

# The City Record

Official Publication of the City of Cleveland

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May the Twenty-Seventh, Nineteen Hundred and Ninety-Eight

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

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# DIRECTORY OF CITY OFFICIALS

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

Ward	Name	Residence	
1	Joseph T. Jones .....	15601 Lotus Drive	44128
2	Robert J. White .....	3760 East 126th Street	44105
3	Odelia V. Robinson .....	3448 East 123rd Street	44120
4	Kenneth L. Johnson .....	2948 Hampton Road	44120
5	Frank G. Jackson .....	2327 East 38th Street	44115
6	Patricia J. Britt .....	12402 Britton Drive	44120
7	Fannie M. Lewis .....	7416 Star Avenue	44103
8	William W. Patmon .....	867 East Boulevard	44108
9	Craig E. Willis .....	11906 Beulah Avenue	44106
10	Roosevelt Coats .....	1775 Cliffview Road	44112
11	Michael D. Polensek .....	17855 Brian Avenue	44119
12	Edward W. Rybka .....	6832 Indiana Avenue	44105
13	Joe Cimperman .....	1428 Fairfield Avenue	44113
14	Nelson Cintron, Jr. ....	3032 Vega Avenue	44113
15	Merle R. Gordon .....	1813 Tampa Avenue	44109
16	Larry Moran .....	3584 West 46th Street	44102
17	Timothy J. Melena .....	6109 West Clinton Avenue	44102
18	Jay Westbrook .....	10513 Clifton Boulevard	44102
19	Joseph J. Zone .....	3323 West 130th Street	44111
20	Martin J. Sweeney .....	3632 West 133rd Street	44111
21	Michael A. Dolan .....	16519 West Park Road	44111
	Clerk of Council—Artha Woods, 216 City Hall, 664-2840. First Assistant Clerk—Sandra Franklin.		
<b>MAYOR—Michael R. White</b>			
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy			
Barry Withers, Executive Assistant for Administration			
Judith Zimomra, Executive Assistant for Service			
Kenneth Silliman, Executive Assistant for Economic Development			
Laura Ann Williams, Director, Office of Equal Opportunity			
Milan T. Polacek, Executive Assistant for Legislative Affairs			
<b>DEPT. OF LAW</b> – Sylvester Summers, Jr., Director, Lessie M. Milton, Chief Counsel, Room 106			
George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch – Justice Center, 8th Flr., Court Towers, 1200 Ontario Street			
Karen E. Martines, Law Librarian, Room 100			
<b>DEPT. OF FINANCE</b> – Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit			
<b>DIVISIONS</b> – Accounts – Gayle Goodwin Smith, Commissioner, Room 19 City Treasury – Mary Christine Jackman, Treasurer, Room 115			
Assessments and Licenses – Robert J. Schneider, Commissioner, Room 122			
Purchases and Supplies – William A. Moon, Commissioner, Room 128			
Printing and Reproduction – James D. Smith, Commissioner, 1735 Lakeside Avenue			
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue			
Financial Reporting and Control – _____, Controller, Room 18			
Information Systems Services – Hamid Manteghi, Commissioner, 1404 E. 9th St.			
<b>DEPT. OF PUBLIC UTILITIES</b> – Michael Konicek, Director, 1201 Lakeside Avenue			
<b>DIVISIONS</b> – 1201 Lakeside Avenue			
Water – Julius Ciaccia, Jr., Commissioner			
Water Pollution Control – Darnell Brown, Commissioner			
Utilities Fiscal Control – Morry Blech, Commissioner			
Cleveland Public Power – James F. Majer, Commissioner			
Street Lighting Bureau – Frank Schilling, Acting Chief.			
<b>DEPT. OF PORT CONTROL</b> – LaVonne Sheffield-McClain, Acting Director, Cleveland Hopkins International Airport, 5300 Riverside Drive;			
Cleveland Hopkins International Airport – Stephen Sheehan, Commissioner			
Burke Lakefront Airport – Michael C. Barth, Commissioner			
<b>DEPT. OF PUBLIC SERVICE</b> – Henry Guzmán, Director, Room 113			
<b>DIVISIONS</b> – Waste Collection and Disposal – Larry Hines, Commissioner, 5600 Carnegie Avenue.			
Streets – Randell T. Scott, Commissioner, Room 25			
Engineering and Construction – JoMarie Wasik, Acting Commissioner, Room 518			
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards			
Architecture – Kenneth Nobilio, Commissioner, Room 517			
<b>DEPT. OF PUBLIC HEALTH</b> – Robert O. Staib, Director, Mural Building 1925 St. Clair Avenue.			
<b>DIVISIONS</b> – Health – Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue			
Environment – Eric Myles, Acting Commissioner, Mural Building, 1925 St. Clair Avenue			
Correction – Thomas Hardin, Commissioner, Cooley Farms, 4041 North- field Road			
<b>DEPT. OF PUBLIC SAFETY</b> – William M. Denihan, Director, Room 230.			
<b>DIVISIONS</b> – Police – Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street			
Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue			
Traffic Engineering & Parking – David Ritz, Commissioner, 2001 Payne Ave.			
Dog Pound – John Baird, Chief Dog Warden, 2690 W. 7th Street			
Emergency Medical Service – Bruce Shade, Commissioner, 1708 South Pointe Drive			
<b>DEPT. OF PARKS, RECREATION &amp; PROPERTIES</b> – Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.			
<b>DIVISIONS</b> – Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.			
Property Management – Vernon Robinson, Commissioner, East 49th & Harvard			

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

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

Recreation – Michael Cox, Acting Commissioner, Room 8

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

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

**DIVISIONS** – Administrative Services – Terrence Ross, Commissioner. Neighborhood Services – Louise V. Jackson, Commissioner. Neighborhood Development – Terri Hamilton, Commissioner. Building & Housing – Lisa Thomas, Commissioner, 5th Floor, City Hall.

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

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

**DEPT. OF AGING** – Susan E. Axelrod, Director, Room 122

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

**CIVIL SERVICE COMMISSION** – Room 119, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; Cynthia Sullivan, 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, Eugene Cranford, Jr., Secretary.

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

**BOARD OF REVISION OF ASSESSMENTS** – Law Director Sylvester Summers, Jr., President; Finance Director Martin L. Carmody, Jr., Secretary; Council President Jay Westbrook.

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

**BOARD OF REVIEW** – (Municipal Income Tax) – Law Director Sylvester Summers, Jr.; Utilities Director Michael Konicek; Council President Jay Westbrook.

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

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

**MORAL CLAIMS COMMISSION** – Law Director Sylvester Summers, Jr.; Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook; Councilman Roosevelt Coats; Councilman Martin J. Sweeney.

**BOARD OF EXAMINERS OF ELECTRICIANS** – Raymond Ossovicki, Chairman; \_\_\_\_\_, Anton J. Eichmuller, Samuel Montfort J. Gilbert Steele, Laszlo V. Kemes, Secretary.

**BOARD OF EXAMINERS OF PLUMBERS** – Joseph Gyorky, Chrm.; Earl S. Bumgarner, \_\_\_\_\_, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.

**CLEVELAND LANDMARKS COMMISSION** – Room 519, \_\_\_\_\_, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibbons, Hunter Morrison, Kenneth Nobilio, Theodore Sande, Randall Shorr, Shirley Thompson, Councilman Craig E. Willis.

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 85

WEDNESDAY, MAY 27, 1998

No. 4407

## CITY COUNCIL

MONDAY, MAY 25, 1998

### The City Record

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**ARTHA WOODS**

Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

#### MONDAY—Alternating

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

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY—Alternating

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

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

### WEDNESDAY—Alternating

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

May 20, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 20, 1998, at 11:00 a.m., with Acting Mayor Summers presiding.

Present: Acting Mayor Summers, Acting Director Marks, Directors Carmody, Konicek, Acting Directors Balraj, Ricchiuto, Director Staib, Acting Director Smith, Directors Jackson, Hamilton, Acting Directors Patterson, Huth and Alexander

Absent: None.  
Others: William A. Moon, Commissioner, Purchases and Supplies, Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

#### Resolution No. 358-98.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 116-20-005 under said Land Reutilization Program; and

Whereas, Ordinance No. 1003-97 passed April 6, 1998 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Michael Ely has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1003-97 passed April 6, 1998 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Michael Ely for the sale and development of Permanent Parcel No. 116-20-005, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Summers, Acting Director Marks, Directors Carmody, Konicek, Acting Directors Balraj, Ricchiuto, Director Staib, Directors Jackson, Hamilton, Acting Directors Patterson, Huth and Alexander.

Nays: None.

Absent: None.

#### Resolution No. 359-98.

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. 002-31-136 located at 1954 West 52nd Street in Ward 17; 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, Roxie Adams and Virginia Hoke, 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 17 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 Roxie Adams and Virginia Hoke for the sale and development of Permanent Parcel No. 002-31-136 located at 1954 West 52nd 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: Acting Mayor Summers, Acting Director Marks, Directors Carmody, Konicek, Acting Directors Balraj, Ricchiuto, Director Staib, Directors Jackson, Hamilton, Acting Directors Patterson, Huth and Alexander.

Nays: None.  
Absent: None.

**Resolution No. 360-98.**

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. 006-04-078 located at 7615 Lawn Avenue in Ward 17; 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, Carl D. Magana, 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 17 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 purchaser 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 Carl D. Magana for the sale and development of Permanent Parcel No. 006-04-078 located at 7615 Lawn Avenue, 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: Acting Mayor Summers, Acting Director Marks, Directors Carmody, Konicek, Acting Directors Balraj, Ricchiuto, Director Staib, Direc-

tors Jackson, Hamilton, Acting Directors Patterson, Huth and Alexander.

Nays: None.  
Absent: None.

**Resolution No. 361-98.**

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. 005-14-091 located at 3138 West 104th Street in Ward 19; 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, Michael C. and Rose Santora, 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 19 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 Michael C. and Rose Santora for the sale and development of Permanent Parcel No. 005-14-091 located at 3138 West 104th 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: Acting Mayor Summers, Acting Director Marks, Directors Carmody, Konicek, Acting Directors Balraj, Ricchiuto, Director Staib, Directors Jackson, Hamilton, Acting Directors Patterson, Huth and Alexander.

Nays: None.  
Absent: None.

**Resolution No. 362-98.**

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. 016-09-005 located at 3345 West 58th Street in Ward 17; 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, Daniel J. Kobala, Jr. and Christina A. Platt, 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 17 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 Daniel J. Kobala, Jr. and Christina A. Platt for the sale and development of Permanent Parcel No. 016-09-005 located at 3345 West 58th 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: Acting Mayor Summers, Acting Director Marks, Directors Carmody, Konicek, Acting Directors Balraj, Ricchiuto, Director Staib, Directors Jackson, Hamilton, Acting Directors Patterson, Huth and Alexander.

Nays: None.  
Absent: None.

**Resolution No. 363-98.**

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. 105-30-090 located at 1000 East 78th Street in Ward 8; 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, Famicos Foundation Scattered Site Homes, Ltd., 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 8 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 purchaser 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 Famicos Foundation Scattered Site Homes, Ltd. for the sale and development of Permanent Parcel No. 105-30-090 located at 1000 East 78th 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: Acting Mayor Summers, Acting Director Marks, Directors Carmody, Konicek, Acting Directors Balraj, Ricchiuto, Director Staib, Directors Jackson, Hamilton, Acting Directors Patterson, Huth and Alexander.

Nays: None.

Absent: None.

