	
II. Other Expenses	5,368,901	
AIRPORT DEVELOPMENT FUND		—
II. Other Expenses	—	
TOTAL DEPARTMENT OF PORT CONTROL	\$27,208,733	\$27,208,733

## DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

DIVISION OF CEMETERIES		\$650,158
I. Personnel and Related Expenses	\$440,052	
II. Other Expenses	210,106	
GOLF COURSE FUND		\$766,361
I. Personnel and Related Expenses	\$221,649	
II. Other Expenses	544,712	
DIVISION OF PARKING FACILITIES-OFF STREET PARKING		\$4,021,442
I. Personnel and Related Expenses	\$237,526	
II. Other Expenses	3,783,916	



CONVENTION CENTER & STADIUM		\$1,981,196
I. Personnel and Related Expenses	\$780,899	
II. Other Expenses	1,200,297	
CONVENTION CENTER & STADIUM-MARKET		\$372,095
I. Personnel and Related Expenses	\$119,588	
II. Other Expenses	252,506	
PROPERTY MANAGEMENT-EAST SIDE MARKET		\$188,980
I. Personnel and Related Expenses	\$40,558	
II. Other Expenses	148,422	
TOTAL PARKS, RECREATION & PROPERTIES	\$7,980,231	\$7,980,231
TOTAL ENTERPRISE FUNDS	\$160,897,545	\$160,897,545
AGENCY FUND		
CENTRAL COLLECTION AGENCY		\$1,604,307
I. Personnel and Related Expenses	\$1,001,375	
II. Other Expenses	602,932	
TOTAL AGENCY FUND	\$1,604,307	\$1,604,307
DEBT SERVICE FUND		
SINKING FUND COMMISSION		\$8,192,776
I. Personnel and Related Expenses	\$30,965	
II. Other Expenses	61,811	
III. Debt Service	8,100,000	
TOTAL DEBT SERVICE FUND	\$8,192,776	\$8,192,776
TOTAL OTHER FUNDS	\$217,698,391	\$217,698,391
TOTAL GENERAL FUND	\$148,218,068	\$148,218,068
TOTAL GENERAL AND OTHER FUNDS	\$374,109,235	\$374,109,235

**Section 2.** That expenditures and payments made under and pursuant to the ordinance appropriating such sum or sums of money shall be charged against the Annual Appropriation Ordinance shall become effective, and to the various departments and divisions in payments or whose officers and employees and operating expenses such sum or sums of money hereunder shall then have been made under the authority of this ordinance after the effective date of said Annual Appropriation Ordinance for the fiscal year ending December 31, 1998.

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

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

**Ord. No. 2098-97.**

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

**An emergency ordinance to transfer the sum of Four Million Three Hundred Seventy Four Thousand Eight Hundred Ninety Nine Dollars (\$4,374,899) within the various divisions of the General Fund, One Million Two Hundred Thousand Dollars (\$1,200,000) within the Special Revenue Fund, Two Hundred Three Thousand Five Hundred Twelve Dollars (\$203,512) within the Internal Service Fund, Three Million Eight Hundred Eighteen Thousand Five Hundred Eighty Four Dollars (\$3,818,584) within the Enterprise Fund and Three Hundred Eighty Six Thousand Five Hundred Seventy Five Dollars (\$386,575) within the Agency Fund.**

Whereas, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; 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 sum of Nine million nine hundred eighty three thousand five hundred seventy dollars (\$9,983,570) be the same and hereby transferred as follows:

	FROM	TO
GENERAL FUND		
LEGISLATIVE BRANCH		
Council and Clerk of Council		
I. Personnel and Related Expenses	\$ 60,000	\$ —
II. Other Expenses	—	300,000
TOTAL LEGISLATIVE BRANCH	\$ 60,000	\$ 300,000

## MUNICIPAL COURT

Judicial Division		
I. Personnel and Related Expenses	\$ 139,469	\$ —
II. Other Expenses	—	41,299
Clerks Division		
I. Personnel and Related Expenses	\$ 150,000	\$ —
II. Other Expenses	—	150,000
Housing Division		
I. Personnel and Related Expenses	\$ 15,725	\$ —
II. Other Expenses	—	15,725
<b>TOTAL MUNICIPAL COURT</b>	<b>\$ 305,194</b>	<b>\$ 207,024</b>

## DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		
I. Personnel and Related Expenses	\$ 185,305	\$ —
II. Other Expenses	—	—
Division of Police		
I. Personnel and Related Expenses	\$ 600,000	\$ —
II. Other Expenses	—	600,000
Division of Fire		
I. Personnel and Related Expenses	\$ —	\$ 420,871
II. Other Expenses	—	121,953
Division of Emergency Medical Services		
I. Personnel and Related Expenses	\$ 466,850	\$ —
II. Other Expenses	—	127,594
Division of Traffic Engineering		
I. Personnel and Related Expenses	\$ 100,000	\$ —
II. Other Expenses	—	65,913
<b>TOTAL DEPARTMENT OF PUBLIC SAFETY</b>	<b>\$1,352,155</b>	<b>1,336,331</b>

## DEPARTMENT OF PUBLIC SERVICE

Division of Waste Collection and Disposal		
I. Personnel and Related Expenses	\$ 217,575	\$ —
II. Other Expenses	663,000	—
Division of Engineering and Construction		
I. Personnel and Related Expenses	\$ —	\$ 150,938
II. Other Expenses	—	—
<b>TOTAL DEPARTMENT OF PUBLIC SERVICE</b>	<b>\$ 880,575</b>	<b>\$ 150,938</b>

DEPARTMENT OF PARKS, RECREATION  
AND PROPERTIES

Parks, Recreation, and Properties Admin.		
I. Personnel and Related Expenses	\$ 15,967	\$ —
II. Other Expenses	—	15,967
Division of Research, Planning, and Dev.		
I. Personnel and Related Expenses	\$ —	\$ 13,471
II. Other Expenses	—	—
Division of Property Management		
I. Personnel and Related Expenses	\$ —	\$ 700,000
II. Other Expenses	—	85,000
Division of Park Maintenance & Properties		
I. Personnel and Related Expenses	\$ —	\$ 170,000
II. Other Expenses	241,470	—
<b>TOTAL PARKS, RECREATION AND PROPERTIES</b>	<b>\$ 257,470</b>	<b>\$ 984,438</b>

## URBAN PLANNING AND DEVELOPMENT

## DEPARTMENT OF COMMUNITY DEVELOPMENT

Division of Building and Housing		
I. Personnel and Related Expenses	\$ 119,231	\$ —
II. Other Expenses	—	33,455
Division of Neighborhood Services		
I. Personnel and Related Expenses	\$ 30,054	\$ —
Division of Neighborhood Development		
I. Personnel and Related Expenses	\$ 65,620	\$ —
II. Other Expenses	—	—
Total Community Development	\$ 214,905	\$ 33,455

## DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		
I. Personnel and Related Expenses	\$ 112,593	\$ —
II. Other Expenses	—	—
TOTAL URBAN PLANNING AND DEVELOPMENT	\$ 327,498	\$ 33,455

## DEPARTMENT OF PUBLIC HEALTH

Health Administration		
I. Personnel and Related Expenses	\$ 33,626	\$ —
II. Other Expenses	—	—
Division of Correction		
I. Personnel and Related Expenses	\$ —	\$ 56,723
II. Other Expenses	—	83,861
Division of Health		
I. Personnel and Related Expenses	\$ 97,415	\$ —
II. Other Expenses	—	97,415
Division of Environment		
I. Personnel and Related Expenses	\$ 151,008	\$ —
II. Other Expenses	—	88,049
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$ 282,049	\$ 326,048

## DEPARTMENT OF AGING

Department of Aging		
I. Personnel and Related Expenses	\$ 31,154	\$ —
II. Other Expenses	—	\$ 45,081
TOTAL DEPARTMENT OF AGING	\$ 31,154	\$ 45,081

SUPPORT FUNCTIONS  
FINANCIAL AND LEGAL ADMINISTRATION

## DEPARTMENT OF FINANCE

Division of Accounts		
I. Personnel and Related Expenses	\$ 65,517	\$ —
II. Other Expenses	—	—
Division of Assessments and Licenses		
I. Personnel and Related Expenses	\$ 24,000	\$ —
II. Other Expenses	—	24,000
Division of Financial Reporting & Control		
I. Personnel and Related Expenses	\$ 126,000	\$ —
II. Other Expenses	—	—
TOTAL DEPARTMENT OF FINANCE	\$ 215,517	\$ 24,000
Office of Budget and Mgmt. — Budget Admin.		
I. Personnel and Related Expenses	\$ 17,584	\$ —
II. Other Expenses	—	17,584

Law			
I. Personnel and Related Expenses	\$ 550,000	\$	—
II. Other Expenses	—		—
	<u>          </u>	<u>          </u>	
TOTAL FINANCE AND LEGAL ADMINISTRATION	\$ 783,101	\$	41,584
PERSONNEL ADMINISTRATION			
Office of Personnel			
I. Personnel and Related Expenses	\$ 17,453	\$	—
II. Other Expenses	—		—
Civil Service Commission			
I. Personnel and Related Expenses	\$ 20,000	\$	—
II. Other Expenses	58,250		—
	<u>          </u>	<u>          </u>	
TOTAL PERSONNEL ADMINISTRATION	\$ 95,703	\$	—
NONDEPARTMENTAL			
County Auditor Deductions			
II. Other Expenses	\$ —	\$	200,000
OTHER ADMINISTRATIVE			
II. Other Expenses	\$ —	\$	750,000
	<u>          </u>	<u>          </u>	
TOTAL NONDEPARTMENTAL	\$ —	\$	950,000
TOTAL SUPPORT FUNCTIONS	\$ 878,804	\$	991,584
TOTAL GENERAL FUND	\$4,374,899	\$4,374,899	
SPECIAL REVENUE FUND			
Restricted Income Tax			
I. Capital	\$1,200,000	\$	—
II. Debt Service	—		1,200,000
	<u>          </u>	<u>          </u>	
TOTAL SPECIAL REVENUE FUND	\$1,200,000	\$1,200,000	
INTERNAL SERVICE FUND			
Information Systems Service-Telecommunications			
I. Personnel and Related Expenses	\$ 78,012	\$	—
II. Other Expenses	—		78,012
Information Systems Services			
I. Personnel and Related Expenses	\$ 20,000	\$	—
II. Other Expenses	—		20,000
Division of Motor Vehicle Maintenance			
I. Personnel and Related Expenses	\$ 100,000	\$	—
II. Other Expenses	—		100,000
Division of Printing and Reproduction			
I. Personnel and Related Expenses	\$ —	\$	5,500
II. Other Expenses	5,500		—
	<u>          </u>	<u>          </u>	
TOTAL INTERNAL SERVICE FUND	\$ 203,512	\$	203,512
ENTERPRISE FUND			
Utilities Administration			
I. Personnel and Related Expenses	\$ 119,124	\$	—
II. Other Expenses	1,309,460		—
Office of Radio Communications			
I. Personnel and Related Expenses	\$ —	\$	119,124
II. Other Expenses	—		1,309,460
Division of Water			
I. Personnel and Related Expenses	\$ —	\$	500,000
II. Other Expenses	500,000		—
Division of Water Pollution Control			
I. Personnel and Related Expenses	\$ 450,000	\$	—
II. Other Expenses	—		450,000
	<u>          </u>	<u>          </u>	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$2,378,584	\$2,378,584	

