

The City Record

Official Publication of the City of Cleveland

December the Tenth, Nineteen Hundred and Ninety-Seven

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

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

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

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

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

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

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

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

DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.
DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
Emergency Medical Service - Bruce Shade, Commissioner, 1708 South Pointe Drive

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, _____, Councilman Jay Westbrook.

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

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

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

CLEVELAND MUNICIPAL COURT JUSTICE CENTER-1200 ONTARIO CENTRAL SCHEDULING DEPARTMENT

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

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

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WEDNESDAY, DECEMBER 10, 1997

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CITY COUNCIL

MONDAY, DECEMBER 8, 1997

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Dolan, Gordon, Jackson, Moran, 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 December 8, 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, Patmon, Patton, Polensek, Robinson, Rybka, Skrha, Smith, Sweeney, Westbrook, Willis, Zone.

Also present were Mayor White, and Directors Sobol-Jordan, Carmody, Konicek, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch, and Morrison and Acting Directors Scott, Whitner.

Absent: Director Guzman.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by The Rev. Bryan Gillooly, Deacon from St. Lukes Episcopal Church in the West Side Episcopal Parish Center. 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.

COMMUNICATIONS

File No. 2126-97.

From the Department of Port Control re: Notification of "Set-Aside" Req. # 13447. Received.

File No. 2127-97.

From the Department of Port Control re: Notification of "Set-Aside" Req. # 098856. Received.

File No. 2128-97.

From the Department of Community Development re: Notification of MBE/FBE Set-Aside Award Req. # 098468. Received.

File No. 2129-97.

From the Director of the Department of Public Service re: Notice to Council of Subsidiary Agreement, Contract # 51412. Received.

File No. 2130-97.

From the Strongsville City Council re: Copy of Resolution No. 1997-236, adopted November 17, 1997, opposing Ohio Senate Bill 72. Received.

File No. 2131-97.

From the State of Ohio Environmental Protection Agency re: Water Pollution Control Loan Fund, Draft 1998 Program Management Plan, Draft Rural Hardship Grant Program. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 2132-97.

Re: Transfer of Ownership Application - 2392084 - Paul J. Eadeh dba Mikes Beverage, 5275-79 Broadway Avenue, first floor and basement. (Ward 13). Received.

File No. 2133-97.

Re: Transfer of Ownership Application - 4236169 - Jenat Inc. dba Doc & Louies Downtown, 2030 East 49th Street. (Ward 5). Received.

File No. 2134-97.

Re: Transfer of Ownership Application - 6605634 - Our Stock Inn Inc. dba Our Stock Inn, 3135 West 63rd Street. (Ward 17). Received.

File No. 2135-97.

Re: Transfer of Ownership Application - 9761239 - Woodland Grocery Inc., 5611 Woodland Avenue. (Ward 5). Received.

File No. 2136-97.

Re: Transfer of Ownership Application - 9737130 - Wolfs Den Corp dba Wolfs Den, 8214 Cedar Road. (Ward 6). Received.

File No. 2137-97.

Re: Transfer of Ownership Application - 1176903 - C. K. Wu Inc. dba The Dock Bar, 3701 Payne Avenue, first floor and basement. (Ward 13). Received.

File No. 2138-97.

Re: Transfer of Ownership Application - 6571521 - Oreillys Nightclub Inc., Unit 2, first floor front, 11901 Berea Road. (Ward 19). Received.

File No. 2139-97.

Re: Transfer of Ownership Application - 1885272 - D & J Grocery Inc. dba Sun Light Foods, 9619 Anderson Road, first floor. (Ward 2). Received.

File No. 2140-97.

Re: Transfer of Ownership Application - 64165010005 - 9601 Lorain Avenue Inc., 9601 Lorain Avenue. (Ward 18). Received.

File No. 2141-97.

Re: Stock Transfer Application - 1173221 - C 2 Ardel Corp. Inc. dba Bobs Bar & Deli, 10201-03 Manor Avenue. (Ward 4). Received.

File No. 2142-97.

Re: Stock Transfer Application - 0347488 - B Brothers Inc., first floor, Second Floor, basement and patio, 2526 Market Avenue. (Ward 14). Received.

File No. 2143-97.
Re: New Application - 2335189 - Duffield Group Inc., 140 Public Square. (Ward 13). Received.

File No. 2144-97.
Re: New Application - 1130731 - Robert Henry Burton dba Missys, 4480 East 143rd Street. (Ward 1). Received.

STATEMENT OF WORK ACCEPTED

File No. 2145-97.
From the Department of Parks, Recreation and Properties re: Contract No. 49621 for Emery Park Site Improvements. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 2164-97—Collins Henry Lawery.

Res. No. 2165-97—Gladys M. Frazier.

Res. No. 2166-97—Marie Wilbur Evans Tilghman.

Res. No. 2167-97—Sam Whitman.

Res. No. 2168-97—Mrs. Wanda Matia.

CONGRATULATORY RESOLUTIONS

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

Res. No. 2169-97—Sayman & Mavis Bell.

Res. No. 2170-97—Holly K. Gigante.

RESOLUTIONS OF RECOGNITION

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

Res. No. 2171-97—Pastor Wesley I. Reid.

Res. No. 2172-97—Opal V. Conner.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 2146-97.
By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various automotive and truck parts and services, including inventory control service, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed three years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1376, for the requirements for the period of three (3) years for the necessary items of various automotive and truck parts and services, including inventory control service in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such

manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than three (3) 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 22188)

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. 2147-97.
By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to fabricate ring and pinion gears, 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 requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to fabricate ring and pinion gears in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

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

by the Director of Finance. (RL 23428)

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. 2148-97.
By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials to repair one boom truck, 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: labor and materials to repair one boom truck, 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. 23426.

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. 2149-97.
By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for painting roadways, runways, and other paved areas, for the various divisions of the 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 (2) years for the necessary items of labor and materials necessary for painting roadways, runways and other paved areas in the approximate amount as purchased

during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of 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 (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 22605)

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. 2150-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to enter into contract without competitive bidding with Data General Corporation for the purchase of computer hardware and operating system maintenance services, for the Division of Engineering and Construction, Department of Public Service, for a one year period.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Data General Corporation. Therefore, the Director of Public Service is hereby authorized and directed to make a written contract with said Data General Corporation upon the basis of its proposal dated October 2, 1997, for computer hardware and operating system maintenance services for various components of the City's Geographic Information System for a period commencing January 1, 1998, and expiring December 31, 1998, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Engineering and Construction, Department of Public Service.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-40-04-0615, Request No. 21970.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

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

Ord. No. 2151-97.