**Resolution No. 364-98.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Donley's Inc., under City Contract No. 52709, pursuant to Ordinance No. 305-96 passed on March 8, 1996, and Board of Control Resolution No. 92-98, adopted February 11, 1998, for the new Cleveland Browns Stadium General Trades Package, hereby is approved:

- Builders Glass & Door Company
- Frank Novak & Sons
- Marous Brothers Construction
- The GQ Contracting Company

Yeas: Acting Mayor Summers, Acting Director Marks, Directors Carmody, Konicek, Acting Directors Balraj, Ricchiuto, Directors Jackson, Hamilton, Acting Directors Patterson, Huth and Alexander.

Nays: None.

Absent: Director Staib.

**Resolution No. 365-98.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Harrington Electric Company for the public improvement of the new Cleveland Browns Stadium sound system (Bid Package #8G), for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on May 8, 1998, pursuant to the authority of Ordinance No. 304-96, passed March 8, 1996, for a gross price for the improvement in the aggregate amount of Three Million Two Hundred Thirty-Five Thousand One Hundred Ninety-Seven Dollars and no/100 (\$3,235,197.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties, is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors by Harrington Electric Company for the public improve-

ment of the new Cleveland Browns Stadium sound system, hereby is approved:

Minority Electric Co.  
(MBE) — \$1,450,000

Leader Electric Company  
(FBE) — \$70,000

Ross Equipment  
(FBE) — \$48,000

Yeas: Acting Mayor Summers, Acting Director Marks, Directors Carmody, Konicek, Acting Directors Balraj, Ricchiuto, Directors Jackson, Hamilton, Acting Directors Patterson, Huth and Alexander.

Nays: None.

Absent: Director Staib.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

FREDDIE J. FENDERSON,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, JUNE 8, 1998**

**9:30 A.M.**

**Calendar No. 98-82:** 1385 East 25th Street

Zapis Communications, owner c/o James Wymer, appeals to construct a 9 car accessory off-street parking lot to the south of an existing building and parking lot at 2510 St. Clair Avenue, located on a 35' x 132' lot including the 10' x 132' proposed to be vacated alley (Packard Ct.) and located in a Multi-Family and Semi-Industrial District at 1385 East 25th Street; said use being contrary to the Multi-Family District Regulations of Section 337.08 and the Location of Required Space Regulations of Section 349.05 and the Screening of Off-Street Parking Regulations of Section 349.08 and the Table Containing Screening Regulations of Section 352.11 of the Codified Ordinances.

**Calendar No. 98-98:** 1303 West 58th Street

Cleveland Police Patrolmen's Association, owner c/o Bill Van Wert, appeal to erect a 41' 6" x 76' mason-

ry one-story office building to the rear of an existing two-story masonry union hall and construct a 43 car parking lot all on a 58' x 287' irregular shaped parcel located in a Two-Family District at 1303 West 58th Street and 5510-5606 Herman Avenue; said use being contrary to the residence limitations of Section 337.03 and the Off-Street Parking Regulations of Section 349.05 and contrary to the expansion limitations of Section 359.01 of the Codified Ordinances.

**Calendar No. 98-100:** 6600 Lexington Avenue, S.E.

The Catholic Charities Facilities Corporation, owner c/o Diana Keller, appeal to erect a 220' x 150' one-story approximately 25,000 sq. ft. Community Center building and a 119 car parking lot on an irregular shaped acreage parcel located in a Two-Family and Semi-Industrial District at the southeast corner of East 66th Street and Lexington Avenue at 6600 Lexington Avenue; said use in the residence district being contrary to the Residence Limitations of Sections 337.02 and 337.03 but subject to the approval authority of Section 337.02(f)(3)(B) of the Codified Ordinances.

**Calendar No. 98-101:** 11400 Governor Avenue, S.W.

Sal and James Braun, owners, appeal to erect a 10' x 24' one-story wood frame enclosed patio addition to an existing 24' x 24' one-story private garage located in a Two-Family District and situated on a 40' x 126' lot at 11400 Governor Avenue; said construction being contrary to the accessory floor area Limitations of Section 337.23 (a) (7)A of the Codified Ordinances.

**Calendar No. 98-102:** 10500 Edgewater Drive, N.W.

Donald P. Shury, owner, appeals to maintain an existing gravel and stone driveway that extends from Edgewater Drive to the one-family dwelling house located in a Limited One-Family District at 10500 Edgewater Drive; said driveway being contrary to the Off-Street Parking Regulations of Section 349.07 of the Codified Ordinances.

**Calendar No. 98-103:** 4653 Pearl Road, S.W.

Leo and Marion Schnell, owners, and Richard Marusa, prospective purchaser, appeal to change the use of an existing non-conforming service station to a used car sales lot and office located on a 120' x 209' irregular shaped corner parcel in a Local Retail Business District at the southeast corner of Pearl Road and Biddulph Road at 4653 Pearl Road; said use being contrary to the Local Retail Business District Regulations of Sections 343.01 and the General Retail Business District Regulations of Section 343.11 (b)(2) (I)(4) and contrary to the Landscaping and Screening Regulations of Sections 352.08, 352.09, and 352.11 and subject to the substitution limitations of Section 359.01 of the Codified Ordinances.

**Calendar No. 98-121:** 530 Euclid Avenue

The Colonial Arcade Co./The Euclid Arcade Co., owners, c/o John Marcus and Colonial Marketplace, LLC, prospective purchaser, c/o Robert Rains appeal to change use from offices and retail to hotel occupancy for 176 rooms and indoor garage for 190 cars with retail space on the first floor and including a six-story 18,800 square feet hotel tower, all on the 222' x 440' one to

seven story masonry former retail/hotel/office structures on a 222' x 440' irregular shaped through parcel located in an E-5 General Retail District and known as 508-604 Euclid Avenue and 501-523 Prospect Avenue; said conversion not being in compliance with the rear and side yards required for a Class B Multiple Dwelling in the Central Business District by Section 357.11 of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

### REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, MAY 26, 1998

At the Meeting of the Board of Zoning Appeals on Monday, May 18, 1998, the following appeals were heard by the Board, and, on Tuesday, May 26, 1998 were decided by the Board.

The following appeals were **Granted**:

**Calendar No. 98-72:** 7209 St. Clair Ave., N.E.

Gillespie Mechanical Inc., owner, c/o Matt Gillespie, appealed to change use the existing 132' x 130' one and four-story nonconforming manufacturing/office building to a contractor's storage office and shop.

**Calendar No. 98-73:** 16100 Lakeshore Blvd., N.E.

Montlack Realty owner, c/o Michael Montlack and tenant Pop-eye's Chicken and Biscuits c/o Van McCurley, appealed to erect a 14' x 11' 154 sq. ft. free standing pole sign.

**Calendar No. 98-77:** 4532 West 146th Street

Mary Ann Amata, owner, appealed, to erect a 10' x 17' 6" wood frame deck.

The following appeals were **Refused**:

**Calendar No. 98-53:** 800 East 200th Street

Robert/Margaret/Frank Cigoy, owners, and Dennis Hokavar, prospective purchaser, appealed, under Section 329.01(e) and 329.02(d) from the violation notice dated February 20, 1998.

**Calendar No. 98-78:** 8202-8208 Detroit Avenue, N.W.

George Zampunis, owner, appealed to convert an existing 57' x 64' irregular shaped 2-story masonry stores and 7 dwelling unit building.

The following appeal was **Withdrawn**:

**Calendar No. 98-85:** 4343 Pearl Road.

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

**Calendar No. 98-81:** 1501 Abbey Avenue.

**Calendar No. 98-87:** 18122 St. Clair Avenue.

The following appeal was **Postponed** to June 15, 1998.

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

EUGENE CRANFORD, JR.,  
Secretary

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

NO MEETING

### PUBLIC NOTICE

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

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

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

### NOTICE OF PUBLIC HEARING

#### Notice of Public Hearing on the MAIN AVENUE/LAKESIDE AVENUE/WEST 3rd STREET/WEST 9th STREET COM- MUNITY DEVELOPMENT PLAN

Notice is hereby given in accordance with Chapter 315 of the Codified Ordinances of the City of Cleveland that the Cleveland City Planning Commission will hold a Public Hearing on Friday, June 5, 1998 at 9:00 a.m. in Room 514 City Hall, 601 Lakeside Avenue, Cleveland, Ohio, for the purpose of considering the approval of the Main Avenue/Lakeside Avenue/West 3rd Street/West 9th Street Community Development Plan ("the Plan"). The Plan proposes certain land acquisition and clearance activities for the eventual redevelopment of an Action Area whose boundaries coincide with those of the Plan Area. Further, the Plan proposes general treatment measures to eliminate conditions of blight and deterioration found to exist in the Plan Area and prevent the recurrence of blight.

#### Main Avenue/Lakeside Avenue/West 3rd Street/West 9th Street Community Development Plan Area Boundaries

Situated in the City of Cleveland, County of Cuyahoga County, and State of Ohio and being part of Original Two (2) Acre Lot Numbers 1 through 8, both inclusive and bounded and described as follows:

Beginning on the centerline of West 3rd Street at its intersection with the centerline of West Lakeside Avenue;

Thence Northerly along the centerline of West 3rd Street to its intersection with the centerline of Summit Avenue, so called;

Thence in a general Westerly direction along the centerline of Summit Avenue, so called, to its intersection with the centerline of West 9th Street;

Thence Southerly along the centerline of West 9th Street to its

intersection with the centerline of West Lakeside Avenue;

Thence Easterly along the centerline of West Lakeside Avenue to the place of beginning.

The purpose of the hearing is to enable the City Planning Commission to publicly present the aforementioned elements of the proposed Plan and solicit reaction to the proposed Plan from any interested party. Documents that constitute the Plan are on file for public inspection during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) at the Cleveland City Planning Commission offices, Room 501, City Hall, 601 Lakeside Avenue, Cleveland, Ohio.

Any person or organization desiring to be heard at said public hearing will be afforded an opportunity to be heard.

HUNTER MORRISON  
Director  
City Planning Commission

May 20 and May 27, 1998

### NOTICE OF PUBLIC HEARING

#### Notice of Public Hearing By the Council Committee On City Planning

Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, June 10, 1998  
1:00 P.M.

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, June 10, 1998, at 1:00 P.M., to consider the following ordinances now pending in the Council:

#### Ord. No. 1756-96.

By Councilmen Jackson, Britt and Paulenske.

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

#### Ord. No. 1868-97.

By Councilman Britt.  
An ordinance establishing the Fairhill Village Historic Landmark District. (Map Change No. 19617 Sheet No. 9).

#### Ord. No. 160-98.

By Councilman Polensek.  
An ordinance to change the Use District of lands on the northeasterly side of Ivanhoe Road, N.E. between Yorick Avenue, N.E. and south of Mandalay Avenue, N.E. (Map Change No. 1968, Sheet No. 7).

#### Ord. No. 161-98.

By Councilman Polensek.  
An ordinance to change the Use, and Area Districts of lands on the westerly side of East 200 Street from Mohican Avenue, N.E., north to City Line. (Map Change No. 1967, Sheet No. 7).

#### Ord. No. 250-98.

By Councilman Zone.  
An ordinance to change the Use and Area Districts of lands on the easterly side of West 130 Street

between Matherson Avenue, S.W. and Leeila Avenue, S.W. (Map Change No. 1970, Sheet No. 12).

**Ord. No. 330-98.**

By Councilman Polensek.  
An ordinance to change the Use District of lands on both sides of Lakeport Road, N.E. to Lakeshore Boulevard, N.E. approximately 345.80' southwest of Brazil Road, N.E. (Map Change No. 1969, Sheet No. 7).

**Ord. No. 332-98.**

By Councilman Westbrook.  
An ordinance establishing the Lorain Station Historic Landmark District. (Map Change No. 1971, Sheets Nos. 1 & 2).