DEPARTMENT OF PORT CONTROL		
Airports - Operations		
I. Personnel and Related Expenses	\$1,400,000	\$ —
II. Other Expenses	—	1,400,000
TOTAL DEPARTMENT OF PORT CONTROL	\$1,400,000	\$1,400,000
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
Division of Cemeteries		
I. Personnel and Related Expenses	\$ 40,000	\$ —
II. Other Expenses	—	40,000
TOTAL DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES	\$ 40,000	\$ 40,000
TOTAL ENTERPRISE FUNDS	\$3,818,584	\$3,818,584
AGENCY FUND		
Central Collection Agency		
I. Personnel and Related Expenses	\$ 386,575	\$ —
II. Other Expenses	—	386,575
TOTAL AGENCY FUND	\$ 386,575	\$ 386,575
TOTAL GENERAL AND OTHER FUNDS	\$9,983,570	\$9,983,570

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

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

**Ord. No. 2099-97.**

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

**An emergency ordinance to make additional appropriation of Fifty Thousand Dollars (\$50,000) of the Internal Service Fund and One Million Fifteen Thousand Seven Hundred Thirty Two Dollars (\$1,015,732) of the Enterprise Fund.**

Whereas, there remains an unappropriated balance in the various funds, the sum of One Million Sixty Five Thousand Seven Hundred Thirty Two Dollars (\$1,065,732) which is available for additional appropriation; 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 there is hereby appropriated the additional revenue as set forth in the Amended Official Certificate of Estimated Resources received from the Budget Commission of Cuyahoga County for the year 1997, dated May 23, 1997, previously unappropriated as follows:

INTERNAL SERVICE FUND	\$ 50,000	
ENTERPRISE FUND	1,015,732	
TOTAL ALL FUNDS	\$1,065,732	

INTERNAL SERVICE FUND

City Storeroom and Central Warehouse		\$ 50,000
I. Personnel and Related Expenses	\$ —	
II. Other Expenses	50,000	
TOTAL INTERNAL SERVICE FUND	\$ 50,000	\$ 50,000

DEPARTMENT OF PARKS, RECREATION AND PROPERTIES

Division of Cemeteries		\$ 150,000
I. Personnel and Related Expenses	\$ —	
II. Other Expenses	150,000	
Convention Center & Stadium-Convention Center		\$ 865,732
I. Personnel and Related Expenses	\$ 383,305	
II. Other Expenses	482,427	
TOTAL DEPARTMENT OF PARKS, RECREATION AND PROPERTIES	\$1,015,732	\$1,015,732
TOTAL ENTERPRISE FUNDS	\$1,015,732	\$1,015,732
TOTAL ALL FUNDS	\$1,065,732	\$1,065,732

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

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

**Ord. No. 2100-97.  
By Councilmen Patton and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by contract of not to exceed three processing machines, for the Division of Water, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized 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: one (1) mail processing machine and not to exceed two (2) remittance processing machines, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 23419.

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

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

**Ord. No. 2101-97.  
By Councilmen Smith and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and repair the rental car complex facility, including the interior and exterior grounds, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials necessary to maintain and repair the rental car complex facility, including the interior and exterior grounds, in the estimated sum of \$200,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22600)

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

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

**Ord. No. 2102-97.  
By Councilmen Smith, Rybka and Westbrook (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of constructing terminal and roadway signs at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing terminal and roadway signs at Cleveland Hopkins International Airport, for the Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund Nos. 60 SF 116, 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above improvement and the proceeds from the sale of any airport revenue bonds issues for a purpose which includes the above improvement, Request No. 22602.

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

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

**Ord. No. 2103-97.  
By Councilmen Britt and Johnson (by request).**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Health Hill Hospital for Children to encroach into the public right-of-way on Martin Luther King, Jr. Boulevard and Shaker Boulevard to construct, use and maintain hospital identification banners to be hung on Cleveland Electric Illuminating Company utility poles (by separate permission).**

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 Health Hill Hospital for Children, 2801 Martin Luther King, Jr. Drive, Cleveland, Ohio 44104-3865, its successors and assigns, for the construction, maintenance and use of approximately eleven (11) hospital identification banners, to be hung on Cleveland Electrical Illuminating Company utility poles (by separate permission), which banners will encroach into the public right-of-way of Martin Luther King, Jr., Boulevard and Shaker Boulevard, and are more fully described as follows:

<u>POLE LOCATION:</u>	<u>POLE NUMBER:</u>	<u>OWNER / POLE TYPE:</u>
Five (5) Poles on the north side of the eastbound lanes of Shaker Blvd. beginning at the corner of Shaker & MLK & extending east on Shaker Blvd.	No tag or # No tag or # No tag or # #548839 #548840	C.E.I. / Streetlight C.E.I. / Streetlight C.E.I. / Streetlight C.E.I. / Streetlight C.E.I. / Streetlight
One (1) pole on the extreme southeast corner of MLK & Shaker Blvd.	No tag or #	City of Cleveland/ Traffic Signal
Two (2) poles on the easterly side of MLK southerly from Shaker Blvd. proceeding southerly toward Buckeye Rd.	#539752 #539560	C.E.I. / Streetlight C.E.I. / Streetlight
One (1) pole on the extreme southwest corner of MLK & Shaker Blvd.	#701856	C.E.I. / Streetlight
Two (2) poles on the westerly side of MLK southerly from Shaker Blvd. proceeding southerly toward Buckeye Rd.	#539753 #45259	C.E.I. / Streetlight C.E.I. / Streetlight

**Section 2.** That said banners will be located within the public right-of-way of Martin Luther King, Jr. Boulevard and Shaker Boulevard and shall be constructed in accordance with plans and specifications approved by the City Commissioner of Engineering and Construction.

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

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

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

**Ord. No. 2104-97.**

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

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

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

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

**Section 1.** That the Directors of Parks, Recreation and Properties and Personnel and Human Resources are hereby authorized and directed to employ by contract one or more temporary employment agency or agencies for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to supply temporary and seasonal personnel for the Departments of Parks, Recreation and Properties and Personnel and Human Services from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Directors of Parks, Recreation and Properties and Personnel and Human Resources for the purpose of

compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Directors of Parks, Recreation and Properties and Personnel and Human Resources, and certified by the Director of Finance.

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund Nos. 13 SF 256, 62 SF 001, 01-70-12-0380, 63 SF 001, and 13 SF 800, Request No. 22458.

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

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

**Ord. No. 2105-97.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Willoughby Holdings, L.L.C., or their designee, to provide economic**

**development assistance to partially finance the purchase of real property, machinery and equipment, located at 6900-6917 Bessemer Avenue, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Willoughby Holdings, L.L.C., or their designee, to provide economic development assistance to partially finance the purchase of real property, machinery and equipment, located at 6900-6917 Bessemer Avenue, Cleveland, Ohio.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2105-97-A.

**Section 3.** That the costs of said contract shall not exceed Two Hundred Fifty Three Thousand Two Hundred Dollars (\$253,200), and shall be paid from Fund No. 17 SF 008, Request No. 24257.

**Section 4.** That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

**Section 6.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

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

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

#### FIRST READING ORDINANCE REFERRED

##### Ord. No. 2106-97.

By Councilman Polensek.

**An ordinance to change the Use of lands between South Waterloo Road, N.E. and the New York/Central Railroad and between Neff Road, N.E. and approximately 1240 feet north-westerly (Map Change No. 983, Sheet No. 7).**

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 Neff Road, N.E. and the center line of South Waterloo Road, N.E.; thence northeasterly along said center line of South Waterloo Road, N.E. to its intersection with the northwesterly extension of the northeasterly line of Parcel C2 of land conveyed by the Consolidated Iron-Steel Manufacturing Company to the City of Cleveland by Deed dated November 6, 1964 and recorded in Volume 11358, Page 411 of the Cuyahoga County Records (said northeasterly line being approximately six hundred sixty-eight (668) feet southwest of the center line of East 200th Street); thence southeasterly along said northwesterly extension and along said northeasterly line of said parcel of land so conveyed to the City of Cleveland By Deed to a point in the northwesterly right-of-way line of the New York Central Railroad (said point being six hundred sixty-eight and fifty-seven hundredths (668.57) feet southwest of the center line of East 200th Street); thence southwesterly along said northwesterly right-of-way line of the New York Central Railroad and the southwesterly extension thereof to the center line of Neff Road, N.E.; thence northwesterly along said center line of Neff Road, N.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 Local Retail Use District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1966, Sheet No. 7 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

##### Ord. No. 2107-97.

By Councilman Rybka.