**By Councilman Skrha (by request).
An emergency ordinance authorizing the Director of Public Service to issue a permit to St. Maron's Church for a garage deck, aerial encroachments, and column & bollard encroachments, which will be located in the public right-of-way of East 12th Street between Bronson Court and Carnegie Avenue.**

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the consent of the Director of Public Service to St. Maron Maronite Catholic Church, 1245 Carnegie Avenue, Cleveland, Ohio 44115; its successors and assigns, for the construction, use and maintenance of a garage deck with support columns, protective bollards, and an aerial encroachment to be attached to St. Maron's Church property; and which garage deck, aerial rights, support columns and protective bollards will encroach into the public right-of-way of East 12th Street between Bronson Court and Carnegie Avenue at the locations more fully described as follows:

LEGAL DESCRIPTION FOR ENCROACHMENT OF SUPPORT COLUMNS AND PROTECTIVE BOLLARDS WITHIN THE RIGHT-OF-WAY OF EAST 12TH STREET

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original Two Acre Lot No. 140 and bounded and described as follows:

Beginning at the intersection of the South Line of Bronson Court S.E. (16.50 feet wide) and the West Line of East 12th Street (16.50 feet); thence South along the West Line of East 12th Street, 9.25 feet; thence East parallel to the North Line of Carnegie Avenue, 1.00 feet; thence South parallel to the West Line of East 12th Street, 2.50 feet; thence West parallel to the North Line of Carnegie Avenue, 1.00 foot; thence South along the West Line of East 12th Street, 6.25 feet; thence East parallel to the North Line of Carnegie Avenue 1.00 foot; thence South parallel to the West Line of East 12th Street, 2.50 feet; thence West parallel to the North Line of Carnegie Avenue, 1.00 foot; thence South along the West Line of East 12th Street, 24.50 feet; thence East parallel to the North Line of Carnegie Avenue, 1.00 foot; thence South parallel to the West Line of East 12th Street, 2.50 feet; thence West parallel to the North Line of Carnegie Avenue, 1.00 foot; thence South along the West Line of East 12th Street, 24.50 feet; thence East parallel to the North Line of Carnegie Avenue, 1.00 foot; thence South parallel to the West Line of East 12th Street, 2.50 feet;

thence West parallel to the North Line of Carnegie Avenue, 1.00 foot; thence South along the West Line of East 12th Street, 24.50 feet; thence East parallel to the North Line of Carnegie Avenue, 1.00 foot; thence South parallel to the West Line of East 12th Street, 2.50 feet; thence West parallel to the North Line of Carnegie Avenue, 1.00 foot; thence South along the West Line of East 12th Street, 20.25 feet; thence East parallel to the North Line of Carnegie Avenue, 1.00 foot; thence South parallel to the West Line of East 12th Street, 2.50 feet to a point in the North Line of Carnegie Avenue; thence West along the North Line of Carnegie Avenue, 1.00 foot to the West Line of East 12th Street.

LEGAL DESCRIPTION OF AERIAL ENCROACHMENT OF EAST 12TH STREET

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original Two Acre Lot Number 140 and bounded and described as follows:

Beginning at the intersection of the North Line of Carnegie Avenue S.E. (100.00 feet wide) and the East Line of East 12th Street (16.50 feet wide); thence Northerly 124.25 feet along the East Line of East 12th Street to the South Line of Bronson Court S.E. (16.50 feet wide); thence West along the South Line of Bronson Court and parallel to the North Line of Carnegie Avenue 16.50 feet to a point in the West Line of East 12th Street; thence South along the West Line of East 12th Street, 124.25 feet to a point in the North Line of Carnegie Avenue; thence East along the North Line of Carnegie Avenue, 16.50 feet to the place of beginning.

Section 2. That said Support Columns, Protective Bollards and Aerial Encroachments will be constructed within the public right-of-way at the locations aforesaid in Section 1, and with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

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

Ord. No. 2152-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Hepatitis-B Vaccine Adult vaccines, for the various divisions of the Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of Hepatitis-B Vaccine Adult vaccines in the estimated sum of \$50,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20112)

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

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

Ord. No. 2153-97.

By Councilmen Skrha, 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 4493 Douse Avenue to Lucille Liuzzo, Ronald Liuzzo, Richard Liuzzo and Dennis Liuzzo.

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. 123-19-117, as more fully described in Section 2 below, to Lucille Liuzzo, Ronald Liuzzo, Richard Liuzzo and Dennis Liuzzo.

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. 123-19-117

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in Thomas S. and Mary L. Douse's Subdivision of part of Original One Hundred Acre Lot No. 282, as shown by the recorded plat in Volume 8 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Northerly side of Souse Avenue, S.E., 123 feet 10-1/2 inches deep on the Easterly line, which is also the Westerly line of Track Road, S.E. (40 feet wide), 123 feet 4 inches deep on the Westerly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 2154-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into contracts with Food Ingredient Specialties, Inc., dba L.J. Minor, Inc., or its designee, to provide economic development assistance to partially finance the land acquisition and the access road construction between Auburn and Barber Roads, located at 2621 West 25th Street, Cleveland, Ohio; and authorizing said director to apply for and accept a grant from the State of Ohio to assist the grantee in their expansion.

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 contracts with Food Ingredient Specialties, Inc., dba L.J. Minor, Inc., or its designee ("L.J. Minor"), to provide economic development assistance to partially finance the land acquisition and the access road construction between Auburn and Barber Roads, including incidental costs necessary to effect the expansion of L.J. Minor, including but not limited to the purchase of homes and the relocation of utility lines, located at 2621 West 25th Street, Cleveland, Ohio.

Section 2. That for the purposes of the contracts authorized herein, "designee" shall mean an entity controlled by L.J. Minor, or an entity controlled by those persons or entities holding a controlling interest in L.J. Minor as of the date of passage of this ordinance. Where a designee is named for purposes of the contracts authorized herein, L.J. Minor shall provide a corporate guaranty in a form acceptable to the City's Director of Law.

Section 3. That the term of said contracts shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2154-97-A.

Section 4. That the Director of Economic Development is hereby authorized to apply for and accept a grant in the amount of \$60,000, from the 629 Roadwork Development Fund of the State of Ohio, for the purpose of assisting L.J. Minor in their expansion by reimbursing L.J. Minor Company for the cost of infrastructure improvements associated with their expansion, and for other purposes set forth in the application and according thereto; that the Director of Economic Development is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant. That the application for said grant, set forth in the file described in Section 2, a part hereof as if fully rewritten herein, is hereby approved in all respects. The proceeds of said grant shall be deposited into Fund No. 17 SF 071.

Section 5. That the costs of the contracts authorized by Section 1 hereof shall not exceed \$325,000.00, \$60,000.00 of which shall be paid from Fund No. 17 SF 071 and \$265,000.00 of which shall be paid from Fund No. 17 SF 652 (RL 24254).

Section 6. That the Director of Economic Development is hereby authorized to accept any monies in repayment from L.J. Minor and to deposit said monies in Fund No. 17 SF 006.