**Ord. No. 333-98.**

By Councilmen Zone and Westbrook.  
An ordinance establishing the West 117 Street/Berea Road Business Revitalization District. (BRD) (Map Change No. 1946, Sheets Nos. 1 & 2).

**Ord. No. 622-98.**

By Councilman Polensek.  
An ordinance to amend Section 1 of Ordinance No. 2106-97 passed February 9, 1998 relating to changing the Use and Height Districts of lands between South Waterloo Road, N.E. and the New York Central Railroad and between Neff Road, N.E. and East 200 Street. (Map Change No. 1966, Sheet No. 7).

**Ord. No. 623-98.**

By Councilman Rybka.  
An ordinance to amend Section 1 of Ordinance No. 2107-97 passed February 9, 1998 relating to changing the Use Area of lands on the westerly side of East 73 Street between Aetna Road, S.E. and Osage Avenue, S.E. (Map Change No. 1964, Sheet No. 6).

All interested persons are urged to be present or to be represented at the above time and place.

EDWARD W. RYBKA,  
Chairman  
Committee on City Planning

May 27 and June 3, 1998

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**  
Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before

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

**WEDNESDAY, JUNE 3, 1998**

**Burke Runway Overlay and ILS Installation**, for the Department of Port Control, as authorized by Ordinance Nos. 1281-97 and 549-98, passed by the Council of the City of Cleveland.

**PLANS AND SPECIFICATIONS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES FOR THE NON-REFUNDABLE FEE OF ONE HUNDRED FIFTY DOLLARS (\$150.00) CERTIFIED CHECK OR MONEY ORDER.**

**A PRE-BID MEETING WILL BE HELD IN THE CONFERENCE ROOM OF BURKE LAKEFRONT AIRPORT AT 10:00 A.M. ON THURSDAY, MAY 28, 1998.**

May 20, 1998 and May 27, 1998

**FRIDAY, JUNE 5, 1998**

**Swimming Pool Chemicals**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 513-98, passed by the Council of the City of Cleveland, April 6, 1998.

**Lease of Golf Carts**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 558-98, passed by the Council of the City of Cleveland, April 6, 1998.

May 20, 1998 and May 27, 1998

**WEDNESDAY, JUNE 10, 1998**

**Crown Water Plant Expansion Phase III, Masonry Repair of The Shore Shaft 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 ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN (15) DAYS AFTER THE BID OPENING DATE.**

**A PRE-BID MEETING WILL BE HELD ON MONDAY, JUNE 1, 1998, 10:00 A.M., AT THE CROWN WATER PLANT, 955 CLAGUE ROAD, WESTLAKE, OH, 44145. THE MEETING WILL BE FOLLOWED BY A WALK-THRU OF THE SITE AT CLAGUE ROAD AND CLIFF DRIVE.**

May 20, 1998 and May 27, 1998

**THURSDAY, JUNE 11, 1998**

**Labor and Materials To Upgrade the Central Clock System**, for the Division of Cleveland Hopkins International Airport, Department of PortControl, as authorized by Ordinance No. 1020-97, passed by the Council of the City of Cleveland, June 16, 1997.

**A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 28, 1998, 1:30 P.M., IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.**

**Towing Unattended Vehicles**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 543-96, passed by the Council of the City of Cleveland, May 6, 1996.

**A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, MAY 27, 1998, 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.**

May 20, 1998 and May 27, 1998

**WEDNESDAY, JUNE 10, 1998**

**Eight (8) Alpha Server Disk Drives, Including Installation**, for the Division of Administrative Services, Department of Community Development, as authorized by Ordinance No. 2458-92, passed by the Council of the City of Cleveland, January 25, 1993.

May 27, 1998 and June 3, 1998

**THURSDAY, JUNE 11, 1998**

**Eriesside and West 3rd Street Area Pump Station — Phase I**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2020-97, passed by the Council of the City of Cleveland.

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

May 27, 1998 and June 3, 1998

**FRIDAY, JUNE 12, 1998**

**Building Materials — Used Paving Bricks**, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 2205-96, passed by the Council of the City of Cleveland, January 13, 1997.

**Hydraulic Cylinder Repair**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 431-98, passed by the Council of the City of Cleveland, April 27, 1998.

**Hydraulic Pumps, Motors and Valve Repair**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 431-98, passed by the Council of the City of Cleveland, April 27, 1998.

May 27, 1998 and June 3, 1998

**WEDNESDAY, JUNE 17, 1998**

**North Royalton-Akins 30" Water Supply Main, Phase I**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 964-93, passed by the Council of the City of Cleveland, June 13, 1993.

A DEPOSIT OF TWO HUNDRED DOLLARS (\$200.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, JUNE 9, 1998, 9:30 A.M., IN THE ENGINEER'S CONFERENCE ROOM ON THE 5TH FLOOR AT 75 ERIEVIEW PLAZA, CLEVELAND, OHIO 44114. ATTENDANCE IS NOT MANDATORY.

**Two (2) Remittance Processing Machines**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2100-97, passed by the Council of the City of Cleveland, February 2, 1998.

May 27, 1998 and June 3, 1998

**THURSDAY, JUNE 18, 1998**

**Labor and Materials to Install Aviation Communications Equipment and to Remove Existing Equipment**, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 1470-97, passed by the Council of the City of Cleveland, September 22, 1997.

A PRE-BID CONFERENCE WILL BE HELD ON TUESDAY, JUNE 9, 1998, 1:30 P.M., IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO.

**Materials to Install, Replace or Repair Airfield Signage**, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 2183-97, passed by the Council of the City of Cleveland, February 2, 1998.

May 27, 1998 and June 3, 1998

**FRIDAY, JUNE 19, 1998**

**Decorative Safety Post Light Program (Installation)**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 508-98, passed by the Council of the City of Cleveland, May 18, 1998.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURS-

DAY, JUNE 11, 1998, 3:00 P.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**Post Light Program (Material)**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 508-98, passed by the Council of the City of Cleveland, May 18, 1998.

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, JUNE 11, 1998, 11:00 A.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

May 27, 1998 and June 3, 1998

### ADOPTED RESOLUTIONS AND ORDINANCES

**Res. No. 937-98.**  
By Councilman Rybka.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 3077 E. 65th St., and repealing Res. No. 385-98, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 3077 E. 65th St., by Res. No. 385-98, adopted, March 2, 1998; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C1 Liquor Permit to 3077 E. 65th St., be and the same is hereby withdrawn and Res. No. 385-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted May 18, 1998.  
Effective May 25, 1998.

**Res. No. 938-98.**  
By Councilman Cimperman (by departmental request).

An emergency resolution appointing an assessment equalization board to hear objections to estimated assessments with respect to the provision of additional security for the Cleveland Theater District, cleaning and maintenance of the public rights-of-way and Star Plaza within the Cleveland Theater District and collective marketing of the Cleveland Theater District in the City of Cleveland.

Whereas, this Council did, on the 15th day of December, 1997, duly adopt Resolution No. 1746-97, declaring therein the necessity of provision of additional security for the Cleveland Theater District, cleaning

and maintenance of the public rights-of-way and Star Plaza within the Cleveland Theater District and collective marketing of the Cleveland Theater District in the City of Cleveland; and

Whereas, pursuant to said resolution, the estimated assessments for said improvement have been prepared and placed on file in the office of the Clerk of this Council; and

Whereas, notice of the passage of said resolution and of the filing of said estimated assessments has been duly served upon all property owners to be assessed in the manner provided by law; and

Whereas, written objection to said estimated assessments have been filed by one or more such property owners; 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 Michael Thomas McBride, Curly M. Range and Janice Eaton, three disinterested freeholders of said City, be and the same hereby are appointed as an assessment equalization board, and Gladys Faye Callahan be hereby appointed as an alternate member of such assessment equalization in the event one of the aforesaid members are unable to serve, to hear and determine all written objections filed in accordance with law to the estimated assessments heretofore filed with the Clerk of this Council pursuant to Resolution No. 1746-97 of this Council. Said board is hereby authorized and directed to equalize such assessments as it deems proper to conform to the standards prescribed by Resolution No. 1746-97 and by law.

**Section 2.** That the assessment equalization board shall meet at 8:00 o'clock, a.m. on the 5th day of June, 1998, at Cleveland City Hall, 601 Lakeside Avenue, Room 24, for the purposes aforesaid, and upon completion of such hearing and any adjournments thereof, shall report its recommendations, including any changes which should be made in the estimated assessments, to this Council.

**Section 3.** That the Clerk of Council be and she hereby is authorized and directed to notify, by certified mail, each person who has filed timely written objection to said estimated assessments of the time and place of the hearing of the assessment equalization board.

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

Adopted May 18, 1998.  
Effective May 25, 1998.

**Res. No. 939-98.**  
By Councilman Polensek.

An emergency resolution withdrawing objection to the transfer of ownership and location of a C2 Liquor Permit to 383 E. 156th St., and repealing Res. No. 379-98, objecting to said transfer of ownership and location.



Whereas, this Council objected to the transfer of ownership and location of a C2 Liquor Permit to 383 E. 156th St, by Res. No. 379-98, adopted March 2, 1998; and

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

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

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

**Section 1.** That objection to the transfer of ownership and location of a C2 Liquor Permit to 383 E. 156th St, be and the same is hereby withdrawn, pursuant to the terms of the cooperation agreement executed between Councilman Polensek and the permit holder on May 11, 1998, and Res. No. 379-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

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

Adopted May 18, 1998.  
Effective May 25, 1998.

**Res. No. 941-98.**

**By Councilman Coats.**

**An emergency resolution urging The Civil Service Commission to amend its rules to define the term "bona fide resident of the City of Cleveland".**

Whereas, Section 74(c) of the Charter of the City of Cleveland and Rule 4.40G of The Rules of the Civil Service Commission of the City of Cleveland provide that a person who is a bona fide resident of the City of Cleveland at the time of the filing of his/her application for examination have added to their score ten (10) points, if they passed the exam; and

Whereas, bona fide resident must be defined to mean a person who at the time of the filing of his/her application for an examination has been a resident of the City of Cleveland for at least one (1) year; and

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

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

**Section 1.** That this Council hereby urges The Civil Service Commission to take whatever action is necessary to define "bona fide resident of the City of Cleveland" as used in Section 74(c) of the Charter of the City of Cleveland and Rule 4.40G of the Rules of The Civil Service Commission to mean a person who has had as his/her primary residence a residence in the City of Cleveland for at least one (1) year at the time of his/her filing an application for examination with said Commission.

**Section 2.** That this resolution is

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

Adopted May 18, 1998.  
Effective May 25, 1998.

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

**By Councilmen Smith and Westbrook (by departmental request).**

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

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

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

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

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

**Section 2.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of performing phased installation of the security and control system, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by con-

tract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

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

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 2102-97.**

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

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

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing terminal and roadway signs at Cleveland Hopkins International Airport, for the Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement. The Director of Port Control shall incorporate as a part of the making of the public improvement, the design and installation of a minimum of eight (8) kiosks in international languages, at such locations and containing such languages as are determined by the Director and presented to Council Committee on Aviation within four (4) months of the passage of this ordinance.

**Section 2.** That the Director of Port Control is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or

any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement. In addition, the Director of Port Control shall solicit a proposal from the City of Cleveland sign shop to perform the work in lieu of entering into a public improvement contract.