**An ordinance to change the Use Area of lands on the westerly side of East 78 Street between Aetna Road, S.E., and Osage Avenue, S.E. (Map Change No. 1964, Sheet No. 6).**

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 westerly extension of the southerly line of Sublot No. 17 in the Hight and Brown Subdivision as recorded in Volume 7, Page 9 of the Cuyahoga County Map Records and the center line of East 77 Street; thence northerly along said center line of East 77 Street to the center line of Aetna Road, S.E.; thence easterly along said center line of Aetna Road, S.E. to its intersection with the northerly prolongation of the easterly line of said Sublot No. 17; thence southerly along said northerly prolongation of said easterly line of said Sublot No. 17 and along its southerly extension to its intersection with a line located one hundred twenty six (126) feet north of the northerly line of Issler Court, S.E.; thence easterly along said line which is parallel to and one hundred twenty six (126) feet north of said northerly line of Issler Court, S.E. and along its easterly extension to the center line of East 78 Street; thence southeasterly along said center line of East 78 Street to the center line of Osage Avenue, S.E.; thence westerly along said center line of Osage Avenue, S.E. to its intersection with the southerly extension of a line located approximately one hundred eighty (180) feet east of the easterly line of East 77 Street; thence northerly along said southerly extension and along said line which is parallel to and approximately one hundred eighty (180) feet east of said easterly line of East 77 Street to its intersection with a line located approximately sixty one and sixty three hundredths (61.63) feet north of the northerly line of Osage Avenue, S.E.; thence easterly along said line which is parallel to and approximately sixty one and sixty three hundredths (61.63) feet north of said northerly line of Osage Avenue, S.E. to its intersection with a line located approximately one hundred ninety seven and seven tenths (197.7) feet east of said easterly line of East 77 Street; thence northerly along said line which is parallel to and approximately one hundred ninety seven and seven tenths (197.7) feet east of said easterly line of East 77 Street and along its northerly extension to the center

line of Issler Court, S.E.; thence easterly along said center line of Issler Court, S.E. to its intersection with the southerly extension of a line located approximately two hundred seven and eleven hundredths (207.11) feet east of said easterly line of East 77 Street; thence northerly along said southerly extension and along said line which is parallel to and approximately two hundred seven and eleven hundredths (207.11) feet east of said easterly line of East 77 Street to its intersection with said line located one hundred twenty six (126) feet north of the northerly line of Issler Court, S.E.; thence westerly along said line which is parallel to and one hundred twenty six (126) feet north of said northerly line of Issler Court, S.E. to its intersection with said line located one hundred (100) feet east of said easterly line of East 77 Street; thence northerly along said line which is parallel to and one hundred (100) feet east of said easterly line of East 77 Street to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a Semi-Industry Use District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1964, 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.

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

##### Ord. No. 2113-97.

By Councilmen Melena, Polensek, Willis and Westbrook.

**An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 604.06 thereof relating to the prohibition of pit bull dogs.**

Whereas, it has become necessary to prohibit the ownership or harboring of "pit bull dogs," as defined herein, due to the particularly vicious characteristics of the breed and the continued attacks on human beings by such dogs in the City of Cleveland; now therefore,

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 604.06 thereof to read as follows:

#### Section 604.06 Prohibition of Pit Bull Dogs

(a) No person shall own, keep, exercise control over, maintain, harbor, transport or sell within the municipal limits of the City of Cleveland, any pit bull dog.

(b) This section is a necessary control to eliminate the risk of attack by pit bulls, as defined herein, on human beings in the City which has become a threat to the health, safety and welfare of the public in all areas of the City; and lack of knowledge and lack of intent is not a defense to any violation thereof.



(c) "Owner" as used herein is defined as any person who owns, possesses, exercises control over, maintains, harbors, transports or sells an animal.

(d) (1) "Pit bull dog," as used herein is defined to mean any and all of the following dogs:

(A) The Staffordshire Bull Terrier breed of dogs;

(B) The American Staffordshire Terrier breed of dogs;

(C) The American Pit Bull Terrier breed of dogs;

(D) The Pit Bull Terrier breed of dogs;

(E) Dogs of mixed breeds or of other breeds than above listed, which breeds or mixed breeds are known as pit bulls, pit bull dogs, or pit bull terriers;

(F) Dogs which have the appearance and characteristics of being predominately of the breeds of dogs known as Staffordshire Bull Terrier, American Pit Bull Terrier, American Staffordshire Terrier, Pit Bull Terrier and any other breed of dog commonly known as pit bulls, pit bull dogs, or pit bull terriers, or a combination of those breeds.

(2) The pit bull dog as defined herein may be identified by the City's animal warden, a veterinarian licensed by the State of Ohio, the Cuyahoga County dog warden, or a deputy Cuyahoga County dog warden.

(e) The City's animal warden is hereby authorized to immediately impound any pit bull found in the City, and the procedures in division (f) of this section shall apply.

(f) When the animal warden has impounded any pit bull dog pursuant to this section, and the owner of such dog disputes the classification of such dog as a pit bull, the owner of such dog may file a written petition for a hearing concerning such classification no later than seven (7) days after impoundment. Such petition shall include the name and address, including mailing address of the petitioner. The Director of Public Safety, or his designee, will then issue a notice of hearing date no later than ten (10) days prior to the date of hearing. Where no written request from the owner is received by the Director of Public Safety within ten (10) days of impoundment, the pit bull shall be destroyed or otherwise disposed of upon order of the Director of Public Safety. For purposes of this section, "otherwise disposed of" includes the sale of the dog to any nonprofit Ohio institution or organization that is certified by the Ohio Public Health Council as being engaged in teaching or research concerning the prevention and treatment of diseases of human beings or animals for an amount to not exceed the City's cost of boarding the dog.

The hearing, if any, will be held before the Director of Public Safety, or his designee. Any facts which the petitioner wishes to submit shall be submitted under oath or affirmation at the hearing. The Director of Public Safety shall make the final determination whether the dog is a pit bull as defined in division (d) of this section. Such final determination shall be considered a final order of the Director of Public Safety subject to review under R.C. Chapter 2506.

If the dog is found to be a pit bull, it shall be destroyed or otherwise disposed of upon order of the Director of Public Safety. If the dog is found not to be a pit bull, the dog shall be released to the owner. This division shall not apply and the owner is not entitled to such a hearing with respect to any dog which

was impounded as the immediate result of an attack or bite. In these instances, the dog shall be handled and subject to the procedures as provided by RC Chapter 955.

(g)(1) In addition to any other penalties provided by this Chapter, any owner found guilty of violating this section shall be fined not less than one thousand dollars (\$1,000.00) per dog.

(2) Any owner found guilty of violating this section shall pay all expenses including shelter, food, veterinary expenses for identification or certification of the breed of the dog or boarding and veterinary expenses necessitated by the seizure of the pit bull for the protection of the public and such other expenses as may be required for the destruction of the dog.

**Section 2.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

#### FIRST READING EMERGENCY RESOLUTION REFERRED

**Res. No. 2112-97.**

**By Councilman Smith.**

**An emergency resolution urging The Federal Aviation Authority to increase the number of air traffic controllers by fourteen for the control tower at Cleveland Hopkins Airport to appropriate staffing levels to monitor and direct both incoming and outgoing flights in order to prevent runway incursions from occurring and to take all action necessary to protect the traveling public from those hazards caused by runway incursions.**

Whereas, there have been several occurrences of runway incursions at Cleveland Hopkins International Airport over the past several weeks that could create a potential threat to the safety of airline pilots and passengers; and

Whereas, there have been concerns raised by both pilots and air traffic controllers about the physical layout of the airport runways that often creates difficulty for airline pilots who try to successfully access onto the right runway for land and takeoff; and

Whereas, there have been concerns raised by the National Air Traffic Controllers Association about an insufficient number of air traffic controllers that are presently monitoring and directing both incoming and outgoing air traffic at Cleveland Hopkins International Airport; and

Whereas, the National Air Traffic Controllers Association believes that in order to achieve appropriate staffing levels fourteen staff positions need to be filled in the air control tower and radar room in the near future and for immediate action, there is a need for eight air traffic controllers to provide immediate coverage in the air control tower in order to provide proper monitoring and directing for incoming and outgoing airline flights at Cleveland Hopkins International Airport; and

Whereas, the Federal Aviation Authority according to the National Air Traffic Controllers Association does not allow for the use of overtime by air traffic controllers to provide proper appropriate coverage when there are staffing shortages in the controller tower, thus increasing the possibility for the occurrence of a runway incursion, it is necessary to fill these staffing positions to ensure safety for airline passengers and pilots.

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

**Section 1.** That the administrative officials of the Federal Aviation Authority consider increasing the number of air traffic controllers for the control tower at Cleveland Hopkins International Airport by hiring fourteen air traffic controllers in order to provide sufficient coverage for incoming and outgoing flights to prevent runway incursions from occurring.

**Section 2.** That the administrative officials of the Federal Aviation Authority during the interim consider immediately hiring eight air traffic controllers in order to provide sufficient coverage for both incoming and outgoing flights in order to drastically reduce the incident of airport runway incursions.

**Section 3.** That the Clerk of Council be and she hereby be directed to transmit two certified copies of this resolution to the Director of the Federal Aviation Authority and Regional Administrator of the Great Lakes Region Federal Aviation Authority.

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

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

#### FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

**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 Southeastery line of land conveyed to The Fidelity Investment Company as aforesaid;

Thence South 47° 06' 03" West along the Southeastery 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 Southeastery 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 Southeastery line of land conveyed to The Fidelity Investment Company;

Thence South 47° 06' 03" West, along the Southeastery 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 Southeastery 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, 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.

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

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

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

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

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

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

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

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

**Ord. No. 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 Cuyahoga 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.

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

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

**Ord. No. 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 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 Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

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

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

**Ord. No. 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.

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

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

**FIRST READING EMERGENCY RESOLUTION READ IN FULL AND ADOPTED**

**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.

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

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

**Res. No. 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.

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

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

**Res. No. 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.

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

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

**SECOND READING EMERGENCY ORDINANCES PASSED**

**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.

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

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

**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 Shelbourne Road, and declaring said easement rights no longer needed for public use.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**Ord. No. 1456-97.**

By Councilmen Jackson and Skrha. 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).

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

1. In Section 1, item "3)" lines 2 and 3, strike "43'5" in from north curb of Chester Avenue going South." and insert in lieu thereof "43'5 north of curb of Chester Avenue South side."

Amendment agreed to. The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 20. Nays 0.

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

**Ord. No. 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.

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

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

**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 for the Department of Public Service.

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

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

**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.

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

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

**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.

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

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

**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.

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

1. In Section 1, in line 6, after "twenty (20) years", insert "**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.**".

2. In Section 1, at the end, insert the following new sentence: "**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.**"

Amendments agreed to. The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 20. Nays 0.

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

**Ord. No. 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 15, 1995, relating to yard encroachments.

Approved by Directors of City Planning Commission, Law, Relieved of Committee on Legislation, Recommended by Committees on City Planning, Finance, when amended as follows:

1. In the title, line 5; in Section 1, line 3; and in Section 2, line 3, strike "September 15" and insert in lieu thereof "**September 25**".