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, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**FIRST READING EMERGENCY
RESOLUTIONS REFERRED**

Res. No. 2155-97.

**By Councilman Patton (by request).
An emergency resolution declar-
ing the intention to vacate a portion
of the First Alley North of Miles
Avenue and East of East 164th
Street.**

Whereas, this Council; is satisfied that there is good cause for vacating a portion of The First Alley North of Miles Avenue and East of East 164th Street, as hereinafter described, 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 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:

THE FIRST ALLEY (12.00 feet wide) North of Miles Avenue at its intersection with the Easterly line of East 164th Street (60.00 feet wide); thence Easterly to its intersection with the Northerly prolongation of the Westerly line of Sublot Number 42 in the Sorento Park Subdivision as shown by the recorded plat in Volume 15, Page 13 of Cuyahoga County Records.

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

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

Res. No. 2156-97.

**By Councilman Smith (by request).
An emergency resolution declar-
ing the intention to vacate portions
of Titus Ave., S.W., Evelyn Ave.,
S.W. & Ketteringham Rd., S.W. (for-
merly View Rd.).**

Whereas, this Council is satisfied that there is good cause for vacating portions of Titus Avenue, S.W., Evelyn Avenue, S.W. and Ketteringham Road, S.W. (formerly View Road), as hereinafter described; 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 it hereby declares its intention to vacate the following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being that portion of:

TITUS AVENUE, S.W.: (50.00 feet wide), extending Easterly from the Easterly line of Scranton Road, S.W. (60.00 feet wide) to the Westerly line of Ketteringham Road, S.W. (width varies).

KETTERINGHAM ROAD, S.W. (formerly View Road): (width varies), extending Southwesterly and Westerly from the Southerly line of Engldale Avenue (50.00 feet wide) to the Easterly line of Scranton Road, S.W. (60.00 feet wide).

EVELYN AVENUE, S.W.: (35.00 feet wide), extending Easterly from the Easterly line of Scranton Road, S.W. (60.00 feet wide) to the Westerly right-of-way of Interstate Route 71, so called.

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

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

Res. No. 2157-97.

**By Councilman Sweeney (by request).
An emergency resolution declar-
ing the intention to vacate a portion
of Hilltop Drive, S.W.**

Whereas, this Council is satisfied that there is good cause for vacating a portion of Hilltop Drive, S.W. as hereinafter described, 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 it hereby declares its intention to vacate the following described real property known as being all that portion:

HILLTOP DRIVE, S.W., 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 further known as being all of Hilltop Drive, S.W. as shown on the recorded plat of Crown Construction Corporation's Grayton Village Subdivision as recorded in Volume 154, Page 22 of Cuyahoga County Map Records.

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

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

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

Ord. No. 2158-97.

By Councilman Skrha.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Tremont West Development Corporation to hang thirty-two (32) Christmas Wreaths on both C.E.I. and C.P.P. utility poles (by separate permission) on various streets in the Tremont Area for the period of December 1, 1997 to January 8, 1998, inclusive, to celebrate 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 The Tremont West Development Corporation 2190 Professor Street, Cleveland, Ohio 44113; to install, maintain and remove thirty-two (32) Christmas Wreaths on portions of the following streets around Lincoln Park in the Tremont Area: Kenilworth Avenue, Starkweather Avenue, Literary Avenue, Tremont Avenue, Fairfield Avenue, Professor Avenue, West 10th Street, West 11th Street, and West 14th Street, and as more fully described in File No. 2158-97-A, filed with the Clerk of Council of the City of Cleveland; for the period from December 1, 1997 to January 8, 1998, inclusive. Said Wreaths shall be approved by the Director of Public Safety, as to type, method of affixing and location so as not 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 wreath will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said wreaths and said wreaths shall be removed promptly upon the expiration of said permit.

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

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. 2161-97.

**By Councilman Westbrook.
An emergency ordinance to amend
Section 11 of Ordinance No. 561-97,
passed June 2, 1997, relating to the
expansion and improvement of
Cleveland Hopkins Municipal Air-
port**

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

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

Section 1. That Section 11 of Ordinance No. 561-97, passed June 2, 1997 is hereby amended to read as follows:

"Section 11. That the President of Council is hereby authorized to employ by contract one or more firms of consultants for the purpose of supplementing the regularly employed staff of the office of the Council in order to provide professional services necessary to monitor all noise abatement programs, and expansion, improvement and master plan activities to be undertaken at Cleveland Hopkins International Airport, including, but not limited to, the Expansion Program and the Expansion Program Improvements set forth in this ordinance and all activities contemplated to be undertaken with the proceeds of the financing authorized in Ordinance

Nos. 923-97 and 2044-97. The selection of those consultants for such services shall be made by the President of Council after the use of requests for proposals for the purpose of determining and compiling a list of qualified consultants. The compensation to be paid for such services shall be fixed by the President. The contracts authorized by this Section 11 shall be certified by the Director of Finance and approved by the President of Council."

Section 2. That existing Section 11 of Ordinance No. 561-97, passed June 2, 1997 is hereby repealed.

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

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. 2162-97.

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

An emergency ordinance authorizing and directing the Director of Economic Development to enter into a contract with The P. W. Publishing Company to provide economic development assistance to assist the company in continuing its operations and retaining 50 jobs in the Empowerment Zone of the City of Cleveland.

Whereas, The P. W. Publishing Company was established in 1916; and

Whereas, The P. W. Publishing Company is one of the largest, oldest and most respected African American publishing companies in the United States and is the publisher of The Call & Post newspaper, which publishes four separate editions in the state of Ohio. The Call & Post is one of only a handful of African American newspapers across the United States that has separate editions serving multiple markets; and

Whereas, The Call & Post has a circulation of approximately 33,000 statewide with a readership of approximately 120,000; and

Whereas, in December of 1995, The P. W. Publishing Company filed for Chapter 11 protection with the United States Bankruptcy Court and has since filed an original and amended plan of reorganization with the Court. The Court has recently appointed a Trustee in connection with this action (hereinafter the "Trustee"); and

Whereas, economic development financial assistance from the City of Cleveland is crucial to assisting The P. W. Publishing Company to continue its operations in the City of Cleveland and the retention of approximately 50 employees, all of whom are minority persons; and

Whereas, this economic development financial assistance to an

African American business is appropriate to carry out the economic development project of retaining approximately 50 jobs to minority persons in the Empowerment Zone of the City of Cleveland, with the additional public benefit of retaining a long-standing Cleveland corporate citizen and a public asset to the Cleveland community; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public property, health and safety and 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, subject to the conditions set forth in Section 2 of this ordinance, the Director of Economic Development is hereby authorized and directed to enter into a contract with The P. W. Publishing Company to provide economic development assistance in order to retain approximately 50 jobs to minority persons in the Empowerment Zone of the City of Cleveland.