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

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 298-98.**

**By Councilmen Sweeney and Johnson (by departmental request).**

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

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21346)

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

Passed May 18, 1998.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 301-98.**  
**By Councilmen Sweeney and Johnson (by departmental request).**

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

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21337)

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

Passed May 18, 1998.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 304-98.**  
**By Councilman Jackson.**  
**An emergency ordinance to vacate a portion of Prospect Court S.E. hereinafter described.**

Whereas, on the 25th day of Sep-

tember, 1995 the Council of the City of Cleveland adopted Resolution No. 1254-95 declaring its intention to vacate a portion of Prospect Ct. S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1254-95 has been served upon the owners of all the property abutting Prospect Ct. S.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of February, 1997, the Board of Revision of Assessments approved the vacation of Prospect Ct. S.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

**Section 1.** That all that portion of Prospect Ct. S.E., (20 feet wide), extending Westerly from a point 341.85 feet West of East 30th Street (60 feet wide) to the Easterly right-of-way line of the Inner Belt Freeway, so called, be and the same is hereby vacated.

**Section 2.** That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Prospect Ct. S.E., herein provided by sending him a copy of this Ordinance.

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 305-98.**

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

**An emergency ordinance to amend Section 1 of Ordinance No. 679-97, passed April 21, 1997, relating to vacating a portion of East 174th Street.**

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

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

**Section 1.** That Section 1 of Ordinance No. 679-97, passed April 21, 1997, is hereby amended to read as follows:

Section 1. That all that portion of East 174th Street, (40 feet wide), and its Easterly and Westerly turnouts extending Southerly from the Southerly line of Miles Ave. S.E. (86.00 feet wide), to the Easterly prolongation of Northerly line of Sublot Number 55 in the Miles-Melbourne Subdivision, is hereby vacated.

**Section 2.** That existing Section 1 of Ordinance No. 679-97, passed April 21, 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.

Passed May 18, 1998.

Effective May 25, 1998.

**Ord. No. 306-98.**

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

**An emergency ordinance to amend Section 1 of Ordinance No. 680-97, passed April 21, 1997, relating to vacating a portion of East 174th Street, East 175th Street and Manoa Avenue S.E.**

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 Section 1 of Ordinance No. 680-97, passed April 21, 1997, is hereby amended to read as follows:

Section 1. That all that portion of East 174th Street, (40 feet wide) extending Southerly from the Easterly prolongation of the Northerly line of Sublot No. 55 in the Miles-Melbourne Subdivision, recorded in Volume 96, page 39 of Cuyahoga County Records to that portion of Manoa Ave. S.E. vacated by the Council of the City of Cleveland by Ordinance 1809-77, passed August 29, 1977, AND

All that portion of East 175th Street, (40 feet wide) and its South-easterly and Southwesterly turn-outs extending Southerly from the Westerly prolongation of the Northerly line of Sublot Number 26 in the Miles Melbourne Subdivision recorded in Volume 96, Page 39 of Cuyahoga County Records, to the Northerly line Manoa Ave. S.E. (40 feet wide), AND

All that portion of Manoa Ave. S.E. (40 feet wide) extending Easterly from the Easterly line of Manoa Ave. S.E. vacated by the Council of the City of Cleveland by Ordinance Number 1809-77, passed August 29, 1977, to the Westerly line of Manoa Ave. S.E. vacated by the Council of the City of Cleveland by Ordinance No. 171758, passed September 17, 1958, is hereby vacated.

**Section 2.** That existing Section 1 of Ordinance No. 680-97, passed April 21, 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.

Passed May 18, 1998.

Effective May 25, 1998.

**Ord. No. 357-98.**

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

**An emergency ordinance giving consent of the City of Cleveland for the resurfacing of Broadway Avenue from I-77 to Orange Avenue and resurfacing and modifying East 30 to**

**the Director of Transportation of the State of Ohio and authorizing the Director of Public Service to enter into agreements relative thereto.**

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 declared to be in the public interest that the consent of said City of Cleveland is hereby given to the Director of Transportation of the State of Ohio to make the following improvements in accordance with plans, specifications and estimates approved by said Director: The resurfacing of Broadway Avenue from I-77 to Orange Avenue, the addition of a right turn lane at East 30th Street, and resurfacing East 30th Street, including minor widening, from Broadway Avenue to Woodland Avenue.

**Section 2.** The City does hereby give its consent to the project and its administration by the Director of the Ohio Department of Transportation, provided that this ordinance shall not be construed to impose any financial obligation on the City for such project, unless the City desires to include other work into the construction contract which the Director of the Ohio Department of Transportation deems not to be part of or made necessary by the Improvement.

**Section 3.** That the Director of Public Service is hereby authorized to enter into such agreements with the State of Ohio as are necessary to complete the planning and construction of the Improvement.

**Section 4.** That upon completion of the Improvement, the City thereafter will:

a) Keep the affected highway open to traffic at all reasonable times;

b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the State, hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code, unless otherwise controlled by City ordinance or resolution.

e) Prohibit parking in accordance with Section 4511.66 of the Ohio Revised code, unless otherwise controlled by local ordinance or resolution.

**Section 5.** a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That in the event any additional rights-of-way are required for the Improvement, the State will arrange for acquisition thereof.

c) That the State shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty (20) feet or greater) within the limits of the Improvement in accordance with applicable sections of the Ohio Revised Code.

d) That the streets within the lim-

its of the Improvement are hereby designated through highways within the meaning of Section 4511.07(F) of the Ohio Revised Code.

e) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the State.

f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. H-P-508, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the State.

g) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the State.

h) That said City hereby agreed to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to above. Likewise the State agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the State's obligations made or agreed to above.

i) That stop signs affecting the movement of traffic on the street or highway within the roadways being improved shall be removed, and no stop signs shall be erected on same except at their intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met.

j) That no rule or regulation shall be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway.

**Section 6.** That the Council of the City hereby requests the Board of Commissioners of the County and the Director of ODOT to proceed with the Improvement.

**Section 7.** That the Clerk of Council is hereby authorized and directed to transmit to the Director of ODOT and to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

**Section 8.** That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 359-98.**  
**By Councilman Jackson.**  
**An emergency ordinance to vacate a portion of Prospect Court S.E. hereinafter described.**

Whereas, on the 21st day of April, 1997 the Council of the City of Cleveland adopted Resolution No. 175-97 declaring its intention to vacate a portion of Prospect Court S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 175-97 has been served upon the owners of all the property abutting Prospect Court S.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 19th day of February, 1998, the Board of Revision of Assessments approved the vacation of Prospect Court S.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

**Section 1.** That all that portion of Prospect Court S.E. extending Easterly from the section proposed to be vacated by Resolution No. 1254-95, 90.00 feet to the Southerly prolongation of the Easterly line of a parcel of land conveyed to Retail Clerks Local 880 Realty Co. By deed dated December 21, 1966 and recorded in Volume 11883, Page 21 of Cuyahoga County Records, be and the same is hereby vacated.

**Section 2.** That there be and hereby is reserved to the City of Cleveland an easement for existing Ameritech equipment. The description of easement is as follows:

That portion of Prospect Court S.E. extending Easterly from the section proposed to be vacated by Resolution No. 1254-95, 90.00 feet to the Southerly prolongation of the Easterly line of a parcel of land conveyed to Retail Clerks Co. By deed dated December 21, 1966 and in Volume 11883, Page 21 of Cuyahoga County Records.

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

**Section 3.** That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Prospect Court S.E., hereinafter provided by sending him a copy of this Ordinance.

**Section 4.** That this ordinance is hereby declared to be an emergency

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 363-98.**  
**By Councilmen Sweeney, Dolan, Zone, Rybka and Johnson (by departmental request).**

**An emergency ordinance giving consent of the City of Cleveland for the interim resurfacing of West 140th Street from Puritas Avenue to Lakewood Heights Boulevard; authorizing the Director of Public Service to enter into any agreements relative thereto; to authorize the Director of Public Service to cause payment of the City of Cleveland's share to the County of Cuyahoga for its portion of said improvements; determining the method of making the above public improvement; authorizing the Director of Public Service to enter into contract for the making of such improvement; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.**

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

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

**Section 1.** That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the County of Cuyahoga (the "County") to construct the following improvement in accordance with plans, specifications and estimates approved by the County: interim resurfacing of West 140th Street from Puritas Avenue to Lakewood Heights Boulevard (the "Improvement").

**Section 2.** That the City hereby proposes to cooperate with the County in the cost of the Improvement to the extent of funds received by an allocation from the County Motor Vehicle License Tax Fund; and by applying to the Board of County Commissioners to use the License Tax fund for said improvement. If funds administered by the Ohio Public Works Commission are used for this improvement, the amount of such funds will be deducted from designated project costs prior to the application of the participatory percentages.

**Section 3.** That the Director of Public Service is hereby authorized to enter into such agreements with the County as are necessary to complete the planning and construction of the Improvement.

**Section 4.** That upon completion of the Improvement, the City thereafter will:

a) Keep the affected highway open to traffic at all reasonable times;

b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the County, hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code, unless otherwise controlled by City ordinance or resolution.

e) Prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

**Section 5.** a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That in the event any additional rights-of-way are required for the Improvement, the County will arrange for acquisition thereof.

c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty (20) feet or greater) within the limits of the Improvement in accordance with applicable sections of the Ohio Revised Code.

d) That the streets within the limits of the Improvement are hereby designated through highways within the meaning of Section 4511.07(F) of the Ohio Revised Code.

e) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the County.

f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 28-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the County.

g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of ODOT Directive No. 28-A to the same extent that it participates in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

h) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the County.

i) That the City hereby agrees that the County shall be and hereby is saved harmless from and all damages or claims arising from or growing out of the certification or obligations made or agreed to in divisions a), b), e), f), and h), of this section.

j) That stop signs affecting the movement of traffic on the street or highway within the roadways being improved shall be removed, and no stop signs shall be erected on same except at their intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met.

k) That no rule or regulation shall be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway.

**Section 6.** That the Council of the City hereby requests the Board of Commissioners of the County and the Director of ODOT to proceed with the Improvement.

**Section 7.** That the Director of Public Service is hereby authorized to enter into an agreement with the Board of Commissioners of the County concerning the financing of the Improvement. Each such agreement shall contain without limitations terms substantially similar to the following:

a) That the County will prepare or cause to be prepared construction plans and specifications for the Improvement, including necessary engineering reports, under current County Engineer standards for construction of County roads and bridges.

b) That the County will supervise and administer or cause to be supervised and administered the construction contract for the Improvement.

c) That if, by ordinance of this Council, the City requests the County to include in the Improvement the construction of sanitary sewers, water lines, sewers for drainage of the area surrounding the Improvement, sidewalks, alternate bid items or other items that are in addition to those now existing in the plans for the Improvement and not provided for elsewhere in the agreement, the County will do so, provided that the construction of such additional items is approved by the County and the City, and provided further that the City agrees to pay or cause to be paid the cost of said construction and of preliminary and design engineering therefor, but the City shall not be responsible for the cost of supervision of said construction.

d) That the City hereby agrees to participate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project.

e) That if the project is financed as a Federal-aid project, eligible costs of the Improvement shall be financed from the aforesaid funds.

f) That within the corporate limits of the City, the City hereby agrees to contribute fifty percent (50%) of the cost of construction determined to be eligible by the Cuyahoga County Engineer's policies and one hundred percent (100%) of the cost of construction supervision, engineering, right-of-way, contract administration, and construction determined not eligible by the Cuyahoga County Engineer's policies.

**Section 8.** That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the

County portion of the projects, and to enter into such agreements with the County and ODOT as are necessary to finance the Improvement.

**Section 9.** That the Director of Public Service is hereby authorized to apply to the County Board of Commissioners for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept said funds and to file all papers and execute all documents necessary to receive said funds; and that said funds be and are hereby appropriated for the purposes set forth above.