Amendment agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

**Ord. No. 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.

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

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

**Ord. No. 1940-97.**

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

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

**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.

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

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

**SECOND READING ORDINANCES PASSED**

**Ord. No. 945-96.**

By Councilman Johnson. An ordinance establishing the Buckeye Business Revitalization District and to repeal Ordinance No. 589-91 passed June 3, 1991. (Map Change No. 1906, Sheet No. 9)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

**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)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

**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)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

**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)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

**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)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

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

**SECOND READING EMERGENCY RESOLUTIONS ADOPTED**

**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.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

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

**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.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

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

**LAID ON THE TABLE**

**Ord. No. 2023-97.**

By Councilmen Britt and Johnson (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Health Hill Hospital for Children to encroach into the public right-of-way on Martin Luther King, Jr. Boulevard and Shaker Boulevard to construct, use and maintain hospital identification banners to be hung on Cleveland Electric Illuminating Company utility poles (by separate permission).

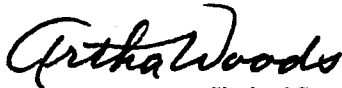
Without objection, Ordinance No. 2023-97 was Laid on the Table pursuant to the Rules of Council.

**MOTION**

By Councilman Gordon, seconded by Councilman Lewis and unanimously carried that the absence of Councilman William Patmon be and is hereby authorized.

**MOTION**

The Council adjourned at 8:45 p.m. to meet on Monday, December 8, 1997 at 7:00 p.m.



Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

November 19, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 19, 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 Willis, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

**Resolution No. 931-97.**

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Jeter Systems Corporation, for an estimated quantity of criminal and civil file system (all items) for the Division of Cleveland Municipal Court, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on October 23rd 1997, pursuant to the authority of Ordinance No. 1322-97, passed August 13th, 1997, which on the basis of the estimated quantity would amount to Forty Nine Thousand Eighty Two and 10/100 Dollars (\$49,082.10), (1% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 090969 090970

which shall be certified against such contract in the sum of Forty Two Thousand Five Hundred Eighty-Two and 20/100 Dollars (\$42,582.20).

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

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

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 932-97.**

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Ketchum & Walton Co. for an estimated quantity of various air filters and labor/materials to reactivate existing refillable carbon panels (Items No. 1, 2, 3, 4, 5, 6, 7 (including 20% discount off list), and 8) for the various divisions of the Department of Port Control, for the period of two (2) years commencing with the execution of contract received on the 2nd day of October, 1997, pursuant to the authority of Ordinance No. 342-97, passed April 14, 1997, which on the basis of the estimated quantity would amount to Forty-Four Thousand Four Hundred Seventy Seven and 53/100 (\$44,477.53) Dollars, is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 13461 which shall be certified against such contract in the sum of Eight Thousand Nine Hundred and no/100 (\$8,900.00) Dollars.

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

under subsequent requisitions separately certified against said contract.

Yeas: 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. 933-97.**

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Donley's, Inc. for the public improvement of ready return building envelope package for the consolidated car rental facility including add alternates nos. 1 and 2 and deduct alternate no. 3, including a contingency allowance, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on November 6, 1997, pursuant to the authority of Ordinance No. 561-97, passed June 2, 1997, for a gross price for the improvement in the aggregate amount of Two Million Nine Hundred Sixty-One Thousand Eight Hundred Twelve and no/100 (\$2,961,812.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following, subcontractor by Donley's Inc. for Ready Return Building Envelope Package for the Consolidated Car Rental Facility for the Division of Cleveland Hopkins International Airport, Department of Port Control is hereby approved:

**SUBCONTRACTOR SERVICE & SUPPLIES**

Bradley Construction, Co. 13715 Kinsman Ave. Cleveland, Ohio 44120 (MBE - \$87,200/3%)  
Cast-in-place concrete

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. 934-97.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc. for an estimated quantity of seven (7) light duty utility trucks (item #2) 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 3, 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 Fifty Nine Thousand Five Hundred Six and no/100 Dollars (\$59,506.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:



Requisition No. 105944 which shall be certified against such contract in the sum of Fifty Nine Thousand Five Hundred Six and no/100 Dollars (\$59,506.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Valley Ford Truck Sales, Inc. for seven (7) light duty utility trucks, (item #2), is hereby approved:

Logical Services  
MBE - \$650.00/unit

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.  
Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 935-97.**

By Director Guzman.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Bob McDorman Chevrolet, Inc. for an estimated quantity of nine (9) cab and chassis with dump body (15,000 GVW) (15,000 GVW, body and equipment by Cenweld Corp. of Cuyahoga Falls, Ohio complete as specified) 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 September 26, 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 Three Hundred One Thousand Three Hundred Sixty Five and no/100 Dollars (\$301,365.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No.  
105941 \$167,425.00  
105942 \$ 33,485.00  
105943 \$100,455.00  
which shall be certified against such contract in the sum of Three Hundred One Thousand Three Hundred Sixty Five and no/100 Dollars (\$301,365.00).

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 Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.  
Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 936-97.**

By Director Guzman.  
Resolved, by the Board of Control of the City of Cleveland, that all bids received on October 3, 1997 for seven (7) light duty utility trucks (item #1) for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 1113-97, passed by the Council of the City of Cleveland on July 16, 1997 be and the same are hereby rejected.

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.  
Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 937-97.**

By Director Staib.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Sovereign Industries, Inc. for an estimated quantity of dishwashing, laundry, general cleaning and hygiene supplies (Group A item 7) for the Division of Correction, Department of Public Health, for the period of two (2) years beginning with the date of execution of a contract received on the 21st day of August 1997, pursuant to the authority of Ordinance No. 337-97, passed April 28, 1997, which on the basis of the estimated quantity would amount to One Thousand Six Hundred Two and 00/100 (\$1,602.00) Dollars, (1% - 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 103870  
Cleaning supplies  
which shall be certified against such contract in the sum of One Hundred Six and 80/100 (\$106.80) Dollars.

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

Be it further resolved that the employment of the following subcontractor by Sovereign Industries, Inc. for the above mentioned requirement contract is hereby approved.

<b>SUBCONTRACTOR</b>	<b>WORK</b>
Friendly Delivery	MBE 10%

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.  
Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 938-97.**

By Director Staib.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Hough Supply & Specialty Co. for an estimated quantity of dishwashing, laundry, general cleaning and hygiene supplies (Group A item 10) for the Division of Correction

Department of Public Health, for the period of two (2) years beginning with the date of execution of a contract received on the 21st day of August 1997, pursuant to the authority of Ordinance No. 337-97, passed April 28, 1997, which on the basis of the estimated quantity would amount to Eleven Thousand One Hundred Eighty and 00/100 (\$11,180.00) Dollars, (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requirement No. 103871  
Cleaning supplies  
which shall be certified against such contract in the sum of Eight Hundred Thirty-Eight and 50/100 (\$838.50) Dollars.

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

Be it further resolved that the employment of the following subcontractor by Hough Supply & Specialty Co. for the above mentioned requirement contract is hereby approved.

<b>SUBCONTRACTOR</b>	<b>WORK</b>
MGL, Inc.	MBE 20%

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.  
Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 939-97.**

By Director Staib.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Graham Enterprises DBA Aries Distribution for an estimated quantity of dishwashing, laundry, general cleaning and hygiene supplies (Group A items 3 and 9) for the Division of Correction, Department of Public Health, for the period of two (2) years beginning with the date of execution of a contract received on the 21st day of August, 1997, pursuant to the authority of Ordinance No. 337-97, passed April 28, 1997, which on the basis of the estimated quantity would amount to Thirteen Thousand Nine Hundred Forty-Six and 00/100 (\$13,946.00) Dollars, is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requirement No. 103872  
Cleaning supplies  
which shall be certified against such contract in the sum of Seven Hundred Ninety-nine and 00/100 (\$799.00) Dollars.

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities,

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

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 940-97.**

By Director Staib.

Resolved, by the Board of Control of the City of Cleveland that the bid of Ohio Soap Products Co. for an estimated quantity of dishwashing, laundry, general cleaning and hygiene supplies (Group A item 4, Group B items 1 thru 4, Group C items 1 and 2) for the Division of Correction, Department of Public Health, for the period of two (2) years beginning with the date of execution of a contract received on the 21st day of August 1997, pursuant to the authority of Ordinance No. 337-97, passed April 28, 1997, which on the basis of the estimated quantity would amount to Thirty One Thousand Two Hundred Sixty-six and 00/100 (\$31,266.00) Dollars, (2% - 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requirement No. 103869

Cleaning supplies

which shall be certified against such contract in the sum of One Thousand Seven Hundred Fifty-Seven and 00/100 (\$1,757.00) Dollars.

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

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 941-97.**

By Director Staib.

Resolved, by the Board of Control of the City of Cleveland that the bid of Alco-Chem, Inc. for an estimated quantity of dishwashing, laundry, general cleaning and hygiene supplies (Group A items 1 and 2) for the Division of Correction, Department of Public Health, for the period of two (2) years beginning with the date of execution of a contract received on the 21st day of August, 1997, pursuant to the authority of Ordinance No. 337-97, passed April 28, 1997, which on the basis of the estimated quantity would amount to Three Thousand Five Hundred and 00/100 (\$3,500.00) Dollars, (1% - 10 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requirement No. 103873

Cleaning supplies

which shall be certified against such contract in the sum of One Hundred Eighty-Seven and 00/100 (\$187.00) Dollars.

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

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 942-97.**

By Director Staib.

Resolved, by the Board of Control of the City of Cleveland that the bid of Astro Supply for an estimated quantity of dishwashing, laundry, general cleaning and hygiene supplies (Group A items 5, 6 and 8) for the Division of Correction, Department of Public Health, for the period of two (2) years beginning with the date of execution of a contract received on the 21st day of August, 1997, pursuant to the authority of Ordinance No. 337-97, passed April 28, 1997, which on the basis of the estimated quantity would amount to Twelve Thousand Two Hundred Ninety and 00/100 (\$12,290.00) Dollars, (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requirement No. 103874

Cleaning Supplies

which shall be certified against such contract in the sum of Six Hundred Ninety-Four and 00/100 (\$694.00) Dollars.

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

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 943-97.**

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of C.D. Whitfield for the public improvement of modifications to existing plumbing at the City Dog Kennel for the Division of Dog Pound, Department of Public Safety, received on August 29, 1997, pursuant to the authority of Ordinance No. 2839-90, passed January 28, 1991, for a gross price for the improvement in the aggregate amount of Six Thousand Six Hundred and no/100 (\$6,600.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Safety is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 944-97.**

By Director Denihan.