Section 2. That, prior to entering into the contract authorized in Section 1 of this ordinance, The P. W. Publishing Company shall have: (a) received the approval of the Trustee, and, if required, the approval of the U.S. Bankruptcy Court, of a business/reorganization plan for the company, which plan includes payment plans dealing with delinquent taxes and which recognizes the conditions contained in Section 2 and Section 3 of this ordinance; and (b) received the prior consent of this Council of an event which changes the current ownership structure of The P. W. Publishing Co., including a sale, assignment, or transfer of the assets of the company.

Section 3. That the costs of said contract shall not exceed \$400,000 of loan and/or grant funds and shall be paid from Fund No. 17 SF 008 (UDAG repayment funds). The terms of the authorized economic development assistance shall be presented to this Council immediately prior to the time the Trustee approves a business/reorganization plan for submittal to the U.S. Bankruptcy Court.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept moneys in repayment and deposit said moneys in Fund No. 17 SF 006.

Section 5. That the Director of Law is hereby authorized and directed to prepare said contract and such other documents as are necessary and appropriate to complete the transaction authorized herein.

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.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 2159-97.

By Councilman Johnson.

An emergency resolution objecting to the stock transfer of a D5 Liquor Permit to 10201-03 Manor Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D5 Liquor Permit to Permit No. 1173221, C 2 Ardel Corp. Inc., DBA Bobs Bar & Deli, 10201-03 Manor Avenue, Cleveland, Ohio 44104; 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 stock transfer of a D5 Liquor Permit to Permit No. 1173221, C 2 Ardel Corp. Inc., DBA Bobs Bar & Deli, 10201-03 Manor Avenue, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 2163-97.

By Councilmen Coats and Polensek. An emergency resolution urging CRES - COR Corporation to reconsider its decision to leave the City of Cleveland and urging the State of Ohio to deny the Company's request for tax abatement in the City of Mentor.

Whereas, CRES - COR Corporation has announced its decision to leave the City of Cleveland and relocate its business operations to the City of Mentor; and

Whereas, this Council understands that the company has applied for tax abatement with the City of Mentor; now, therefore,

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

Section 1. That the Council of the City of Cleveland hereby urges CRES - COR Corporation to reconsider its decision to leave the City of Cleveland and relocating its business in the City of Mentor and urges the State of Ohio to deny the Company's request for tax abatement.

Section 2. That the Clerk of Council be and she hereby is directed to transmit a certified copy of this resolution to the President of CRES - COR Corporation and the Director of Development, State of Ohio.

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.

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 1169-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to employ one or more professional nursing services to provide nursing services for the Division of Correction, Department of Public Health.

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

Ord. No. 1858-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with the Free Clinic of Greater Cleveland and the AIDS Taskforce of Greater Cleveland to provide services for people living with HIV/AIDS, for the Division of Health, Department of Public Health.

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

1. In the title, lines 4, 5 and 6, strike "Free Clinic of Greater Cleveland and the AIDS Taskforce of Greater Cleveland" and insert in lieu thereof the following: "**AIDS Funding Collaborative, or its designated fiscal agent.**".

2. In Section 1, line 2, between "the" and "Free" insert "**AIDS Funding Collaborative, or its designated fiscal agent, for provision of monies to the**"; in line 4, strike "to provide services" and insert "**for HIV/AIDS programs**"; and in line 5, strike "to people living with HIV/AIDS".

Amendments agreed to.

Ord. No. 1859-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1998 State Aids Community Based Care Program.

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

Ord. No. 1860-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the United States Environmental Protection Agency for the "Illegal Dumping: Don't Dump Here" Program.

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

1. In Section 2, line 3, after "herein," insert the following: "**including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$875,000, to be paid from Fund No. 01-50-06-0901.**".

2. In Section 1, at the end, insert the following new sentence: "**That the Director of Public Health shall coordinate the Health Department's efforts in reducing illegal dumping with the efforts of the Department of Public Service and the Division of Police.**"

Amendments agreed to.

Ord. No. 1861-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of inmate clothing, bedding and shoes, for the Division of Correction, Department of Public Health.

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

1. In Section 1, strike line 6 in its entirety and insert in lieu thereof the following: "**estimated sum of \$32,000, to be**".

Amendment agreed to.

Ord. No. 1967-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Port Control to enter into an agreement with Lehigh Municipal Leasing for a lease or lease with option to purchase not to exceed two electric passenger carriers, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed 24 months.

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

Ord. No. 2040-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1998 State Child Lead Poison Prevention Program.

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

Ord. No. 2041-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the Healthy Start Initiative, Maternal Child Health Bureau, U.S. Department of Health and Human Services for Phase II of the Healthy Family Health Start Program, Phase II; and to enter into contract with various entities to implement the program.

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

Ord. No. 2042-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed five insulated food distribution carts, for the Division of Correction, Department of Public Health.

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

Ord. No. 2043-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment.

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

Ord. No. 2077-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of various items of software, computer equipment, including maintenance, for the Division of Correction, Department of Public Health; and authorizing said director to employ one or more software development consultants to provide professional services to develop software necessary to assist the Division of Correction.

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

Ord. No. 2078-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.

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

1. In Section 1, page 2, line 2, strike "Melton Woods 10412 4,486.55 Police 01-60-02-0720.

Amendment agreed to.

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.

Approved by Directors of Finance, Law; Recommended by 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.

Approved by Directors of Finance, Law; Recommended by 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.

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

**SECOND READING
EMERGENCY RESOLUTION**

Res. No. 1870-97.

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

An emergency resolution designating the building located at 1360 East 9th Street known as "One Erieview Plaza" shall now be known as "IMG Center."

Approved by Directors of City Planning Commission, Public Service, Law; Relieved of Committee on City Planning; Recommended by Committee on Finance, when amended as follows:

1. Strike lines 2, 3, 4, and 5 of the title and insert in lieu thereof the following:

"Eliminating any restriction on the naming of "One Erieview Plaza,"

2. Strike Section 1 in its entirety and insert in lieu thereof the following:

"Section 1. That, with regard to the building located at 1360 East 9th Street on the southwesterly corner of East 9th Street and St. Clair Avenue the building's designation as "One Erieview Plaza," by Ordinance No. 1701-65, passed June 18, 1965, shall not restrict the building owner from naming the building so long as such name does not replace the proper street address on either East 9th Street or St. Clair Avenue."

Amendments agreed to.

MOTION

By Councilman Gordon, seconded by Councilman Lewis and unanimously carried that the absence of Councilman Robert J. White be and is hereby authorized.

MOTION

The Council adjourned at 8:45 p.m. to meet on Monday, December 15, 1997 at 7:00 p.m.


Clerk of Council

THE CALENDAR

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

ORDINANCES**Ord. No. 1169-97.**

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to employ one or more professional nursing services to provide nursing services for the Division of Correction, Department of Public Health.