**Section 10.** That this Council hereby authorizes payment to the County of Cuyahoga for the City's share of the cost of the Improvement.

**Section 11.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of the interim resurfacing of West 140th Street from Puritas Avenue to Lakewood Heights Boulevard, for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 12.** That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 13.** That the cost for the payment authorized in Section 11 of this ordinance, the cost of the public improvement authorized above shall be paid from Fund Nos. 20 SF 322, 20 SF 334, and 20 SF 342, Request No. 24528.

**Section 14.** That the Clerk of Council is hereby authorized and directed to transmit to the Director of ODOT and to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

**Section 15.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 429-98.**  
**By Councilmen Sweeney and Johnson (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair salt spreaders, inserts and plows, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair salt spreaders, inserts and plows, including labor to install if necessary, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24127)

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 430-98.**  
**By Councilmen Sweeney and Johnson (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of traffic cones and safety drums, for the Division of Streets, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of traffic cones and safety drums in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for

each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21338)

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 469-98.**

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

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

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

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

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

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

**Section 3.** That the Director of Port Control is hereby authorized and directed to employ by contract one or more consultants or one or

more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to make the Improvement, including, but not limited to, architectural, engineering, design, noise measurement, title and recording, construction inspection, program and construction management, environmental testing, hazardous materials removal and disposal, and administrative services.

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

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

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

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

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 470-98.**

**By Councilmen Gordon and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1998 Federal AIDS Prevention Program; and to enter into contract with various entities to implement the program.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$881,054,

and such other funds as may become available during the grant year, from the Ohio Department of Health, to conduct the 1998 Federal AIDS Prevention 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.

**Section 2.** That the application for said grant, File No. 470-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Director of Public Health is authorized to enter into contract with various entities, including the Free Clinic of Greater Cleveland, the AIDS Task Force of Greater Cleveland, MetroHealth Systems Center for Community Health, the Hispanic Urban Minority Alcohol & Drug Abuse Outreach Program, Murtis H. Taylor Multi-Purpose Center, Health Museum of Cleveland, the Cleveland Treatment Center and the Open House, to implement the Program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 475-98.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1777 Crawford Road and 1790 East 86th Street to Albert L. Owens and Cynthia L. Owens.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 119-03-070 and 119-03-096, as more fully

described in Section 2 below, to Albert L. Owens and Cynthia L. Owens.

**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. 119-03-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 20 in the Henrietta E. Weatherhead Subdivision of part of Original One Hundred Acre Lots Nos. 391, 392, 399 and 400, as shown by the recorded plat in Volume 33 of Maps, Page 13 of Cuyahoga County Records and being 55 feet front on the South-easterly line of Crawford Road, N.E., and extending back 114.32 feet deep on the Southwesterly line, 114.32 feet deep on the Northeasterly line, which is also the Southwesterly line of East 86th Street, and 55 feet wide and in the rear, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P.P. No. 119-03-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 19 in the Henrietta E. Weatherhead Subdivision of part of Original One Hundred Acre Lots Nos. 391, 392, 399 and 400, as shown by the recorded plat in Volume 33 of Maps, Page 13 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southwest line of East 86th Street, 32 feet wide, at the most Easterly corner of Sublot No. 20; thence along the broken Southwesterly line of East 86th Street, 146.39 feet to a point in the Easterly line of Sublot No. 19; thence Westerly 65.29 feet to a point in the Westerly line of said Sublot; thence Northerly, along said Westerly line of Sublot No. 19 to the Northwesterly corner thereof; thence Northeasterly along the Northwesterly line of Sublot No. 19, 55 feet to a place of beginning, be the same more or less, but subject to all legal highways.

Subject to restrictions recited in Volume 111, Page 9 and Volume 111, Page 43 of Cuyahoga County Records filed April 6, 1965.

Also subject to all zoning ordinances, if any.

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

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

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

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

Passed May 18, 1998.

Effective May 25, 1998.

**Ord. No. 508-98.**  
**By Councilmen Patmon and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Public Utilities to establish an outdoor residential lighting program, and authorizing the purchase of equipment, labor and materials, and services necessary to implement the program, for the Division of Cleveland Public Power, Department of Public Utilities.**

Whereas, the provision of affordable outdoor residential lighting by Cleveland Public Power will promote the safety and security of the City's residents, and enhance the aesthetics of the City's neighborhoods; and

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to establish the Decorative/Safety Lighting Program ("the Lighting Program"), the purpose of which shall be to provide reliable, affordable outdoor residential lighting to the citizens of the City. The Lighting Program shall be administered by Cleveland Public Power, which is hereby authorized to sell the outdoor lighting equipment directly to City residents and/or to arrange for the sale of such lighting equipment to the residents by a contractor, as provided in sections 2 and 3 of this ordinance, respectively.

**Section 2.** 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 of the Lighting Program for the period of two years for the following items: outdoor residential lighting equipment, installation, maintenance, mailing, printing, billing, customer service, advertising and promotional services, 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 a manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed advisable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

**Section 3.** That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and Codified Ordinances of Cleve-

land, Ohio, 1976, with a contractor who shall, by contracts directly with the residents of the City containing reasonable terms and conditions approved by the City, offer to sell, install, and maintain outdoor lighting equipment meeting the specifications of the Lighting Program, and pay the City a promotional fee of five percent of gross revenue, in exchange for the right to place materials promoting the Lighting Program in the bills of City-owned utilities. Said contract shall be awarded to the lowest and best bidder, which shall be determined based on the installed unit cost to residents quoted by the bidders for the estimated quantities contained in the specifications. The term of said contract shall not exceed two years.

**Section 4.** That the rates and charges for outdoor lighting sold by Cleveland Public Power shall be as set forth in Section 523.061 of the Codified Ordinances of Cleveland, Ohio, 1976.

**Section 5.** That the cost of contracts authorized by section 2 of this ordinance shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, 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 22197)

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

Passed May 18, 1998.

Effective May 25, 1998.

**Ord. No. 510-98.**  
**By Councilmen Patmon, Zone and Johnson (by departmental request).**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 523.061 thereof, relating to rates, rules and regulations for outdoor residential lighting provided by the Division of Cleveland Public Power, 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 rates, rules and regulations relating to the operation of the Division of Cleveland Public Power, Department of Public Utilities, for outdoor residential lighting, fixed by Board of Control Resolution No. \_\_\_\_\_, adopted on \_\_\_\_\_, be and the same are hereby approved.

**Section 2.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 523.061 thereof to read as follows:

**Section 523.061 Charge for Outdoor Residential Lighting**

The charge for outdoor residential lighting equipment provided by Cleveland Public Power shall be established in accordance with the cost of service as computed by the

division. The division may allow a customer to pay such charges under a payment plan through installments included in the customer's bill, for a period of twelve (12) months commencing with the first billing period after installation, provided such customer has a good account history, as determined by the division.

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 516-98.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Bulkley Holdings Incorporated to provide economic development assistance to partially finance the acquisition and renovation of real estate located at 4204 Detroit Avenue, Cleveland, Ohio 44102.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Bulkley Holdings Incorporated to provide economic development assistance to partially finance the acquisition and renovation of real estate located at 4204 Detroit Avenue, Cleveland, Ohio, 44102.

**Section 2.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 516-98-A.

**Section 3.** That the costs of said contract shall not exceed Seventy Thousand Dollars (\$70,000), and shall be paid from Fund No. 17 SF 008, Request No. 24271.

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

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

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

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

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 546-98.**

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

**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for landscape maintenance at various waterworks facilities and work stations, for the Division of Water, Department of Public Utilities.**

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 for landscape maintenance at various waterworks facilities and work stations in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24006)

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 547-98.**

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

**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for landscape maintenance at various waterworks facilities and work stations, 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 repair water mains and appurtenances in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24008)

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 552-98.**

**By Councilmen Sweeney and Johnson (by departmental request).**

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

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the



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

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

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 553-98.**  
**By Councilmen Sweeney and Johnson (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of Ford passenger and police car parts, including labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of Ford passenger and police car parts, including labor to install, if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 554-98.**  
**By Councilmen Sweeney and Johnson (by departmental request).**

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

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24131)

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 555-98.**  
**By Councilmen Sweeney and Johnson (by departmental request).**

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

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of Chevrolet-GMC car, van and truck parts, including labor to install, if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 556-98.**  
**By Councilmen Sweeney and Johnson (by departmental request).**

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

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair, clean, recore or replace radiators, heater cores, gas tanks and air conditioning units in City vehicles and equipment in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24129)

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 620-98.**  
**By Councilman Johnson (by departmental request).**

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

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

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

**Section 1.** That the Director of the Community Relations Board is hereby authorized to apply for and accept a grant in the amount of \$32,861.00, from Bryne Memorial, to conduct the Teen Court Program, for the purposes set forth in the application and according thereto; that the Director of the Community Relations Board is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 620-98-A, made a part hereof as if fully rewritten

herein, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$10,954 from Fund No. 01-60-01-0901, is hereby approved in all respects.

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

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 676-98.**  
**By Councilman Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to lease space at the Ninth Street Plaza Building from MJM Management Company, or its designee, for a term not to exceed seventeen months, for the public purpose of office space for the Division of Information Systems Services.**

Whereas, the City of Cleveland requires certain space located on the fourth floor of the Ninth Street Plaza Building for the public purpose of leasing space for the offices of the Division of Information Systems Services; and

Whereas, MJM Management Company, or its designee, has proposed to lease said space to the City of Cleveland; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance is authorized to lease from MJM Management Company, or its designee, certain space more fully described as follows: The fourth floor of the Ninth Street Plaza Building, approximately 18,750 square feet of space.

**Section 2.** That the term of the lease authorized hereby shall be five (5) months commencing August 1, 1998 with one option, exercisable by the Director of Finance to renew for a one (1) year term commencing January 1, 1999 upon the same terms and conditions, including rental. The lease shall provide that the City may cancel at any time during the term upon six (6) months' written notice from said Director.

**Section 3.** That the rent for the lease hereby authorized shall be \$14.50 per square foot, plus allocable utility, operating and maintenance costs.

**Section 4.** That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties with the public purpose or purposes of leasing space for the offices of the Division of Information Systems Services.

**Section 5.** That the cost of the lease shall be paid from Fund No. 70 SF 140, Request No. 21617.

**Section 6.** That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

**Section 7.** That the Director of Finance and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 687-98.**  
**By Councilmen Jackson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for the operation of the Storefront Renovation Program.**

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$855,000 from Fund No. 14 SF 024, Request No. 23096 for the operation of the Storefront Renovation Program for all related services including: to enter into rebate contracts with program applicants and to reimburse eligible administrative costs to local development corporations for implementation of the program.

**Section 2.** That the Director of Community Development is authorized to accept program income monies in repayment from local development corporations under the Storefront Renovation Program and to utilize these repayments and an additional \$145,000 from other Community Development Block Grant program income for additional expenditures under the Storefront Renovation Program.

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 688-98.**  
**By Councilmen Jackson and Johnson (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Department of Community Development; and for reimbursement of non-profit subrecipients for the cost of the audits required by OMB Circular A-133.**

Whereas, the City of Cleveland has received Community Development Block Grant, Year XXIV, from the United States Government; and

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$4,112,000 from Fund No. 14 SF 024, for the administrative expenses of the Department of Community Development in conjunction with the Community Development Block Grant Program, Year XXIV, and pursuant to the following schedule:

Personnel . . . . . \$3,310,000  
 Other . . . . . 802,000

**Section 2.** And that the Director of Community Development is authorized to expend funds listed in the above schedule under "Other" for entering into contracts or reimbursement of nonprofit subrecipients for the cost of the audits required by OMB Circular A-133.