Whereas, pursuant to the authority of Resolution No. 629-97, adopted August 6, 1997 by the Board of Control of the City of Cleveland, the City through the Director of Parks, Recreation and Properties entered into City Contract No. 52118 with Mid-Air Construction Co., to provide Masonry Restoration Work at Engine House #42 for the Division of Property Management, Department of Parks, Recreation and Properties; and

Whereas, Ordinance No. 1028-93, passed by the Council of the City of Cleveland on June 7, 1993 authorized the Director of Public Safety to enter into contract for the same work for the Division of Fire, Department of Public Safety; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland pursuant to the authority Ordinance No. 1028-93, passed June 7, 1993, which authorized the Director of Public Safety to enter into contract for Masonry Restoration Work at Engine House #42, that the Director of Public Safety's approval of City Contract No. 52118 be required and that his signature appear on Contract No. 52118 in all appropriate places.

Be it further resolved, that all other terms and provisions of City Contract No. 52118 not expressly modified herein shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 945-97.**

By Director Spellman.

Whereas, pursuant to the authority of Ordinance No. 317-96, passed May 13, 1996, the Commissioner of Purchases and Supplies is authorized to acquire real property located at 16013-15 Damon Avenue (aka Permanent Parcel Number 113-13-003), for the purpose of expanding the Humphrey Park Facility; and

Whereas, said Ordinance No. 317-96 provides that the consideration to be paid for said property shall not exceed its fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the consideration for said property is hereby determined to be \$6,500.00 which amount is not greater than the Fair Market Value of said property.

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 946-97.**

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. 139-02-099 located at 3726 East 143 Street in Ward 3; 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, Pleasant Properties Limited Partnership Project, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 3 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 is 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 Pleasant Properties Limited Partnership Project for the sale and development of Permanent Parcel No. 139-02-099 located at 3726 East 143rd Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 947-97.**

By Director Staib.

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. 121-17-086 located at 2299 East 95 Street in Ward 6; 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, Algie and Brezelia Harris, 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 6 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 Algie and Brezelia Harris for the sale and development of Permanent Parcel No. 121-17-086 located at 2299 East 95 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: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 948-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 119-01-050 under said Land Reutilization Program; and

Whereas, Ordinance No. 2047-97, passed November 10, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Kelly Chapman has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2047-97, passed November 10, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Kelly Chapman for the sale and development of Permanent Parcel No. 119-01-050, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 949-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 118-03-026, northerly part, 118-03-027 and 118-03-028 under said Land Reutilization Program; and

Whereas, Ordinance No. 2049-97, passed November 10, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Lovell Henderson, Jr. and Queen Howard Henderson have proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2049-97 passed November 10, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Lovell Henderson, Jr. and Queen Howard Henderson for the sale and development of Permanent Parcel Nos. 118-03-026, northerly part, 118-03-027 and 118-03-028, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 950-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 118-03-026, southerly part, 118-03-025 and 118-03-024 under said Land Reutilization Program; and

Whereas, Ordinance No. 2048-97, passed November 10, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Allen and Valerie George have proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2048-97 passed November 10, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Allen and Valerie George for the sale and development of Permanent Parcel Nos. 118-03-026, southerly part, 118-03-025 and 118-03-024, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is here-

by determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 951-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 118-09-064B and 118-09-065 under said Land Reutilization Program; and

Whereas, Ordinance No. 2050-97 passed November 10, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Donald and Linda Shelton have proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2050-97, passed November 10, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Donald and Linda Shelton for the sale and development of Permanent Parcel Nos. 118-09-064B and 118-09-065, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 952-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 143-02-027 under said Land Reutilization Program; and

Whereas, Ordinance No. 2052-97 passed November 10, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Amistad Development Corporation has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2052-97 passed November 10, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Amistad Development Cor-

poration for the sale and development of Permanent Parcel No. 143-02-027, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

**Resolution No. 953-97.**

By Director Warren.

Whereas, pursuant to Ordinance No. 1040-92, passed by the Council of the City of Cleveland on June 15, 1992, the Director of Economic Development entered into an Enterprise Zone Agreement with M.A.L. Co. (the "Enterprise"), City Contract No. 45113 (the "Agreement"), granting the Enterprise tax exemption on certain personal property in exchange for the Enterprise creating jobs and making certain personal property investments at 765 East 140th Street, Cleveland, Ohio 44110 (the "Facility"); and

Whereas, M.A.L. Co. ceased operations at the Facility on or about December 21, 1996, abandoning the exempt personal property at the Facility and resulting in a loss of jobs to the City of Cleveland; and

Whereas, Willis Industries, Inc. ("Willis") entered into a lease agreement for the Facility and executed an agreement with the Enterprise to purchase a portion of the exempt personal property; and

Whereas, the Enterprise requested assignment of the Agreement to Willis, allowing Willis to create sixty (60) jobs and make additional capital investments at the Facility; and

Whereas, Section 6 of the Agreement authorizes assignment of the Agreement by the Enterprise only with the prior written consent of the Board of Control of the City of Cleveland; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that said Board hereby consents to the assignment of City Contract No. 45113 to Willis Industries, Inc.

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

Nays: None.

Absent: Acting Director Waldron.

**Resolution No. 954-97.**

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Anthony Allega Cement Contractor, Inc. for the public improvement of Phase IV — Maplewood Tunnel & Springdale Improvements for the Consolidated Rental Car Facility (Phase A — base bid and Alternate #3A, and Phase B — Alternate #3C) for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on November 12, 1997, pursuant to the authority of Ordinance No. 561-97, passed June 2, 1997, for a gross price for the improvement in the aggregate amount of One Million Six Hundred

Sixty-One Thousand One Hundred Twenty-Five and no/100 Dollars (\$1,661,125.00) for Phase A, and subject to the availability of funds as certified by the Director of Finance, and when directed by the Director of Port Control, in the aggregate amount of One Million Four Hundred Seventy-Eight Thousand Six Hundred Sixty and no/100 Dollars (\$1,478,660.00) for Phase B (for a total of Three Million One Hundred Thirty-Nine Thousand Seven Hundred Eighty-Five and no/100 Dollars (\$3,139,785.00) is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Anthony Allega Cement Contractor, Inc. for Phase IV — Maplewood Tunnel & Springdale Improvements for the Consolidated Rental Car Facility (base bid) at Cleveland Hopkins International Airport is hereby approved:

**SUBCONTRACTORS SERVICE**

Bradley Construction  
(MBE)  
(\$428,870.00/21%) Concrete work

Granger Trucking  
(MBE)  
(\$115,019.00/6%) Cement and aggregates

Granger Trucking  
(MBE)  
(\$60,480.00/3%) Trucking

Cuyahoga Supply & Tool  
(FBE)  
(\$218,635.00/11%) PVC underdrain, mesh, geotextile fabric, doweled baskets, precast

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. 955-97.**

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland, that all bids received on November 6, 1997 for Phase V — Ready Return Building Envelope for the Consolidated Rental Car Facility for the Division of Cleveland Hopkins International Airport, Department of Port Control, pursuant to the authority of Ordinance No. 561-97, passed by the Council of the City of Cleveland on June 2, 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. 956-97.**

By Director Guzman.

Whereas, pursuant to Ordinance No. 240-96, passed by Cleveland City Council on April 1, 1996, and Resolution No. 753-96, adopted by this

Board of Control on October 23, 1996, the City of Cleveland entered into a contract with Akzo Nobel Salt, Inc. ("Akzo") for the purchase of the City's requirements for rock salt, for a total amount of \$3,421,250.00, City Contract No. 50616; and

Whereas, Akzo Nobel Salt, Inc. has, by letter dated November 18, 1997, notified the City that it has purchased the assets of Akzo and agreed to assume Akzo's obligations and liabilities under said Contract No. 50616 from and after April 25, 1997, and

Whereas, said contract may only be assigned and transferred to Cargill with the prior authorization of this Board; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the assignment from Akzo Nobel Salt, Inc. to Cargill Incorporated of City Contract No. 50616 for the purchase of the City's requirement for rock salt, is hereby authorized.

Be it further resolved that the Director of Public Service is hereby authorized to execute all documents and do all things necessary to effect the consent hereby granted, including filing the assignment in the Office of Commissioner of Accounts.

Yeas: Mayor White, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: Director Sobol Jordan and Acting Director Waldron.

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 8, 1997

9:30 A.M.

**Calendar No. 97-241:** 16800 Brookpark Road, S.W.

Elaine Troutman, owner, and W.P.T. Inc., c/o W. Troutman, tenant, appeal to expand the usage of the existing tavern to an adult entertainment cabaret in the 45' x 85' one-story masonry irregular shaped tavern/restaurant building on a 100' x 292' (average) irregular shaped lot located in a General Retail District at 16800 Brookpark Road; said usage to be less than 1,000' from other existing adult entertainment uses contrary to the limitations of Sections 343.11 and 347.07(b)(3) of the Codified Ordinances.

**Calendar No. 97-244:** 4400 Clark Avenue, S.W.

The Salvation Army, c/o Captain John Hodgson, owner, appeals to erect a 64' x 172' one-story masonry church building and to construct a 16-car accessory off-street parking lot all on the 132' x 200' irregular shaped corner parcel located in a Semi-Industry and Two-Family District on the northwest corner of West 44th Street and Clark Avenue at 4400 Clark Avenue; said building and use not being in compliance with the 25-car off-street parking required by Section 349.04 of the Codified Ordinances.

**Calendar No. 97-245:** 11824 Milan Avenue, S.W.

Annette Tabar, owner, appeals to change use from a one-family dwelling house to a one-family and a convalescent home for a maximum of six individuals in the 24' x 32' two-story frame dwelling house on a 35' x 105' lot located in a Two-Family District at 11824 Milan Avenue; said use being contrary to the residence limitations of Section 337.03 but subject to the approval authority of Section 337.02(f)(3)(D) and the west side yard being 3' and the east 8' instead of each being 30' as required by Section 337.02(f)(3) and with no off-street parking on the premises contrary to the requirements of Sections 349.03 and 349.04 and said usage being in conflict with the provisions of Section 337.24 of the Codified Ordinances.