Ord. No. 1858-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with the **AIDS Funding Collaborative, or its designated fiscal agent**, to provide services for people living with HIV/AIDS, for the Division of Health, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to enter into contract with the **AIDS Funding Collaborative, or its designated fiscal agent, for provisions of monies to the Free Clinic of Greater Cleveland and the AIDS Taskforce of Greater Cleveland** for professional services necessary for **HIV/AIDS programs**, in the total sum of \$50,000, payable from Fund No. 01-99-98-0380, Request No. 21821, for the Division of Health, Department of Public Health.

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

Ord. No. 1859-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1998 State Aids Community Based Care Program.

Ord. No. 1860-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the United States Environmental Protection Agency for the "Illegal Dumping; Don't Dump Here" Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$17,500, from the United States Environmental Protection Agency, to conduct the "Illegal Dumping; Don't Dump Here" Program, for the purposes set forth in the application and according thereto;

that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant. **That the Director of Public Health shall coordinate the Health Department's efforts in reducing illegal dumping with the efforts of the Department of Public Service and the Division of Police.**

Section 2. That the application for said grant, File No. 1860-97-A, made a part hereof as if fully rewritten herein, **including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$875,00, to be paid from Fund No. 01-50-06-0901**, is hereby approved in all respects.

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

Ord. No. 1861-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of inmate clothing, bedding and shoes, for the Division of Correction, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of inmate clothing, bedding and shoes in the **estimated sum of \$32,000, to be** purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Correction, Department of Public Health. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 2182)

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Ord. No. 1967-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Port Control to enter into an agreement with Lehigh Municipal Leasing for a lease or lease with option to purchase not to exceed two electric passenger carriers, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed 24 months.

Ord. No. 2040-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1998 State Child Lead Poison Prevention Program.

Ord. No. 2041-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the Healthy Start Initiative, Maternal Child Health Bureau, U.S. Department of Health and Human Services for Phase II of the Healthy

Family Health Start Program, Phase II; and to enter into contract with various entities to implement the program.

Ord. No. 2042-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed five insulated food distribution carts, for the Division of Correction, Department of Public Health.

Ord. No. 2043-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment.

Ord. No. 2077-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of various items of software, computer equipment, including maintenance, for the Division of Correction, Department of Public Health; and authorizing said director to employ one or more software development consultants to provide professional services to develop software necessary to assist the Division of Correction.

Ord. No. 2078-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.

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 pay as Moral Claims the sums set forth opposite and names of the following claimants and charged against the fund numbers opposite the names of the claimants:

Claimant	Claim No.	Amount	Division	Fund
Felicia Thomas	10249	\$634.86	Water Pollution Control	54 SF 001
Joslyn HiVoltage Corp.	10336	\$1,500.00	Water Pollution Control	54 SF 001
Bernice Celebucki	10338	275.00	Water Pollution Control	54 SF 001
Gust Mylonos	10350	900.00	Water Pollution Control	54 SF 001
Flora Rains	10367	206.00	Water Pollution Control	54 SF 001
Nancy Smith	10370	479.79	Water Pollution Control	54 SF 001
Thomas Yamamoto	10376	191.02	Water Pollution Control	54 SF 001
St. Colman Church	10441	1,250.00	Water Pollution Control	54 SF 001
Milan Perisic	10369	98.00	Water	52 SF001
Alfred Murray	10268	985.00	Police	01-60-02-0720
Jeffrey Daniel	10326	128.40	Police	01-60-02-0720
Centerior Energy	10348	548.00	Police	01-60-02-0720

Anthony Haney	10377	85.60	Police	01-60-02-0720
Lewis Poole	10380	1,579.40	Police	01-60-02-0720
Catholic Education Head Start	10387	100.00	Police	01-60-02-0720
Willie Baker, Jr.	10399	3,006.80	Police	01-60-02-0720
Sergio Perez, Jr.	10421	657.44	Police	01-60-02-0720
James R. Miller, Jr.	10423	250.00	Police	01-60-02-0720
Sharon Campbell	10434	301.80	Police	01-60-02-0720
Edward Kamal	10372A	275.00	Police	01-60-02-0720
Herman Menefee	10372B	275.00	Police	01-60-02-0720
John Scott, Jr.	10444	5,200.00	Police	01-60-02-0720
Great Lakes Power Products	10341	1,250.00	Fire	01-60-03-0720
Lee M. Moser	10413	945.46	Fire	01-60-03-0720
Terri Hammons- Brown	10433	936.48	Emergency Medical Service	01-60-04-0720
Carl and Julia Thompson	10356	1,500.00	Park Maintenance and Properties	01-70-10-0720
Mary L. Cox	10365	274.87	Park Maintenance and Properties	01-70-10-0720
Stanley Fair	10375	220.00	Park Maintenance and Properties	01-70-10-0720
Gary L. Colonius	10391	94.95	Park Maintenance and Properties	01-70-10-0720
Angela Larachuenta	10394	309.58	Park Maintenance and Properties	01-70-10-0720
Daniel and Melanie Hancock	10396	285.00	Park Maintenance and Properties	01-70-10-0720
December Dantzier	10400	175.00	Park Maintenance and Properties	01-70-10-0720
Barry S. Collins	10402	141.77	Park Maintenance and Properties	01-70-10-0720
Paul Fitzgerald & Information Radio	10405	278.43	Park Maintenance and Properties	01-70-10-0720
Harbi Abuzahreigh	10409	281.00	Park Maintenance and Properties	01-70-10-0720
Dorothy Robbins	10410	265.00	Park Maintenance and Properties	01-70-10-0720
Ovetta Bass	10411	84.86	Park Maintenance and Properties	01-70-10-0720
Gloria Price	10414	250.00	Park Maintenance and Properties	01-70-10-0720
Marilyn Skotzke	10435	19.21	Park Maintenance and Properties	01-70-10-0720
Deborah Brown	10437	73.47	Park Maintenance and Properties	01-70-10-0720
Dominick Gruhadauria, Jr.	10440	139.10	Park Maintenance and Properties	01-70-10-0720
Margaret Robinson	10386	338.90	Recreation	01-70-04-0720
Bertha Walker	10257	1,800.00	Park Maintenance (Urban Forestry)	01-70-02-0720
Miguel Bauzo	10294	675.00	Park Maintenance (Urban Forestry)	01-70-02-0720
Bill Malcom	10312	325.00	Park Maintenance (Urban Forestry)	01-70-02-0720
Louise White	10340	500.00	Park Maintenance (Urban Forestry)	01-70-02-0720
Stephen Zupan	10352	639.90	Municipal Clerk of Courts	01-01-16-0720
Song & Thomas Ferguson	10343	160.50	Waste Collection	01-40-03-0720
Gladys Moravcik	10359	240.75	Waste Collection	01-40-03-0720
Barbara Fetterman	10363	235.40	Waste Collection	01-40-03-0720
Sindy A. Sloan	10419	176.55	Waste Collection	01-40-03-0720
Ronald Sanzo	10425	363.78	Waste Collection	01-40-03-0720

Section 2. That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance. In addition, the Commission awarded certain services to be rendered by the Division of Building and Housing with regard to the demolition of the property located at 951 East 144th Street for claimant Dwight Yancy, Claim No. 10351.