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

Passed May 18, 1998.  
 Effective May 25, 1998.

**Ord. No. 689-98.**  
**By Councilmen Jackson and Johnson (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Code Enforcement and Demolition Programs.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXIV from the United States Government; and

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$3,385,000 from Fund No. 14 SF 024, for the administrative expenses of the Code Enforcement and Demolition Programs in conjunc-

tion with the Community Development Block Grant Program, Year XXIV, and pursuant to the following schedule:

Personnel . . . . . \$3,330,000  
 Other . . . . . 55,000

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

Passed May 18, 1998.  
 Effective May 25, 1998.

**Ord. No. 690-98.**  
**By Councilmen Jackson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts to provide for the demolition, removal or the boarding up of structures within the City of Cleveland.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXIV from the United States Government, and

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into one or more contracts for the demolition, removal or the boarding up of structures within the City of Cleveland.

**Section 2.** That the cost of said contract or contracts shall be in an amount not to exceed \$1,522,000.00 and shall be paid from Fund No. 14 SF 024.

**Section 3.** That the Director of Community Development is authorized to accept monies in repayment under said program and to utilize said repayments and other program income in a revolving fund for making additional expenditures under this program.

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

Passed May 18, 1998.  
 Effective May 25, 1998.

**Ord. No. 692-98.**  
**By Councilmen Jackson, Willis and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to expend Community Development Block Grant funds for the operation of the Project Clean 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 Parks, Recreation and Properties is hereby authorized to expend Community Development Block Grant funds in the amount of Five Hundred Thousand Dollars (\$500,000.00), from Fund No. 14 SF 024 Request No. 23095, for the operation of the Project Clean Program and that said Director and the Director of Community Development are hereby authorized to memorialize said expenditure through a memorandum of understanding.

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

Passed May 18, 1998.  
 Effective May 25, 1998.

**Ord. No. 696-98.**  
**By Councilmen White and Johnson (by departmental request).**

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

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

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

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

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

Other Expenses . . . . . \$ 538,220.00

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

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

Other Expenses . . . . . \$ 227,798.00

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

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

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

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

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

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

**Section 11.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 697-98.**  
**By Councilmen White and Johnson (by departmental request).**  
**An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts for various training services for the disadvantaged under the Job Training Partnership Act.**

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

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

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

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

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

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

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

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

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 698-98.**  
**By Councilmen White and Johnson (by departmental request).**

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

Whereas, under the authority of Title IV Part D of the Job Training Partnership Act (JTPA), the Employment and Training Administration of the U.S. Department of Labor ("DOL/ETA") has made available Year Three (3) funds for demonstration projects to replicate and formally evaluate a successful

model by the Ford Foundation, known as the Quantum Opportunities Project (QOP) to service delivery areas under JTPA, which need to have the local public school district as a co-applicant and identify a community based organization to operate the demonstration; and

Whereas, DOL/ETA has awarded a grant to the City of Cleveland for this purpose; and

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

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

**Section 1.** That the Director of Personnel and Human Resources is hereby authorized to accept a National Partnership and Special Training Program, Pilot and Demonstration Programs grant, under JTPA Title IV Part D from the U.S. Department of Labor for delivery of allowable program services to eligible individuals, and to credit said grant to Fund No. 15 SF 201, in the amount of Two Hundred Thousand Dollars (\$200,000). That the Director of Personnel and Human Resources is further authorized to file all papers and execute all documents to accept and receive the funds under said grant, including the obligation to provide in cash matching funds the sum of \$200,000, from Fund No. 15 SF 075.

**Section 2.** That the grant authorized in Section 1 is hereby appropriated as follows to provide for administration of the QOP program:

Personnel and Related	
Expenses	\$ 20,000.00
Other Expenses	+ 180,000.00
Total . . . . .	\$ 200,000.00

**Section 3.** That the Director of Personnel and Human Resources is further authorized to enter into a contract with Youth Opportunities Unlimited in the amount of Three Hundred Eighty Thousand Dollars (\$380,000) to implement the program described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance and from Fund No. 15 SF 075.

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 761-98.**  
**By Councilmen Sweeney and Johnson (by departmental request).**

**An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 855-97, passed June 16, 1997, relating to the public improvement of renovating, upgrading or otherwise improving the Convention Center and West Side Market.**

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 Sections 1 and 2 of Ordinance No. 855-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of renovating, upgrading, or otherwise improving the West Side Market and the Convention Center, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

**Section 2.** That existing Sections 1 and 2 of Ordinance No. 855-97, passed June 16, 1997, are hereby repealed.

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 764-98.**  
**By Councilmen Jackson and Johnson (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs in the City of Cleveland.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$460,000.00, and shall be paid from Fund No. 14 SF 023 and 14 SF 024, Request No. 23102.

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

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 765-98.**  
**By Councilmen Jackson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into a contract with the Federation for Community Planning, fiscal agent for the Summer Sprout Program, to operate a community gardening program.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into contract with the Federation for Community Planning, fiscal agent for the Summer Sprout Program, to operate a community gardening program.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$60,000.00, and shall be paid from Fund No. 14 SF 024, Request No. 23101.

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 766-98.**  
**By Councilmen Jackson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Directors of Community Development and the Community Relations Board to expend Community Development Block Grant funds for fair housing services.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXIV, from the United States Government; and

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

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

**Section 1.** That the Director of the Community Relations Board is hereby authorized to expend Community Development Block Grant funds in the amount of \$75,000.00 from Fund No. 14 SF 024 Request No. 23097, for fair housing services in conjunction with the Community Development Block Grant Program.

**Section 2.** That said Director and the Director of Community Development are hereby authorized to enter into a memorandum of understanding for this program.

**Section 3.** That the Director of the Community Relations Board is hereby authorized to enter into contracts with outside agencies for the purpose of providing fair housing services in conjunction with the Community Development Block Grant Program.

**Section 4.** That the cost of the contracts authorized by Section 3 shall not exceed \$75,000.00.

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 767-98.**  
**By Councilmen Jackson and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Aging to expend Community Development Block Grant funds for the Senior Homeowners Assistance Program (SHAP) and the CHORE Program.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXIV, from the United States Government; and

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

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

**Section 1.** That the Director of Aging is hereby authorized to expend Community Development Block Grant funds in the amount of Ninety-Eight Thousand Dollars (\$98,000.00), from Fund No. 14 SF024 Request No. 23099 for the Senior Homeowners Assistance Program ("SHAP") and the CHORE Program in conjunction with the Community Development Block Grant Program, Year XXIV.

**Section 2.** That said Director and the Director of Community Development are hereby authorized to enter into a memorandum of understanding for this program.

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

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 770-98.**  
**By Councilmen Lewis, Jackson, Rybka and Johnson (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1583, 1587, 1591 East 65th Street to Stephen Anthony and Natalie Marie Sangster.**

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 by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of

Codified Ordinances of the City of Cleveland, 1976; and

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 106-14-002, 106-14-003 and 106-14-004, as more fully described in Section 2 below, to Stephen Anthony and Natalie Marie Sangster.

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

P. P. No. 106-14-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 35 feet from front to rear of Sublot No. 42 in Samuel B. Strang's Subdivision of part of Original One Hundred Acre Lot No. 341, as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records, and having a frontage of 35 feet on the Easterly side of East 65th Street, (formerly Norwood Street), and extending back of equal width about 132 feet and 7-3/4 inches to the Westerly line of East 66th Place, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 106-14-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 16 feet of Sublot No. 46, all of Sublot No. 44 and the Southerly 2 feet of Sublot No. 42 in Samuel B. Strang's Allotment of part of Original One Hundred Acre Lot No. 341 as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 43 feet on the Easterly side of East 65th Street (formerly Norwood Street), and extending back of equal width about 132 feet 8 inches to the Westerly line of East 66th Place, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 106-14-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 9 feet of Sublot No. 46, all of Sublot No. 48 and the Northerly 9 feet of No. 50 in Samuel B. Strang's Subdivision of part of the Original One Hundred Acre Lot No. 341, as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records, and together form a parcel of land having a frontage of 43 feet on the Easterly side of East 65th Street (formerly Norwood Street) and extending back of equal width about 132 feet 8 inches to a Westerly line of a 12 foot alley in 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.

Passed May 18, 1998.

Effective May 25, 1998.

**Ord. No. 774-98.**  
**By Councilmen Lewis, Jackson, Rybka and Johnson (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6301, 6305 and 6309 Quimby Avenue to William Mumford and Morray Mumford.**

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 by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 104-21-098, 104-21-099, and 104-21-100, as more fully described in Section 2 below, to William Mumford and Morray Mumford.

**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. 104-21-098

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

340, and bounded and described as follows:

Beginning at a point in the Northerly line of Quimby Avenue 1296 feet Easterly from the Easterly line of Wilson Avenue (now East 55th Street); thence Easterly along the Northerly line of Quimby Avenue 37 feet; thence Northerly parallel with Wilson Avenue (now East 55th Street) 140 feet; thence Westerly parallel with Quimby Avenue 37 feet; thence Southerly parallel with Wilson Avenue (now East 55th Street) 140 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 104-21-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 340, and bounded and described as follows:

Beginning on the Northerly line of Quimby Avenue NE (formerly Quimby Street) at a point 1333 feet Easterly (measured along said Northerly line) from its point of intersection with the Easterly line of East 55th Street (formerly Wilson Avenue); thence Easterly along said Northerly line of Quimby Avenue NE, 38 feet, thence Northerly on a line parallel to said Easterly line of East 55th Street 140 feet; thence Westerly on a line parallel to said Northerly line of Quimby Avenue NE 38 feet; thence Southerly 140 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 104-21-100

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 340 and bounded and described as follows:

Beginning at a point in the Northerly line of Quimby Avenue, N.E., 1371 feet Easterly from the Easterly line of East 55th Street, (formerly Wilson Avenue), thence Easterly along the Northerly line of Quimby Avenue, N.E., 34 feet; thence Northerly parallel with East 55th Street, (formerly Wilson Avenue) 140 feet; thence Westerly parallel with said Quimby Avenue, N.E., 34 feet; thence Southerly parallel with East 55th Street (formerly Wilson Avenue) 140 feet, to place of beginning, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 3.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

**Section 5.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the

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

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

Passed May 18, 1998.

Effective May 25, 1998.

**Ord. No. 776-98.  
By Councilmen Rybka and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept a grant from the Cuyahoga County Planning Commission for the Northeast Ohio Areawide Coordinating Agency Regional Retail Business Analysis.**

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

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

**Section 1.** That the Director of the City Planning Commission is hereby authorized to apply for and accept a grant in the amount of \$18,000.00, from the Cuyahoga County Planning Commission, to conduct the Northeast Ohio Areawide Coordinating Agency Regional Retail Business Analysis, for the purposes set forth in the application and according thereto; that the Director of the City Planning Commission is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 776-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed May 18, 1998.

Effective May 25, 1998.

**Ord. No. 820-98.  
By Councilmen Willis and Johnson (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of exterminating services, for the Division of Recreation, Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is

hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of exterminating services for indoor and outdoor recreation facilities 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 Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial 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 21426)

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

Passed May 18, 1998.

Effective May 25, 1998.

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

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

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

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

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

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

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

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

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

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

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

Passed May 18, 1998.

Effective May 25, 1998.

**Ord. No. 888-98.  
By Councilman Lewis.  
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at Lexington Avenue to Ivan Gadson.**

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

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

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

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

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

Permanent Parcel No(s). 104-21-005, 104-21-006 and 104-21-007 (western half), as more fully described in Section 2 below, to Ivan Gadson.