**Calendar No. 97-250:** 8931-33 Cedar Avenue, S.E.

Charles Scott, owner, and Los Chinos Management Group Inc., c/o Dan Chan, tenant, appeal to convert to a restaurant with 123 seats on the ground and upper levels of the 27' x 66' two-story masonry and frame store and four dwelling units building and to construct a 16-car off-street parking lot all on the 96' x 105' irregular shaped corner parcel located in a Local Retail District on the northwest corner of East 90th Street and Cedar Avenue at 8931-33 Cedar Avenue; said existing building being at the street line instead of back of the 10' specific setback building line area as required by Section 357.07 and said conversion not to be in compliance with the off-street parking requirements of Sections 349.03 and 349.04 and the landscaping requirements of Sections 352.10 and 352.11 of the Codified Ordinances.

HUNTER MORRISON,  
Acting Secretary

1959

## REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 24, 1997

At the Meeting of the Board of Zoning Appeals on, Monday, November 17, 1997, the following appeals were heard by the Board, and, on Monday, November 24, 1997 were decided by the Board.

The following appeal was **Refused:**

**Calendar No. 97-236:** 4728-32 Lorain Avenue  
John Higdon, owner, appealed, to convert to a rooming house with seven occupancies.

The following appeals were **Postponed:**

**Calendar No. 97-230:** 16119 Waterloo Road to December 29, 1997.

**Calendar No. 97-240:** Appeal of Richard Geiger to January 12, 1998.

**Calendar No. 97-247:** 6022 and 6024 Superior Ave., N.E. to January 8, 1998.

The following appeal was **Postponed Indefinitely:**

**Calendar No. 97-215:** 573 East 140th Street.

HUNTER MORRISON,  
Acting Secretary

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

NO MEETING

## PUBLIC NOTICE

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

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

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

## NOTICE OF PUBLIC HEARING

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."

**FRIDAY, DECEMBER 5, 1997**

**Phase VI, Ready Return Building Interiors for the Consolidated Rental Car Facility**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 561-97, passed by the council of the City of Cleveland.

PLANS AND SPECIFICATIONS MAY BE OBTAINED FOR THE **NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK FROM THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.** A PRE-BID MEETING WILL BE HELD ON MONDAY, DECEMBER 1, 1997, 10:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

November 19, 1997 and November 26, 1997

**THURSDAY, DECEMBER 11, 1997**

**Labor and Materials to Repair or Replace Fencing at Various Ball Diamonds**, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1777-97, passed by the Council of the City of Cleveland, October 13, 1997.

**Towel and Linen Service**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1743-97, passed by the Council of the City of Cleveland, October 13, 1997.

November 19, 1997 and November 26, 1997

**FRIDAY, DECEMBER 12, 1997**

**Various Automotive Parts (Items 3, 13, 35, & 45)**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1155-97, passed by the Council of the City of Cleveland, August 13, 1997.

**Rebuilt Allison Transmission**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 541-97, passed by the Council of the City of Cleveland, June 2, 1997.

November 19, 1997 and November 26, 1997

**WEDNESDAY, DECEMBER 17, 1997**

**Renovation of the Carl B. Stokes Public Utilities Building, 1201 Lakeside Avenue**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 1254-92 and 2096-92, passed by the Council of the City of Cleveland, June 24, 1992 and December 14, 1992.

A DEPOSIT OF ONE HUNDRED FIFTY DOLLARS (\$150.00) 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 1, 1997, 10:00 A.M. AT THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, AUDITORIUM A.

November 19, 1997 and November 26, 1997

**THURSDAY, DECEMBER 18, 1997**

**Labor and Materials to Remove Barrels Containing Toxic Traffic Paint Materials and Other Services**, for the Division of Traffic Engineering and Parking, Department of Public Safety, as authorized by Ordinance No. 620-97, passed by the Council of the City of Cleveland, May 19, 1997.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 2, 1997, 10:00 A.M. IN BUILDING 4 OF THE TRAFFIC SIGN UNIT, 4150 EAST 49TH STREET.

November 19, 1997 and November 26, 1997

**FRIDAY, DECEMBER 19, 1997**

**One (1) Leaf Vac**, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**Two (2) Walk-in Step Vans**, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**Four (4) Police 3-Wheel Scooters**, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**One (1) Vacuum Sidewalk Sweeper/Litter Vacuum and One (1) Special Area Vacuum/Sidewalk Sweeper**, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**One (1) Tar Kettle**, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

November 19, 1997 and November 26, 1997

**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**

**Lonnie 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

#### ADOPTED RESOLUTIONS AND ORDINANCES

**Res. No. 1785-97.**  
**By Councilman Skrha (by request).**  
**An emergency resolution declaring the intention to vacate a portion of Packard Court, N.E.**

Whereas, this Council is satisfied that there is good cause for vacating all that portion of Packard Court, N.E., hereinafter described, and

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

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

**Section 1.** That it hereby declares its intention to vacate the following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being all that portion of Packard Court, N.E., (12 feet wide) extending Easterly 132 feet from the Easterly line of East 25th Street (66 feet wide).

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

Adopted November 17, 1997.

Effective November 22, 1997.

**Res. No. 2082-97.**  
**By Councilman Melena.**  
**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 8504 Detroit Ave.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 17092740110, Convenient Food Mart Inc., DBA Convenient Food Mart 3 143 2, 8504 Detroit Ave., Cleveland, Ohio 44112; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 17092740110, Convenient

Food Mart Inc., DBA Convenient Food Mart 3 143 2, 8504 Detroit Ave., Cleveland, Ohio 44112 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted November 17, 1997.

Effective November 22, 1997.

**Res. No. 2083-97.**  
**By Councilman Skrha.**  
**An emergency resolution withdrawing objection to the issuance of a D5F Liquor Permit to 5555 N. Marginal Rd., and repealing Res. No. 1349-97, objecting to said issuance.**

Whereas, this Council objected to the issuance of a D5F Liquor Permit to 5555 N. Marginal Rd., by Res. No. 1349-97, adopted July 16, 1997; and

Whereas, this Council wishes to withdraw its objection to the above issuance and consents to said issuance; 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 issuance of a D5F Liquor Permit to 5555 N. Marginal Rd., be and the same is hereby withdrawn and Res. No. 1349-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance 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 17, 1997.

Effective November 22, 1997.

**Res. No. 2084-97.**  
**By Councilman Willis.**  
**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 11025 Ashbury Ave.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 0330571, Ashbury Food Inc., 11025 Ashbury Ave., 1st Fl., Cleveland, Ohio 44106, to Permit No. 0978449, Brooklyn Corner Foods Inc., 11025 Ashbury Ave., 1st Fl., Cleveland, Ohio 44106; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 0330571, Ashbury Food Inc., 11025 Ashbury Ave., 1st Fl., Cleveland, Ohio 44106, to Permit No. 0978449, Brooklyn Corner Foods Inc., 11025 Ashbury Ave., 1st Fl., Cleveland, Ohio 44106 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted November 17, 1997.

Effective November 22, 1997.

**Res. No. 2085-97.**  
**By Councilman Rybka.**  
**An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 7018 Union Ave. 1st Fl. & Bsmt.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and Liquor Permit from Permit No. 8722312, Geraldine R. Svihlik, DBA Ohio Cocktail Bar, 7018 Union Avenue, Cleveland, Ohio 44105, to Permit No. 5729924, Ransom McDowell Jr., 7018 Union Ave, 1st Fl. & Bsmt., Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 8722312, Geraldine R. Svihlik, DBA Ohio Cocktail Bar, 7018 Union Avenue, Cleveland, Ohio 44105, to Permit No. 5729924, Ransom McDowell Jr., 7018 Union Ave, 1st Fl. & Bsmt., Cleveland, Ohio 44105 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted November 17, 1997.

Effective November 22, 1997.

**Res. No. 2086-97.**

**By Councilman Smith.**  
**An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3347 Meyer Avenue, and repealing Res. No. 1355-97, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 3347 Meyer Avenue, by Res. No. 1355-97, adopted July 16, 1997; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3347 Meyer Avenue, be and the same is hereby withdrawn and Res. No. 1355-97, 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 17, 1997.

Effective November 22, 1997.

**Res. No. 2087-97.**

**By Councilmen Sweeney, Jackson, Rybka and Westbrook (by departmental request).**  
**An emergency resolution declaring the necessity and intention to appropriate property for public use as a public road.**

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 for the public purpose of developing a public road, it is necessary to appropriate in fee simple interest and this Council hereby declares its intent to appropriate the fee simple interest in and to the following described property:

Roadway and Utility Easement  
 Phyllis J. Churnega  
 to  
 Emerald Corporate Park

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Rockport Township Section No. 4 and more fully described as follows:

Commencing at the Southwesterly corner of a parcel of land conveyed to Phyllis Jean Churnega by deed recorded in Volume 91-3169, Page 35 of Cuyahoga County Deed Records;

Thence North 01° 37' 51" East along the Westerly line of said land conveyed to Phyllis Jean Churnega, 300.00 feet to the Northwesterly corner of said land of Phyllis Jean Churnega;



Thence North 82° 33' 35" East along the Northerly line of said land conveyed to Phyllis Jean Churnega, 18.51 feet to a point and the principal place of beginning;

Thence continuing North 82° 33' 35" East along said Northerly line, 83.40 feet to the Northeasterly corner of said land conveyed to Phyllis Jean Churnega;

Thence South 01° 37' 51" West along the Easterly line of said land conveyed to Phyllis Jean Churnega, 53.42 feet;

Thence North 62° 18' 41" West, about 91.68 feet to a point on said Northerly line of land conveyed to Phyllis Churnega and the principal place of beginning.

**Section 2.** That the Director of Finance is hereby authorized and directed to cause written notice of the adoption of this resolution to be given to the owners, persons in possession or having an interest of record in the abovementioned premises, and such notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

**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. 2088-97.**

**By Councilmen Patmon, Britt, Zone, Smith, Jackson, Westbrook, Robinson, Rybka, Lewis, Polensek, Coats, Skrha, White, Gordon, Dolan, Johnson, Melena, Moran, Patton, Sweeney and Willis.**

**An emergency resolution urging Governor Voinovich to intervene and the Ohio legislature to cease and desist from its actions to repeal and/or undermine Ohio's affirmative action laws and policies affecting women and minorities in the State of Ohio.**

Whereas, Ohio's affirmative action laws and policies provide a level playing field to women and minorities in the areas of fair housing, fair employment, fair contracting and fair education in the State of Ohio; and

Whereas, any actions by Governor Voinovich and the Ohio legislature to restrict and/or eliminate the affirmative action laws and policies of this state must be immediately stopped; and

Whereas, Ohio's affirmative action laws and policies deal with the issue of fairness to women and minorities by providing these groups access in the areas of housing, employment, contracting and education in this state; and

Whereas, to portray Ohio's laws and policies on affirmative action as anything else but of providing fair access in the areas of housing, employment, contracting and education is to totally mischaracterize the issues and does not deal with these issues honestly;

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

**Section 1.** That this Council urges Governor Voinovich to intervene and the Ohio legislature to cease and desist from its actions of attacking and undermining Ohio's affirmative action laws and policies that pro-

vide women and minorities equal access in the areas of fair housing, fair employment, fair contracting and fair education.