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

Ord. No. 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.

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.

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.

RESOLUTION**Res. No. 1870-97.**

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

An emergency resolution eliminating any restriction on the naming of "One Erieview Plaza."

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, with regard to the building located at 1360 East 9th Street on the southwesterly corner of East 9th Street and St. Clair Avenue, the building's designation as "One Erieview Plaza," by Ordinance No. 1701-65, passed June 18, 1965, shall not restrict the building owner from naming the building so long as such name does not replace the proper street address on either East 9th Street or St. Clair Avenue.

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.

BOARD OF CONTROL

December 3, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 3, 1997, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Denihan, Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch

Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 995-97.

By Director Carmody.

Whereas, pursuant to the authority of Ordinance No. 2042-96, passed December 16, 1996, this Board of Control adopted Resolution No. 616-97, on August 5, 1997, approving Messina Floor Covering, Inc. as the contractor for the public improvement of the Cleveland Municipal Court Carpet Replacement; and

Whereas, Resolution No. 616-97 approves this award on a gross price basis, and Ordinance No. 2042-96 specifies that this award be made on a unit basis, now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 616-97 adopted on August 5, 1997, is hereby rescinded.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 996-97.

By Director Carmody.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Messina Floor Covering, Inc., including add alternate Nos. 1 and 3 for the following: Cleveland Municipal Court Carpet Replacement, for the Division of Cleveland Municipal Court, Department of Finance, received on July 3, 1997, pursuant to the authority of Ordinance Nos. 2042-96 and 1939-97, passed December 16, 1996, and November 10, 1997, respectively which on the basis of the order quantities would amount to One Hundred Twenty Four Thousand Six Hundred and Five and No/100 Dollars (\$124,605.00) (Net - 30 Days), is hereby approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 997-97.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland, that all bids received on August 29, 1997 for

Automotive parts and supplies for Items Nos. 5 and 6 for the various divisions of the Department of Port Control pursuant to the authority of Ordinance No. 399-97, passed by the Council of the City of Cleveland on May 12, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 998-97.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland, that all bids received on October 9, 1997 for labor and materials to install a rooftop HVAC unit (AC-8) and associated appurtenances for the Division of Cleveland Hopkins International Airport, Department of Port Control pursuant to the authority of Ordinance No. 545-96, passed by the Council of the City of Cleveland on May 6, 1996, be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 999-97.

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of The Carnegie Body Company for an estimated quantity of Automotive parts and supplies (Item No. 3 (including 50% - 84% off list)) for the various divisions of the Department of Port Control, for the period not to exceed two (2) years commencing with the execution of contract received on the 29th day of August, 1997, pursuant to the authority of Ordinance No. 399-97, passed May 12, 1997, which on the basis of the estimated quantity would amount to Fifty Thousand and no/100 Dollars (\$50,000.00), (2% 30 Days), 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. 13471

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

Said requirement contract shall further provide that the Contractor 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 Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1000-97.

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Sweepster, Inc. for an estimated quantity of Automotive parts and supplies (Item No. 11 (including 15% off list)) for the various divisions of the Department of Port Control, for the period not to exceed two (2) years commencing with the execution of contract received on the 29th day of August, 1997, pursuant to the authority of Ordinance No. 399-97, passed May 12, 1997, which on the basis of the estimated quantity would amount to Fifteen Thousand and no/100 Dollars (\$15,000.00), (No discount), 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. 13470

which shall be certified against such contract in the sum of Seven Thousand Five Hundred and no/100 Dollars (\$7,500.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1001-97.

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Quality First Auto Parts (MBE), for an estimated quantity of Automotive parts and supplies (Item No.1 (including 30% - 55% off list)) for the various divisions of the Department of Port Control, for the period not to exceed two (2) years commencing with the execution of contract received on the 29th day of August, 1997, pursuant to the authority of Ordinance No. 399-97, passed May 12, 1997, which on the basis of the estimated quantity would amount to Forty Thousand and no/100 Dollars (\$40,000.00), (No discount), 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. 13469

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

Said requirement contract shall further provide that the Contractor will furnish the remainder of the 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 Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1002-97.

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Air Tool Service, Co. for an estimated quantity of automotive parts and supplies (Item No. 9) 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 29th day of August, 1997, pursuant to the authority of Ordinance No. 399-97, passed May 12, 1997, which on the basis of the estimated quantity would amount to Fifteen Thousand no/100 Dollars (\$15,000.00), (2% 15 Days), 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. 13467

which shall be certified against such contract in the sum of Seven Thousand Five Hundred and no/100 Dollars (\$7,500.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1003-97.

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Jones Equipment, Inc. (FBE) for an estimated quantity of Automotive parts and supplies (Item No. 10) 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 29th day of August, 1997, pursuant to the authority of Ordinance No. 399-97, passed May 12, 1997, which on the basis of the estimated quantity would amount to Fifteen Thousand and no/100 Dollars (\$15,000.00), (1% 30 Days), 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:

Requirement No. 13466

which shall be certified against such contract in the sum of Seven Thousand Five Hundred and no/100 Dollars (\$7,500.00).

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

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1004-97.

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of G-S Ford, Inc. for an estimated quantity of Automotive parts and supplies (Item No. 2, including a 15% discount off list) 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 29th day of August, 1997, pursuant to the authority of Ordinance No. 399-97, passed May 12, 1997, which on the basis of the estimated quantity would amount to Fifteen Thousand and no/100 Dollars (\$15,000.00), (No Discount), 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:

Requirement No. 13465

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

Said requirement contract shall further provide that the Contractor 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 Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1005-97.

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Concord Road Equipment Mfg., Inc. for an estimated quantity of Automotive Parts and supplies (Item Nos. 4 (including 47% off list), 7 (including 42% off list), and 8 (including 62% off list)) for the various divisions of the Department of Port Control, for the period not to exceed two (2) years commencing with the execution of contract received on the 29th day of August, 1997, pursuant to the authority of Ordinance No. 399-97, passed May 12, 1997, which on the basis of the estimated quantity would amount to Thirty-Five Thousand and no/100 Dollars (\$35,000.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of 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:

Requirement No. 13468 which shall be certified against such contract in the sum of Seventeen Thousand Five Hundred and no/100 Dollars (\$17,500.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Concord Road Equipment Mfg., Inc. for automotive parts and supplies for the various divisions of Department of Port Control is hereby approved:

**SUBCONTRACTOR
SERVICE & SUPPLIES**

Independent Brokers, Inc.
3700 Northfield Road
Highland Heights, Ohio 44122
(MBE - 2.50%)

Sales consultant

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1006-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland, that all bids received on June 13, 1997 for Photo Supplies, all items, for the Division of Police, Department of Public Safety, pursuant to the authority of Ordinance No. 221-97, passed April 14, 1997, be and the same are hereby rejected.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Denihan, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Mayor White.