**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. 104-21-005, 104-21-006 and western half of 104-21-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly part of Sublots Nos. 43, 45 and Northwesterly part of Sublot No. 47 in the Luther and Arvilla Moses' Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat in Volume 5 of Maps, Page 48 of Cuyahoga County Records.

Beginning at a monument at the intersection of the centerline of Lexington Avenue (60' wide) and the centerline of East 65th Street (60' wide) thence due West along said center line of Lexington Avenue 554.34 feet to a point therein; thence South 0° 00' 39" East, 30 feet to the Northwest corner of Sublot No. 43 and the principle place of beginning, thence continuing South 0° 0' 39" East 99.45 feet along the Westerly line of Sublot No. 43 to the Northwesterly corner of a parcel of land conveyed to the City of Cleveland by deed dated January 9, 1996 and recorded Volume 96-00190, Page 35 of Cuyahoga County Records.

Thence North 89° 58' 42" East along the Northerly line of said parcel, its Easterly prolongation and the Northerly line of a parcel of land conveyed to the City of Cleveland by deed dated June 27, 1979 and recorded in Volume 15454, Page 311 of Cuyahoga County Records, 100.09 feet to a point therein.

Thence North 0° 03' 07" West 99.42 feet to the Southerly right of way of Lexington Avenue.

Thence due West along said right of way 100.02 feet to the principal place of beginning and containing therein 9948.79 square feet, 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.

Passed May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 932-98.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing the Director of Public Service to issue a permit to Clean-Land, Ohio to encroach into the public right-of-way of Euclid Avenue from Ontario Street to East 18th Street with eighty-two (82) Planter Boxes.**

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 Clean-Land, Ohio, 1836 Euclid Avenue, Cleveland, Ohio 44115; its successors and assigns; for the construction, use and maintenance of eighty-two (82) Planter Boxes to be placed at locations more fully described as follows:

**CLEAN-LAND, OHIO/PROPOSED ENCROACHMENT AREA FOR PLANTER BOXES**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being bounded and described as follows:

The encroachment location for the Planter Boxes will be in Euclid Avenue from Ontario Street to East 18th Street, and said Planter Boxes will not extend more than thirty-two (32) inches into the rights-of-way of Euclid Avenue on both the North and South sides; and of the first eighty-two (82) Planter Boxes to be installed in 1998, the four (4) sizes will be: 60" X 24" X 18" — Quantity = 25; 60" X 24" X 30" — Quantity = 4; 48" X 24" X 18" — Quantity = 15; and 30" X 30" X 24" — Quantity = 38.

**Section 2.** That said Planter Boxes will be placed within the public rights-of-way as aforesaid in Section 1, and said Planter Boxes 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 May 18, 1998.  
Effective May 25, 1998.

**Ord. No. 933-98.**

**By Councilman Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Chukwunwike Okoye)**

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

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

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

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

**Section 1.** That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Chukwunwike Okoye.

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

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

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

Passed May 18, 1998.  
Effective May 25, 1998 without the signature of the Mayor.

**Ord. No. 934-98.**

**By Councilman Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Abdollah N. Sharifi)**

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

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

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

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

**Section 1.** That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Abdollah N. Sharifi.



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

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

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

Passed May 18, 1998.

Effective May 25, 1998 without the signature of the Mayor.

**Ord. No. 935-98.**

**By Councilman Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Anthony Iwenofu)**

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

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

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

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

**Section 1.** That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Anthony Iwenofu.

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

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

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

Passed May 18, 1998.

Effective May 25, 1998 without the signature of the Mayor.

**Ord. No. 936-98.**

**By Councilman Gordon.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Archwood Denison Concerned Citizens to stretch a banner across Pearl Rd. on the east side of the street and a wooden utility pole on the corner of Archwood and Pearl Rd., for the period from May 27, 1998 to June 9, 1998, inclusive, publicizing the Annual Street Sale/Steeple Climb.**

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 Archwood Denison Concerned Citizens to install, maintain and remove a banner across Pearl Rd. on the east side of the street and a wooden utility pole on the corner of Archwood and Pearl Rd., for the period from May 27, 1998 to June 9, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 18, 1998.

Effective May 25, 1998.

**Ord. No. 940-98.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 13, except in the Central Business District. (Abdollah N. Sharifi)**

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has

determined that it is in the public interest to allow each of said persons to peddle in Ward 13; and

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

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

**Section 1.** That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 13, except in the Central Business District: Abdollah N. Sharifi.

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

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

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

Passed May 18, 1998.

Effective May 25, 1998 without the signature of the Mayor.

**COUNCIL COMMITTEE MEETINGS**

**Monday, May 18, 1998**

**Public Health Committee: 9:00 A.M.** — Present: Gordon, Chairman; Britt, Vice Chairman; Cimperman, Cintron, Jackson, Melena, Robinson.

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

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

**Tuesday, May 19, 1998**

**Community & Economic Development Committee: 9:00 A.M.** — Present: Robinson, Vice Chairman; Cimperman, Cintron, Coats, Jones, Zone. Excused: Jackson, Chairman; Gordon, Lewis.

**Wednesday, May 20, 1998**

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

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### Civil Service Commission

Civil Service Commission -- amend rules to define "bona fide resident of the City of Cleveland" and add ten points to score of residents who passed the exam (R 941-98) ..... **799**

### Cleveland Action to Support Housing (CASH)

Cleveland Action to Support Housing (CASH) -- contract-- \$460,000.00 -- administrative cost for housing rehabilitation, new housing construction and commercial redevelopment loan programs (O 764-98)..... **811**

**Cleveland Hopkins International Airport**

Cleveland Hopkins International Airport -- design security and control system (O 1269-97) ..... 799

Constructing terminal and roadway signs -- Cleveland Hopkins International Airport -- Port Control Department (O 2102-97) ..... 799

Determining the method - public improvement of implementing Phase II - sound insulation program for homes - Cleveland Hopkins International Airport - authorizing Director to employ professional consultants (O 469-98)..... 804

**Cleveland Public Power**

Authorizing - Director of Public Utilities - to establish an outdoor residential lighting program - and the purchase of equipment, labor and materials - for the Division of Cleveland Public Power (O 508-98)..... 805

Supplement - Codified Ordinances - enacting new Section 523.061 - relating to rates, rules and regulations for outdoor residential lighting - provided by Division of Cleveland Public Power (O 510-98)..... 805

**Cleveland Theater District**

Equalization Board -- appoint Michael Thomas McBride, Culy M. Range, and Janice Eaton; Gladys Faye Callahan as alternate member to hear objections with respect to provision of additional security for the Cleveland Theater District (R 938-98) ..... 798

**Code Enforcement & Demolition Program**

Code Enforcement and Demolition Programs -- expend -- \$3,385,000 from Community Development Block Grant Program, Year XXIV (O 689-98) ..... 809

**Community Development**

East 86th Street, 1790 - Albert L. Owens and Cynthia L. Owens (O 475-98)..... 804

**Community Development Block Grant Program**

Administrative expenses of the Department of Community Development -- reimbursement of nonprofit subrecipients for cost of audits required by OMB Circular A-133 -- expend \$4,112,000 from Community Development Block Grant Program, Year XX (O 688-98)..... 809

Cleveland Action to Support Housing (CASH) -- contract-- \$460,000.00 -- administrative cost for housing rehabilitation, new housing construction and commercial redevelopment loan programs (O 764-98)..... 811

Code Enforcement and Demolition Programs -- expend -- \$3,385,000 from Community Development Block Grant Program, Year XXIV (O 689-98) ..... 809

Demolition, removal or boarding up of structures within the City of Cleveland --enter into contracts -- Community Development Block Grant, Year XXIV (O 690-98)..... 809

Fair Housing Services -- Community Relations Board -- expend \$75,000. (O 766-98) ..... 811

Project Clean Program -- expend -- \$500,000.00 from Community Development Block Grant Program (O 692-98)..... 809

Senior Homeowners Assistance Program (SHAP) and CHORE Program -- expend \$98,000.00 -- from Community Development Block Grant Year XXIV (O 767-98) ..... 811

Storefront Renovation Program --expend -- \$855,000 -- from Community Development Block Grant Funds (O 687-98)..... 808

Summer Sprout Program -- contract -- \$60,000.00 -- Federation for Community Planning -- fiscal agent (O 765-98) ..... 811

**Community Relations Board**

Fair Housing Services -- Community Relations Board -- expend \$75,000. (O 766-98) ..... 811

Teen Court Program -- apply for and accept grant from Bryne Memorial to conduct -- contract with YMCA to implement program. (O 620-98)..... 808

**Concession Agreement**

Concession agreement with Ameritech for pay telephones on City of Cleveland-owned property and City facilities (O 858-98) ..... 813

**Convention Center and Stadium Division**

West Side Market and Convention Center -- renovate, upgrade and improve -- amend Sections 1 and 2 of Ord. No. 855-97 -- (O 761-98) ..... 810

**Demolition**

Demolition, removal or boarding up of structures within the City of Cleveland --enter into contracts -- Community Development Block Grant, Year XXIV (O 690-98)..... 809

**Economic Development Department**

- Authorizing - Director of Economic Development - enter into contract - Bulkley Holdings Incorporated - provide economic development assistance - acquisition and renovation of real estate - 4204 Detroit Avenue (O 516-98) ..... **806**
- Equalization Board -- appoint Michael Thomas McBride, Culy M. Range, and Janice Eaton; Gladys Faye Callahan as alternate member to hear objections with respect to provision of additional security for the Cleveland Theater District (R 938-98) ..... **798**

**Encroachments**

- Clean-Land -- permit to encroach into public right-of-way of Euclid Avenue from Ontario Street to East 18th Street with eight-two Planter Boxes (O 932-98) ..... **814**

**Equalization Board**

- Equalization Board -- appoint Michael Thomas McBride, Culy M. Range, and Janice Eaton; Gladys Faye Callahan as alternate member to hear objections with respect to provision of additional security for the Cleveland Theater District (R 938-98) ..... **798**

**Fair Housing**

- Fair Housing Services -- Community Relations Board -- expend \$75,000. (O 766-98) ..... **811**

**Federation for Community Planning**

- Summer Sprout Program -- contract -- \$60,000.00 -- Federation for Community Planning -- fiscal agent (O 765-98) ..... **811**

**Finance Department**

- Concession agreement with Ameritech for pay telephones on City of Cleveland-owned property and City facilities (O 858-98) ..... **813**

**Grants**

- Governor's Reserve Grant and Incentive Award under Title II of the Job Training Partnership Act from Ohio Bureau of Employment Services -- accept \$538,220.00 -- computers and telephone equipment -- contract -- Personnel and Human Resources (O 696-98) ..... **809**

**Historic Landmark District**

- Fairhill Village -- establishing historic landmark district (O 1868-97)..... **796**

**Information System Services Division**

- Ninth Street Plaza Building -- MJM Management Company -- lease space for Division of Information Systems Services (O 676-98)..... **808**

**Job Training Partnership Act**

- National Partnership and Special Training Program, Pilot and Demonstration Programs -- except grant -- enter contracts with Youth Opportunities Unlimited for Quantum Opportunities Project (O 698-98)..... **810**

**Job Training Partnership Act (JTPA)**

- Governor's Reserve Grant and Incentive Award under Title II of the Job Training Partnership Act from Ohio Bureau of Employment Services -- accept \$538,220.00 -- computers and telephone equipment -- contract -- Personnel and Human Resources (O 696-98) ..... **809**
- Training services for the disadvantaged -- Job Training Partnership Act -- contract -- Personnel and Human Resources (O 697-98) ..... **810**