**Section 2.** That this Council will not stop its efforts to uphold and fight for laws and policies that provide women and minorities equal access in the areas of fair housing, fair employment, fair contracting and fair education.

**Section 3.** That the Clerk of Council transmit copies of this resolution to the Governor and the Cuyahoga County delegation of the state legislature.

**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 17, 1997.

Effective November 22, 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.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1737-97.  
By Councilmen Coats and Westbrook (by departmental request).**

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

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

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

**Section 1.** That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of Toro mower parts in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22986)

**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 17, 1997.

Effective November 22, 1997.

**Ord. No. 1864-97.  
By Councilmen Patmon, 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 850 Lakeview Road to Aids Housing Council of Greater Cleveland.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 108-31-003, 108-31-004 and 108-31-005, as more fully described in Section 2 below, to Aids Housing Council of Greater Cleveland.

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

P.P. Nos. 108-31-003,  
108-31-004, 108-31-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot Nos. 58, 57, 56 and part of Sublot No. 55 in the Realty Underwriters Company's Lakeview Road Subdivision of part of Original One Hundred Acre Lot No. 371, as shown by the recorded plat in Volume 63 of Maps, Page 30, of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the Northerly line of Willomere Avenue, N.E., with the Westerly line of Lakeview Road, N.E.; thence North 8°-40'-05" West along the Westerly line of Lakeview Road, 188.40 feet to a point; thence North 89°-38'-15" West, 219.96 feet to a point; thence South 5°-33'-35" East, 91.85 feet to a point; thence South 89°-38'-15" East, 93.35 feet to a point; thence due South 38.00 feet to a point; thence Southeasterly on a curved line deflecting to the left having a radius of 10.00 feet; a distance of 15.77 feet to a point; thence due South 48.59 feet to the Northerly line of Willomere Avenue; the North 89°-34'-25" East along the Northerly line of Willomere Avenue, 136.10 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to the easements, rights and privileges in and over Northerly 2-1/2 feet of the above described premises in favor of the owner of the premises lying Northerly of and contiguous thereto, together with the easements, rights, and privileges in and over the Southerly 5 feet of premises lying Northerly of and contiguous to the above described premises.

**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 17, 1997.  
Effective November 22, 1997.

**Ord. No. 2081-97.**  
**By Councilman Jackson.**  
**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Samantha Mayti).**

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

**Section 1.** That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5, at the locations specified: Samantha Mayti at East 32nd Street and Euclid Avenue.

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

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

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

Passed November 17, 1997.  
Effective November 22, 1997 with-out the signature of the Mayor.

## DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

### RULES AND REGULATIONS OF THE DIRECTOR OF PARKS, RECREATION, AND PROPERTIES (Effective 11/29/97)

Pursuant to the authority vested in the Director of Parks, Recreation, and Properties ("Director") by the Council of the City of Cleveland ("City") under Section 133.03 of the Cleveland Codified Ordinances (the "Code"), the Director hereby establishes rules and regulations for the use of public property and orders published in the City Record the following rule and regulation ("Regulations"). It is to be effective as of November 29, 1997.

1. In the interest of public safety and to protect the recent improvements, no sporting activities, including, but not limited to, tackle or touch football, soccer, rugby, softball or baseball, or other similar games, matches, or sports, are permitted in the area known as Mall B, which is bounded by St. Clair Avenue, Lakeside Avenue, Franz Pastorius Drive, and the Convention Center, unless prior written approval has been granted by the Director, or as part of a Special Event Permit.

2. All persons found to be in violation of this rule will be guilty of trespass as defined in Section 623.04 of the Codified Ordinances.

November 19, 1997 and November 26, 1997

## COUNCIL COMMITTEE MEETINGS

Monday, November 24, 1997

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

**City Planning Committee: 1:00 P.M.** — Present: Rybka, Chairman; Britt, Vice Chairman; Jackson, White, Zone. Excused: Gordon, Skrha.

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

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

Tuesday, November 25, 1997

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

Wednesday, November 26, 1997

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

# Index to Council Proceedings

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

**Agency Fund**

\$4,374,899 — various divisions of the General — \$1,200,000 — within the Special Revenue Fund — \$203,512 Internal Service Fund — \$3,818,584 — Enterprise Fund — \$386,575 — transfer (O 2098-97)..... 1939

**Appropriations**

Appropriations, additional — \$50,000 Internal Service Fund — \$1,015,732 Enterprise Fund (O 2099-97) ..... 1943  
 Temporary appropriation for payroll and other expenses — January 1, 1998 until effective date of annual appropriation ordinance for fiscal year ending December 31, 1998 (O 2097-97) ..... 1933

**Banners**

East 185th Street, various locations — Northeast Shores Development Corporation — banners for Holiday Season (O 2114-97) ..... 1951  
 Encroach into public right-of-way of Martin Luther King, Jr. Boulevard and Shaker Boulevard — Health Hill Hospital for “Children —banners on CPP and CEI poles (O 2023-97) ..... **1954-T**  
 Martin Luther King, Jr. Boulevard and Shaker Boulevard — Health Hill Hospital for Children — banners on CPP and CEI poles (O 2103-97) ..... 1944

**Budget Commission**

Amounts and rates — January 1, 1998 fiscal year — accept as determined by Budget Commission (R 2045-97) ..... 1953

**City Planning Commission**

Aetna Road, S. E., between East 71st Street and East 73rd Place — change use and area districts. (O 1947-97) ..... 1953  
 Amend Section 357.13 of the Codified Ordinances No. 925-95 — passed September 15, 1995 — relating to yard encroachments (O 1740-97)..... 1953  
 Change the Use District of lands bounded by Waterman Avenue, S.E. E. 63 Street and E. 61 Street (O 1745-97) ..... 1953  
 Change the Use, Area and Height Districts — East 89th Street, Cumberland Avenue (O 1764-97) ..... 1953  
 Contract of office furniture, workstations, and equipment — renovate and improve the offices (O 1641-97) ..... 1952  
 Establishing Buckeye Business — repeal ordinance No. 589-91 — passed June 3, 1991 (O 945-96) ..... 1953  
 Kinsman Road, 11908 — King Baker (O 795-97)..... 1952  
 Permit — Catholic Diocese of Cleveland — encroach into public right-of-way of East 9th (O 1463-97) ..... 1952  
 Permit — Midtown Corridor — encroach into public right-of-way with Neighborhood Identification signs (O 1456-97)..... 1952

**City Planning Department**

East 78th Street (westerly) between Aetna Road, S.E. and Osage Avenue, S. E. — change use area of lands (O 2107-97) ..... 1946  
 Shaker Heights, west of Warrensville Center Road and south of Shelbourne Road — easements — Parks, Recreation and Properties Department — City Planning Department (O 1074-97) ..... 1952  
 Waterloo Road, N. E. (lands south of) and the New York/Central Railroad between Neff Road, N.E. - change use of lands (O 2106-97) ..... 1946  
 West 118th Street, north of Lorain Avenue to Geraldine Avenue, N.W. — change Use and Area Districts — City Planning Department (O 1869-97)..... 1953

**Cleanland, Ohio**

1998 Recycle Ohio program — accept grant — \$200,000 — Ohio Department of Natural Resources (O 2026-97) ..... 1953

**Cleveland Hopkins International Airport**

Air Traffic Controller — increase by to appropriate staffing levels to monitor flights  
 — Cleveland Hopkins International Airport (R 2112-97) ..... 1947  
 Rental car complex facility — maintain and repair interior and exterior grounds —  
 Cleveland Hopkins International Airport (O 2101-97) ..... 1944  
 Terminal and roadway signs — construct — Cleveland Hopkins International Airport  
 (O 2102-97) ..... 1944

**Codified Ordinances**

Pit Bull dogs — Codified Ordinances — enact new Section 604.06 (O 2113-97)..... 1946

**Community Development**

Cliffview Garden Apartments — purchase — Federal Home Loan Mortgage Corporation  
 — accept funds —implement redevelopment —demolition (O 2108-97)..... 1947  
 Kinsman Road, 11908 — King Baker (O 795-97)..... 1952

**Condolences**

Bolton Davis, Juanita (R 2121-97) ..... 1933  
 Crockett, Joanne (R 2119-97) ..... 1933  
 McCalaster, Mary (R 2122-97) ..... 1933  
 Tarcai, Elsie (R 2118-97) ..... 1933  
 Worther, James H. (R 2120-97) ..... 1933

**Congratulations**

Kiwanis of Southeast Cleveland (R 2124-97) ..... 1933  
 McDonald, Reverend Ruth (R 2123-97) ..... 1933

**County Auditor**

Amounts and rates — January 1, 1998 fiscal year — accept as determined by Budget  
 Commission (R 2045-97) ..... 1953  
 Tax Advances (1998) — requesting — County Auditor (R 2046-97) ..... 1954

**Demolition**

Cliffview Garden Apartments — purchase — Federal Home Loan Mortgage Corporation  
 — accept funds —implement redevelopment —demolition (O 2108-97)..... 1947

**Easements**

Roadway and utility easement — declare necessity and intention to appropriate property  
 for a public road in Emerald Corporate Park (R 2087-97) ..... 1962  
 Shaker Heights, west of Warrensville Center Road and south of Shelbourne Road — easements  
 — Parks, Recreation and Properties Department — City Planning Department  
 (O 1074-97) ..... 1952

**Economic Development Department**

Willoughby Holdings, L.L.C. — 6900-6917 Bessemer Avenue — real property, machinery and  
 equipment — \$253,200 — partially finance — contract (O 2105-97) ..... 1945

**Encroachments**

Martin Luther King, Jr. Boulevard and Shaker Boulevard — Health Hill Hospital for  
 Children — banners on CPP and CEI poles (O 2103-97) ..... 1944