Resolution No. 1007-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland, that all bids received on October 23, 1997 for Breath Alcohol Content Machines, all items, for the Division of Police, Department of Public Safety, pursuant to the authority of Ordinance No. 1167-97, passed August 13, 1997, be and the same are hereby rejected.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Denihan, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Mayor White.

Resolution No. 1008-97.

By Director Hamilton.

Whereas, Ordinance No. 1109-97, passed June 9, 1997, authorized the Commissioner of Purchases and Supplies to convey the former Memphis School located at 4103 Memphis Avenue, aka Permanent Parcel Number 014-13-014 (the "Property"), to the Archangel Crusade of Love, or its designee, (the "Archangel"), for rehabilitation and redevelopment of the Property, and further authorized the Director of Community Develop-

ment to execute on behalf of the City of Cleveland all necessary documents to convey such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the sale of such Property; and

Whereas, the Archangel has submitted a proposal to the City of Cleveland which requires the Archangel to rehabilitate and redevelop the Property; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1109-97, passed June 9, 1997, the Commissioner of Purchases and Supplies is hereby directed to convey the Property to the Archangel Crusade of Love, or its designee, at a price not less than fair market value taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed or deeds of conveyance.

Be it further resolved that the consideration for the sale of said Property shall be Twenty Thousand Dollars (\$20,000.00), which consideration is hereby determined not to be less than the fair market value of the Property.

Be it further resolved that this method of disposition is hereby determined to be the appropriate method of making the Property available for private development and that the Archangel possesses all of the qualifications and financial resources to acquire and redevelop the Property.

Be it further resolved that the Mayor is hereby requested to execute the Official Deed for and on behalf of the City of Cleveland, which deed shall be prepared by the Director of Law.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1009-97.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 812-94, passed by the Council of the City of Cleveland on June 6, 1994, the Director of Community Development entered into a development agreement with Ohio City Near West Development Corporation ("OCNW") for certain property at West 26th Street and Market Avenue for the purpose of the developing a public parking lot; and

Whereas, pursuant to said development agreement, the City will enter into a lease with OCNW to operate said public parking lot ("Lease"); and

Whereas, OCNW has entered into a loan agreement with KeyBank to partially assist with the development of said parking lot; and

Whereas, a condition subsequent of the loan agreement with KeyBank is assignment to KeyBank of OCNW's rights under the Lease in the event of default by OCNW, and

Whereas, pursuant to Section 13.1 of the Lease, any assignment by OCNW of its rights under the Lease must be approved by 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 approves assignment of OCNW's rights under the

Lease to KeyBank in the event of default by OCNW.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1010-97.

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. 008-15-010 located at 3269 West 25th Street in Ward 14; and

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

Whereas, Joseph D. Mihalic, 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 14 has consented to the proposed sale;

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

3. The proposed purchasers of said parcel 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 Joseph D. Mihalic for the sale and development of Permanent Parcel No. 008-15-010 located at 3269 West 25th 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 \$700.00, 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: None.

Nays: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Denihan, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Absent: None.

Resolution No. 1011-97.

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. 004-07-086 located at 2639 West 18 Street in Ward 14; and

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

Whereas, Arturo James Pierce and Arturo Torres Orizs, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Arturo James Pierce and Arturo Torres Orizs for the sale and development of Permanent Parcel No. 004-07-086 located at 2639 West 18 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 Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1012-97.

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 Nos. 007-23-035 and 007-23-121 located at 3104 Barber Avenue and 2671 West 32nd Place in Ward 14; and

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

Whereas, Donald G. and Noka J. Brown, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcels; and

Whereas, the following conditions exist:

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

2. The parcels are either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcels 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 Donald G. and Noka J. Brown for the sale and development of Permanent Parcel Nos. 007-23-035 and 007-23-121 located at 3104 Barber Avenue and 2671 West 32nd Place, 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 \$1.00 each, 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 Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1013-97.

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. 104-25-004 located at 1588 East 49 Street in Ward 13; 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, Ellaoween R. and Warren G. Taylor, 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 13 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 Ellaoween R. and Warren G. Taylor for the

sale and development of Permanent Parcel No. 104-25-004 located at 1588 East 49 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 Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1014-97.

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. 004-19-064 located at 2342 West 6 Street in Ward 13; 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, Amler Limited Partnership, 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 13 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 Amler Limited Partnership for the sale and development of Permanent Parcel No. 004-19-064 located at 2342 West 6 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 \$330.00, 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 Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

Resolution No. 1015-97.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland, that all bids received on November 14, 1997 for Toro mower parts for the Division of Various Divisions of City Government, Department of Finance, pursuant to the authority of Ordinance No. 1737-97, passed by the Council of the City of Cleveland on November 17, 1997 be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Acting Directors Sheffield McClain, Richiutto, Directors Staib, Spellman, Hamilton, Acting Director Patterson, Directors Warren, Lynch.

Nays: None.

Absent: Director Denihan.

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

THERE ARE NO APPEALS SCHEDULED FOR DECEMBER 22, 1997

HUNTER MORRISON,
Acting Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 8, 1997

At the Meeting of the Board of Zoning Appeals on, Monday, December 1, 1997, the following appeals were heard by the Board, and, on Monday, December 8, 1997 were decided by the Board.

The following appeal was **Granted:**

Calendar No. 97-198: 4262-4268 E. 71st Street

Chris Brindza et al, owners and Classic Auto Body, tenant, c/o Chris

Brindza appealed to add a 17' 4" x 22' one-story frame extension to the rear wall and a 24' x 36' one-story frame extension to the north wall of the 36' x 36' one-story masonry non-conforming repair garage building. (conditional grant)

The following appeal was Postponed to January 5, 1998.

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

The following appeal was **Withdrawn:**

Calendar No. 87-176: 4676 Giles Road, S.W.