**Land Reutilization Program**

- East 65th Street, 1583, 1587, 1587 (Ward 7) -- sell to Steven Anthony and Natalie Marie Sangster (O 770-98)..... **811**
- East 86th Street, 1790 - Albert L. Owens and Cynthia L. Owens (O 475-98)..... **804**
- Lexington Avenue, P.P. No. 104-21-005, 104-21-006 and western half of 104-21-007 (Ward 7 ) -- sell to Ivan Gadson (O 888-98) ..... **813**
- Quimby Avenue, 6301, 6305, and 6309 (Ward 7) -- sell to William Mumford and Morray Mumford (O 774-98) ..... **812**

**Landmarks Commission**

Lorain Station Historic Landmark District -- establish as a landmark (O 332-98)..... 797

**Liquor Permits**

East 156th Street, 383 (Ward 11 ) -- withdraw objection to transfer of ownership and location of C2 permit -- repeal Res. No. 379-98 (R 939-98)..... 798  
 East 65th Street, 3077 (Ward 12) -- withdraw objection to transfer of ownership of C1 permit -- repeal Res. No. 385-98 (R 937-98)..... 798

**MJM Management Company**

Ninth Street Plaza Building -- MJM Management Company -- lease space for Division of Information Systems Services (O 676-98)..... 808

**Motor Vehicle Maintenance Division (MVM)**

Authorizing and Directing - purchase by requirement contract - labor and materials necessary to repair salt spreaders, inserts and plows - Division of Motor Vehicle Maintenance, Department of Public Service. (O 429-98) ..... 803  
 Chevrolet-GMC car, van and truck parts -- Division of Motor Vehicle Maintenance (O 555-98) ..... 807  
 E.Z. Pack packer parts -- Division of Motor Vehicle Maintenance (O 552-98)..... 806  
 Ford passenger and police car parts -- Division of Motor Vehicle Maintenance (O 553-98) ..... 807  
 Radiators, heater cores, gas tanks, and air conditioning units -- labor and materials to repair, clean, record or replace -- Division of Motor Vehicle Maintenance. (O 556-98) ..... 807  
 Transmissions, remanufactured -- Division of Motor Vehicle Maintenance (O 554-98)..... 807

**Northeast Ohio Areawide Coordinating Agency (NOACA)**

Northeast Ohio Areawide Coordinating Agency Regional Retail Business Analysis -- apply for and accept grant -- \$18,000.00 from Cuyahoga County Planning Commission (O 776-98) ..... 813

**Ohio Department of Public Health**

Authorizing - Director of Public Health - apply for and accept a grant - Ohio Department of Health - 1998 Federal AIDS Prevention Program - enter into contract with various entities (O 470-98)..... 804

**Parks, Recreation and Properties Department**

Exterminating services -- purchase -- Recreation Division (O 820-98)..... 813  
 Project Clean Program -- expend -- \$500,000.00 from Community Development Block Grant Program (O 692-98)..... 809  
 West Side Market and Convention Center -- renovate, upgrade and improve -- amend Sections 1 and 2 of Ord. No. 855-97 -- (O 761-98) ..... 810

**Pay telephones**

Concession agreement with Ameritech for pay telephones on City of Cleveland-owned property and City facilities (O 858-98) ..... 813

**Peddlers**

Iwenofu, Anthony -- authorization to engage in peddling in Ward 5 (O 935-98) ..... 815  
 Okoye, Chukwunwike -- authorization to engage in peddling in Ward 5 (O 933-98)..... 814  
 Sharif, Abdollah N. -- authorization to engage in peddling in Ward 13, except in the Central Business District (O 940-98)..... 815  
 Sharifi, Abdollah N. -- authorization to engage in peddling in Ward 5 (O 934-98) ..... 814

**Permits**

Archwood Denison Concerned Citizens -- permit to stretch banners across Pearl Rd, and Archwood for the period from May 27, 1998 to June 9, 1998, publicizing the Annual Street Sale/Steeple Climb (O 936-98)..... 815  
 Clean-Land -- permit to encroach into public right-of-way of Euclid Avenue from Ontario Street to East 18th Street with eight-two Planter Boxes (O 932-98) ..... 814

**Personnel and Human Resources Department**

Governor's Reserve Grant and Incentive Award under Title II of the Job Training Partnership Act from Ohio Bureau of Employment Services -- accept \$538,220.00 -- computers and telephone equipment -- contract -- Personnel and Human Resources (O 696-98) ..... 809

National Partnership and Special Training Program, Pilot and Demonstration Programs --  
 except grant -- enter contracts with Youth Opportunities Unlimited for Quantum  
 Opportunities Project (O 698-98)..... 810  
 Training services for the disadvantaged -- Job Training Partnership Act -- contract --  
 Personnel and Human Resources (O 697-98) ..... 810

**Port Control Department**

Cleveland Hopkins International Airport -- design security and control system  
 (O 1269-97) ..... 799  
 Constructing terminal and roadway signs -- Cleveland Hopkins International Airport -- Port  
 Control Department (O 2102-97) ..... 799  
 Determining the method - public improvement of implementing Phase II - sound insulation  
 program for homes - Cleveland Hopkins International Airport - authorizing Director  
 to employ professional consultants (O 469-98)..... 804

**Project Clean Program**

Project Clean Program -- expend -- \$500,000.00 from Community Development Block Grant  
 Program (O 692-98)..... 809

**Public Health Department**

Authorizing - Director of Public Health - apply for and accept a grant - Ohio Department  
 of Health - 1998 Federal AIDS Prevention Program - enter into contract with various  
 entities (O 470-98)..... 804

**Recreation Division**

Exterminating services -- purchase -- Recreation Division (O 820-98)..... 813

**Resolutions -- Miscellaneous**

Civil Service Commission -- amend rules to define "bona fide resident of the City  
 of Cleveland" and add ten points to score of residents who passed the exam  
 (R 941-98) ..... 799

**Service Department**

Authorizing and Directing - purchase by requirement contract - curb bumpers and plow  
 blades - Division of Streets - Department of Public Service. (O 298-98) ..... 800  
 Authorizing and Directing - purchase by requirement contract - labor and materials  
 necessary to repair salt spreaders, inserts and plows - Division of Motor Vehicle  
 Maintenance, Department of Public Service. (O 429-98) ..... 803  
 Authorizing and Directing - purchase by requirement contract - traffic cones and safety  
 drums - Division of Streets, Department of Public Service. (O 430-98) ..... 803  
 Authorizing and directing - purchase by requirement contract - guard rail elements, posts,  
 end wings and necessary hardware - Division of Streets - Department of Public  
 Service. (O 301-98) ..... 800  
 Chevrolet-GMC car, van and truck parts -- Division of Motor Vehicle Maintenance  
 (O 555-98) ..... 807  
 E.Z. Pack packer parts -- Division of Motor Vehicle Maintenance (O 552-98)..... 806  
 Ford passenger and police car parts -- Division of Motor Vehicle Maintenance  
 (O 553-98) ..... 807  
 Giving consent - interim resurfacing of West 140th Street - authorizing Public Service  
 to enter into agreements - authorize Public Service - cause payment to County  
 of Cuyahoga - apply for allocation of County Motor Vehicle License Tax Fu  
 (O 363-98) ..... 802  
 Giving consent for the resurfacing of Broadway Avenue from I-77 to Orange Avenue -  
 resurfacing and modifying East 30th - Director of Transportation - State of Ohio -  
 authorizing the Director of Public Service to enter into agreements. (O 357-98)..... 801  
 Radiators, heater cores, gas tanks, and air conditioning units -- labor and materials to  
 repair, clean, record or replace -- Division of Motor Vehicle Maintenance.  
 (O 556-98) ..... 807  
 Transmissions, remanufactured -- Division of Motor Vehicle Maintenance (O 554-98)..... 807

**Storefront Renovation Program**

Storefront Renovation Program --expend -- \$855,000 -- from Community Development Block  
 Grant Funds (O 687-98)..... 808

**Streets - Vacation**

Amend Section 1 of Ordinance No. 680-97 - passed April 21, 1997 - relating to vacating  
 a portion of East 174th Street, East 175th Street and Manoa Avenue S.E. (O 306-98) ..... 801

Amend Section 1 or Ordinance No. 679-97, passed April 21, 1997 - relating to vacating a portion of East 174th Street. (O 305-98)..... 800  
Prospect Court S.E. - vacate a portion of. (O 359-98) ..... 802  
Prospect Court, S.E.- vacate a portion of. (O 304-98)..... 800

**Summer Sprout Program**

Summer Sprout Program -- contract -- \$60,000.00 -- Federation for Community Planning -- fiscal agent (O 765-98) ..... 811

**Teen Court Program**

Teen Court Program -- apply for and accept grant from Bryne Memorial to conduct -- contract with YMCA to implement program. (O 620-98)..... 808

**Utilities Department**

Authorizing - Director of Public Utilities - to establish an outdoor residential lighting program - and the purchase of equipment, labor and materials - for the Division of Cleveland Public Power (O 508-98)..... 805  
Landscape maintenance at various waterworks facilities and work stations -- Water Division (O 546-98) ..... 806  
Supplement - Codified Ordinances - enacting new Section 523.061 - relating to rates, rules and regulations for outdoor residential lighting - provided by Division of Cleveland Public Power (O 510-98)..... 805  
Water mains and appurtenances -- labor and materials to repair -- Water Division (O 547-98) ..... 806

**Water Division**

Landscape maintenance at various waterworks facilities and work stations -- Water Division (O 546-98) ..... 806  
Water mains and appurtenances -- labor and materials to repair -- Water Division (O 547-98) ..... 806

**Water Mains**

Water mains and appurtenances -- labor and materials to repair -- Water Division (O 547-98) ..... 806

**West Side Market**

West Side Market and Convention Center -- renovate, upgrade and improve -- amend Sections 1 and 2 of Ord. No. 855-97 -- (O 761-98) ..... 810

**Youth Opportunities Unlimited**

National Partnership and Special Training Program, Pilot and Demonstration Programs -- except grant -- enter contracts with Youth Opportunities Unlimited for Quantum Opportunities Project (O 698-98)..... 810

**Zoning--Public Hearings--City Planning Committee**

Change Use and Area Districts - easterly side of West 130th Street - between - Matherson Avenue, S.W. - Leeila Avenue, S.W. (O 250-98)..... 796  
East 200th Street, westerly side from Mohican Avenue, N. E., north to City Line (Ward 11) -- change use and area districts. (O 161-98)..... 796  
East 78th Street (westerly) between Aetna Road, S.E. and Osage Avenue, S.E. -- change use area of lands -- amend Section 1 of Ord. No. 2107-97 (O 623-98) ..... 797  
Establishing Midtown Business -- Revitalization District -- repeal Ordinance No. 965-95 (O 1756-96) ..... 796  
Fairhill Village -- establishing historic landmark district (O 1868-97)..... 796  
Ivanhoe Road, N.E. between Yorick Avenue, N. E. and south of Manadabay Avenue, N. E. (Ward 11) -- change use district. (O 160-98) ..... 796  
Lakeport Road, N. E. to Lakeshore Boulevard, N. E. southwest of Brazil Road, N. E.-- change use district of lands. (O 330-98) ..... 797  
Lorain Station Historic Landmark District -- establish as a landmark (O 332-98)..... 797  
Waterloo Road, N. E. (Lands south of) and the New York/Central Railroad and between Neff Road, N. E. and East 200th Street -- change use and height districts of lands -- amend Section 1 of Ord. No. 2106-97. (O 622-98)..... 797  
West 117th Street / Berea Road -- establish as a Business Revitalization District. (O 333-98) ..... 797