**Federal Aviation Administration (FAA)**

Air Traffic Controller — increase by to appropriate staffing levels to monitor flights  
 — Cleveland Hopkins International Airport (R 2112-97)..... 1947

**Finance Department**

\$4,374,899 — various divisions of the General — \$1,200,000 — within the Special Revenue  
 Fund — \$203,512 Internal Service Fund — \$3,818,584 — Enterprise Fund — \$386,575  
 — transfer (O 2098-97) ..... 1939  
 Amend Section 1 of Ordinance No. 1245-92 passed June 15, 1992 — relating to  
 rehabilitating or reconstructing (O 1453-97)..... 1952

Appropriations, additional - \$50,000 Internal Service Fund — \$1,015,732 Enterprise Fund (O 2099-97) ..... 1943

Contract of office furniture, workstations, and equipment — renovate and improve the offices (O 1641-97) ..... 1952

Temporary appropriation for payroll and other expenses — January 1, 1998 until effective date of annual appropriation ordinance for fiscal year ending December 31, 1998 (O 2097-97) ..... 1933

**General Fund**

\$4,374,899 — various divisions of the General — \$1,200,000 — within the Special Revenue Fund — \$203,512 Internal Service Fund — \$3,818,584 — Enterprise Fund — \$386,575 — transfer (O 2098-97) ..... 1939

**Governor Voinovich**

Affirmative action laws and policies — urge Governor Voinovich to intervene and Ohio Legislature to cease and desist from its actions to repeal and/or undermine Ohio's Affirmative action laws (R 2088-97) ..... 1963

**Grants**

1998 Recycle Ohio program — accept grant — \$200,000 — Ohio Department of Natural Resources (O 2026-97) ..... 1953

**Internal Service Funds**

\$4,374,899 — various divisions of the General — \$1,200,000 — within the Special Revenue Fund — \$203,512 Internal Service Fund — \$3,818,584 — Enterprise Fund — \$386,575 — transfer (O 2098-97) ..... 1939

Appropriations, additional - \$50,000 Internal Service Fund — \$1,015,732 Enterprise Fund (O 2099-97) ..... 1943

**Land Reutilization Program**

Addison Road, Permanent Parcel No. 106-18-011 — Morton Crawford, Sr. (O 2109-97) ..... 1949

East 87th Street, 1178 — King S. Norfleet (O 2111-97) ..... 1950

Kinsman Road, 11908 — King Baker (O 795-97) ..... 1952

Lakeview Road, 850 — Aids Housing Council of Greater Cleveland (O 1864-97) ..... 1963

Lexington Avenue, 7211 and 7207 — Lillie Ann Brown-Oden. (O 2110-97) ..... 1950

**Land Use Regulation**

Land use issues — zoning determinations — HR Bill 1534 —urge President Clinton to veto (R 2116-97) ..... 1951

**Landmark**

Hanna-Figueroa House, 5506 Franklin Boulevard, N.W. (Ward 17 — designate as a landmark. (O 1940-97) ..... 1953

**Liquor Permits**

Ashbury Avenue, 11025 (Ward 9) — object to transfer of ownership of C1 and C2 permit (R 2084-97) ..... 1961

Detroit Avenue, 8504 (Ward 17) — objection to issuance (R 2082-97) ..... 1961

East 152nd Street, 552 and gas pumps (Ward 10) — withdraw objection to transfer of ownership of C1 and C2 permit — repeal Resolution No. 1534-97 (R 2115-97) ..... 1951

Meyer Avenue, 3347 (Ward 14) — withdraw objection to transfer of ownership of C2 and C2X permit — repeal Resolution No. 1355-97 (R 2086-97) ..... 1962

North Marginal Road, 5555 (Ward 13) — withdrawing objection to issuance of D5F permit — repeal Resolution No. 1349-97 (R 2083-97) ..... 1961

Union Avenue, 7018 , 1st floor and basement — object to transfer of ownership of D5 permit (R 2085-97) ..... 1962

**Ohio Board of Pharmacy**

Rohypnol — urge Ohio Board of Pharmacy and Ohio Legislature to reclassify as a controlled substance (R 2089-97) ..... 1963

**Ohio Department of Natural Resources**

1998 Recycle Ohio program — accept grant — \$200,000 — Ohio Department of Natural Resources (O 2026-97) ..... 1953

**Ohio Legislature**

Affirmative action laws and policies — urge Governor Voinovich to intervene and Ohio Legislature to cease and desist from its actions to repeal and/or undermine Ohio's Affirmative action laws (R 2088-97) .....	1963
Rohypnol — urge Ohio Board of Pharmacy and Ohio Legislature to reclassify as a controlled substance (R 2089-97) .....	1963

**Parks, Recreation and Properties Department**

Contract with competitive bidding — Energy Resources, assignee for the purchase of steam heating (O 1650-97) .....	1953
Personnel, temporary and seasonal — temporary employment agencies — Department of Parks, Recreation and Properties — Department of Personnel and Human Resources (O 2104-97) .....	1945
Purchase site at northwest corner of East 81st and Mansfield Avenue (O 1649-97) .....	1953
Shaker Heights, west of Warrensville Center Road and south of Shelbourne Road — easements — Parks, Recreation and Properties Department — City Planning Department (O 1074-97) .....	1952

**Peddlers**

Mayti, Samantha — authorize to peddle in Ward 5. (O 2081-97) .....	1964
--	------

**Permits**

Encroach into public right-of-way of Martin Luther King, Jr. Boulevard and Shaker Boulevard — Health Hill Hospital for "Children — banners on CPP and CEI poles (O 2023-97) .....	1954-T
Permit — Midtown Corridor — encroach into public right-of-way with Neighborhood Identification signs (O 1456-97) .....	1952
Permit — United States Government, General Services Administration, Federal Courthouse — install closed circuit television cameras — appurtenances within public right-of-way (O 1300-97) .....	1952

**Personnel and Human Resources Department**

Personnel, temporary and seasonal — temporary employment agencies — Department of Parks, Recreation and Properties — Department of Personnel and Human Resources (O 2104-97) .....	1945
--	------

**Port Control Department**

Air Traffic Controller — increase by to appropriate staffing levels to monitor flights — Cleveland Hopkins International Airport (R 2112-97) .....	1947
Rental car complex facility — maintain and repair interior and exterior grounds — Cleveland Hopkins International Airport (O 2101-97) .....	1944
Terminal and roadway signs — construct — Cleveland Hopkins International Airport (O 2102-97) .....	1944

**Real Estate**

Roadway and utility easement — declare necessity and intention to appropriate property for a public road in Emerald Corporate Park (R 2087-97) .....	1962
--	------

**Recognitions**

Wallace, Dr. Robert C. (R 2125-97) .....	1933
--	------

**Recycling Program**

1998 Recycle Ohio program — accept grant — \$200,000 — Ohio Department of Natural Resources (O 2026-97) .....	1953
---	------

**Resolutions — Miscellaneous**

Cuyahoga River — designate as an American Heritage River — urge President Clinton (R 2117-97) .....	1952
Land use issues — zoning determinations — HR Bill 1534 —urge President Clinton to veto (R 2116-97) .....	1951

**Service Department**

1998 Recycle Ohio program — accept grant — \$200,000 — Ohio Department of Natural Resources (O 2026-97) ..... 1953

Amend Section 1 of Ordinance No. 1245-92 passed June 15, 1992 — relating to rehabilitating or reconstructing (O 1453-97)..... 1952

Amend Section 12 of Ordinance No. 2368-92 passed December 14, 1992 — relating to rehabilitation of Memphis Avenue (O 1454-97)..... 1952

City's share the State of Ohio and the County of Cuyahoga for the cost of repairing and resurfacing (O 1452-97)..... 1952

City's share to the State of Ohio for the cost of rehabilitating and reconstructing (O 1451-97)..... 1952

Contract of Toro mower parts (O 1737-97)..... **1963**

Contract of office furniture, workstations, and equipment — renovate and improve the offices (O 1641-97)..... 1952

Determining the method of making public improvement — of Carter Road, Columbus Road, Center Street, West 3rd Street Willow Avenue and Eagle Avenue lift bridgers (O 1642-97)..... 1953

Permit — Catholic Diocese of Cleveland — encroach into public right-of-way of East 9th (O 1463-97)..... 1952

Permit — Cleveland State University — encroach into public right-of-way underneath East 24th Street (O 1780-97)..... 1953

Permit — Midtown Corridor — encroach into public right-of-way with Neighborhood Identification signs (O 1456-97)..... 1952

Permit — United States Government, General Services Administration, Federal Courthouse — install closed circuit television cameras — appurtenances within public right-of-way (O 1300-97)..... 1952

**Street—Vacation**

Intention to vacate a portion of Packard Court (R 1785-97)..... **1961**

**Taxes**

Amounts and rates — January 1, 1998 fiscal year — accept as determined by Budget Commission (R 2045-97) ..... 1953

Tax Advances (1998) — requesting — County Auditor (R 2046-97)..... 1954

**Temporary and seasonal personnel**

Personnel, temporary and seasonal — temporary employment agencies — Department of Parks, Recreation and Properties — Department of Personnel and Human Resources (O 2104-97)..... 1945

**Utilities Department**

Processing machines — Division of Water (O 2100-97)..... 1944

**Vicious Dogs**

Pit Bull dogs — Codified Ordinances — enact new Section 604.06 (O 2113-97)..... 1946

**Water Division**

Processing machines — Division of Water (O 2100-97)..... 1944

**Zoning**

Aetna Road, S. E., between East 71st Street and East 73rd Place — change use and area districts. (O 1947-97) ..... 1953

Change the Use District of lands bounded by Waterman Avenue, S.E. E. 63 Street and E. 61 Street (O 1745-97) ..... 1953

Change the Use, Area and Height Districts — East 89th Street, Cumberland Avenue (O 1764-97)..... 1953

East 78th Street (westerly) between Aetna Road, S.E. and Osage Avenue, S. E. — change use area of lands (O 2107-97) ..... 1946

Establishing Buckeye Business — repeal ordinance No. 589-91 — passed June 3, 1991 (O 945-96) ..... 1953

Land use issues — zoning determinations — HR Bill 1534 —urge President Clinton to veto (R 2116-97)..... 1951

Waterloo Road, N. E. (lands south of) and the New York/Central Railroad between Neff Road, N. E. - change use of lands (O 2106-97)..... 1946

West 118th Street, north of Lorain Avenue to Geraldine Avenue, N.W. — change Use and Area Districts — City Planning Department (O 1869-97)..... 1953