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, affirma-

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

WEDNESDAY, DECEMBER 17, 1997

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

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

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

December 3, 1997 and December 10, 1997

FRIDAY, DECEMBER 19, 1997

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

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

December 3, 1997 and December 10, 1997

WEDNESDAY, DECEMBER 24, 1997

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

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

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

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 16, 1997, 1:30 P.M. IN

THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

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

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

December 3, 1997 and December 10, 1997

TUESDAY, DECEMBER 30, 1997

The New Cleveland Browns NFL Football Stadium: Bid Packages 6C — Architectural Precast Concrete and 6F — Roofing Systems (Re-Bid), for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96, passed by the Council of the City of Cleveland. BID DOCUMENTS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES FOR THE **NON-REFUNDABLE** COST OF TWO HUNDRED FIFTY DOLLARS (\$250.00). ONLY CERTIFIED OR CASHIER'S CHECKS WILL BE ACCEPTED. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO OBTAIN PLANS AND SPECIFICATIONS. THE CHARGE WILL BE WAIVED FOR THOSE HOLDERS OF PLANS PREVIOUSLY PURCHASED FOR BID PACKAGE NO. 6. A **MANDATORY** PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 16, 1997, 10:00 A.M. IN ROOM 212B OF THE CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 3, 1997 and December 10, 1997

WEDNESDAY, DECEMBER 31, 1997

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

December 3, 1997 and December 10, 1997

FRIDAY, JANUARY 16, 1998

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

PLANS AND SPECIFICATIONS MAY BE PURCHASED FOR THE **NON-REFUNDABLE** COST OF TWO HUNDRED FIFTY DOLLARS (\$250.00). ONLY CERTIFIED OR

CASHIER'S CHECKS WILL BE ACCEPTED. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO OBTAIN PLANS AND SPECIFICATIONS. A **MANDATORY** PRE-BID MEETING WILL BE HELD ON WEDNESDAY, DECEMBER 17, 1997, 10:00 A.M. IN ROOM 212B OF THE CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 3, 1997 and December 10, 1997

TUESDAY, DECEMBER 30, 1997

Labor and Materials to Repair Water Mains and Appurtenances, for the Division of Water, Department of Public Utilities.

A **MANDATORY** PRE-BID MEETING WILL BE HELD ON FRIDAY, DECEMBER 19, 1997, 10:00 A.M. IN AUDITORIUM A OF THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 10, 1997 and December 17, 1997

WEDNESDAY, DECEMBER 31, 1997

Labor and Materials to Repair Tree Lawns, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

December 10, 1997 and December 17, 1997

WEDNESDAY, JANUARY 7, 1998

Crown Water Works Expansion - Rehabilitation and Expansion Auxiliary Space Heating For Administration Building, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 965-93, passed by the Council of the City of Cleveland, July 14, 1993.

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 22, 1997, 10:00 A.M. IN AUDITORIUM A, OF THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Computer Horizontal Wiring, for the Division of Information Systems Services, Department of Finance, as authorized by Ordinance No. 100-95, passed by the Council of the City of Cleveland, February 13, 1995.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, DECEMBER 18, 1997, 10:00 A.M. IN THE FINANCE DIRECTOR'S CONFERENCE ROOM, CITY HALL, 601 LAKESIDE AVENUE, ROOM 104.

Rearrangement of Feeder "P" and Removal of Feeder "R," for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 1286-97, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON THURSDAY, DECEMBER 18, 1997, 10:00 A.M. IN THE ENGINEERING CONFERENCE ROOM, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

December 10, 1997 and December 17, 1997

THURSDAY, JANUARY 8, 1998

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

Rehabilitation/Reconstruction of East 123rd St./Arlington Avenue/East 125th Street (Superior Avenue-St. Clair Avenue), for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1330-96 and 1471-96, 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. **THIS PROJECT IS A "MINORITY SET ASIDE PROJECT."**

Various Safety Equipment (Breathing Apparatus), for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1167-97, passed by the Council of the City of Cleveland, August 13, 1997.

December 10, 1997 and December 17, 1997

FRIDAY, JANUARY 9, 1998

Cleveland Water Waste Disposal Contract, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 974-93, passed by the Council of the City of Cleveland, June 14, 1993.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, DECEMBER 19, 1997, 2:00 P.M., IN THE DIRECTORS CONFERENCE ROOM, CARL B. STOKES UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 10, 1997 and December 17, 1997

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 1780-97.

By Councilman Skrha (by request).

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

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Cleveland State University, Euclid at East 24th Street, Cleveland, Ohio 44115; its successors and assigns, for the construction, use and maintenance by boring underground horizontally to place a Ductbank and conduit for communication lines at Cleveland State University, which will encroach into the public right-of-way by crossing underneath East 24th Street between Chester and Payne Avenues, and north of the Innerbelt exit ramp, and more fully described as follows:

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

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

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

istered Engineers and Surveyors, made in August, 1997, be the same more or less. The bearings used herein are to an assumed meridian and are used to indicate angles only.

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

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

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

Passed November 24, 1997.

Effective December 2, 1997.

REPRINT

Ord. No. 1456-97.

By Councilmen Jackson, Skrha and Lewis.

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

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Midtown Corridor, 4614 Prospect Avenue, Cleveland, Ohio 44103-4314; its successors and assigns, for the construction, use and maintenance of approximately (10) ten neighborhood identification signs, which will encroach into various locations of the public rights-of-way of Wards 5, 13, & 7 are shown on plans No. _____ filed with the Council of the City of Cleveland, and are also described as follows:

**IDENTIFICATION SIGN
LOCATIONS/IN
WARD 5 AND WARD 13:**

1.) Carnegie Avenue (from N.W. curb of East 79th Street) 97' 7" (West from curb at E. 79th) / 3' in from curb on center.

2.) Euclid Avenue (from N.W. curb of East 79th Street) 84' 4" (West from curb at E. 79th) / 4' in from curb on center.

3.) Chester Avenue (236' (from tip of West Median at E. 79 St.) 236' (West from tip of Median) / 43' 5" north of curb of Chester Avenue South side.

4.) East 55th Street (from N.E. curb at Cedar Avenue) 67' (North from Cedar) / 4' in from curb on center.

5.) East 55th Street (from South curb of Payne Avenue) 128' 6" (South from Payne Ave.) / 5' in from curb on center.

6.) Payne Avenue (from S.E. curb of East 27th Street) 64' (East of East 27th Street) / 3' 6" in from curb on center.

7.) Chester Avenue (from S.E. curb of East 30th Street) 93' (East from E. 30th St.) / 4' in from curb on center.

8.) Euclid Avenue 5' 5" (West of West building line of 2728 Euclid Avenue) / 4' in from curb on center.

9.) Prospect Avenue (from S.E. corner of Innerbelt Ramp behind Central Cadillac) 40' (East of Ramp) / 7' in from the curb on center.

10.) Carnegie Avenue between the East building line of 2640 Carnegie and East 28th Street / 4' in from the curb on center.

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

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

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

Passed November 24, 1997.

Effective December 2, 1997.

COUNCIL COMMITTEE MEETINGS

Monday, December 8, 1997

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

Tuesday, December 9, 1997

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

Wednesday, December 10, 1997

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

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 Bold type in sections indicates amendments

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