

# The City Record

Official Publication of the City of Cleveland

October the First, Nineteen Hundred and Ninety-Seven

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

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# DIRECTORY OF CITY OFFICIALS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**MORAL CLAIMS COMMISSION** - Sharon Sobol Jordan, \_\_\_\_\_, Councilman Jay Westbrook.

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

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

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

### CLEVELAND MUNICIPAL COURT JUSTICE CENTER-1200 ONTARIO CENTRAL SCHEDULING DEPARTMENT JUDGE COURTROOM ASSIGNMENTS

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, OCTOBER 1, 1997

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## CITY COUNCIL

MONDAY, SEPTEMBER 29, 1997

### The City Record

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### ARTHA WOODS

Clerk of Council  
216 City Hall

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

#### MONDAY—Alternating

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

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

September 24, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 24, 1997, at 11:30 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Absent: Director Sobol Jordan.

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

On motion, the following resolutions were adopted.

#### Resolution No. 779-97.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Wise International Trucks of Ohio for the following: one (1) dump truck (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, received on the 15th day of August, 1997, pursuant to the authority of Ordinance No. 918-96, passed June 18, 1996, Ordinance No. 1476-96, passed August 14, 1996 and Ordinance No. 323-97, passed March 24, 1997, which on the basis of order quantity would amount to \$73,843.00 Dollars, is hereby approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into contract for such items.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of

the following subcontractor by Wise International Trucks of Ohio for one (1) dump truck (all items), is hereby approved:

Independent Brokers  
MBE \$700.00

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.  
Absent: None.

#### Resolution No. 780-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of R Equipment & Maintenance for an estimated quantity of construction equipment repair (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on September 5, 1997, pursuant to the authority of Ordinance No. 537-97, passed June 2, 1997, which on the basis of the estimated quantity would amount to approximately Four Hundred Sixty Eight Thousand and no/100 Dollars, (\$468,000.00), (Net) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 105825 which shall be certified against such contract in the sum of Fifty Thousand and no/100 Dollars (\$50,000.00).

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

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.  
Absent: None.

#### Resolution No. 781-97.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on August 15, 1997 for rehabilitation of snow removal vehicles and salt spreader inserts (Item 2) for the Division of Motor Vehicle

Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 17-97, passed by the Council of the City of Cleveland on March 24, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.  
Absent: None.

**Resolution No. 782-97.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cenweld Corp. for an estimated quantity of rehabilitation of snow removal vehicles and salt spreader inserts (Item 1) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on August 15, 1997, pursuant to the authority of Ordinance No. 17-97, passed March 24, 1997, which on the basis of the estimated quantity would amount to approximately Sixty Nine Thousand Nine Hundred Fifty Six and no/100 Dollars, (\$69,956.00), (Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 105830**

which shall be certified against such contract in the sum of Sixty Nine Thousand Nine Hundred Fifty Six and no/100 Dollars (\$69,956.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Cenweld Corp. for rehabilitation of four (4) 10' dump trucks; rehabilitation/conversion of one (1) 15' dump truck; seven (7) 10' salt spreader inserts and five (5) 14' salt spreader inserts (item 1), is hereby approved:

Independent Brokers  
MBE \$4,323.00

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.  
Absent: None.

**Resolution No. 783-97.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Newell Equipment, Inc. for an estimated quantity of rehabilitation of snow removal vehicles and salt spreader inserts (items 3 and 4) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execu-

tion of a contract received on August 15, 1997, pursuant to the authority of Ordinance No. 17-97, passed March 24, 1997, which on the basis of the estimated quantity would amount to approximately Seventy Five Thousand Eight Hundred Forty Six and no/100 Dollars, (\$75,846.00), (Net) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 105829**

which shall be certified against such contract in the sum of Seventy Five Thousand Eight Hundred Forty Six and no/100 Dollars (\$75,846.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Newell Equipment, Inc. for rehabilitation of four (4) 10' dump trucks; rehabilitation/conversion of one (1) 15' dump truck; seven (7) 10' salt spreader inserts and five (5) 14' salt spreader inserts (items 3 and 4), is hereby approved:

Logical Services  
MBE \$4,000.00

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.  
Absent: None.

**Resolution No. 784-97.**

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on August 8, 1997 for rehabilitation of 11 refuse packers for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 254-97, passed by the Council of the City of Cleveland on March 24, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.  
Absent: None.

**Resolution No. 785-97.**

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 549-97, adopted by this Board of Control on July 9, 1997, approving the bid of American National Fleet Service, Inc. for the repair of rear loading packer bodies, (all items) for the Division of Waste Collection and Disposal, Department of Public Service, hereby is rescinded.

Be it further resolved that all bids received on March 27, 1997 for said repair of rear loading packer bodies

(all items) for the Division of Waste Collection and Disposal, Department of Public Service, pursuant to the authority of Ordinance No. 1018-96 passed by the Council of the City of Cleveland on June 18, 1996, are hereby rejected.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.  
Absent: None.

**Resolution No. 786-97.**

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on August 8, 1997 for one thousand (1,000) In-Line Fuel Devices for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 211-97, passed by the Council of the City of Cleveland on June 2, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.  
Absent: None.

**Resolution No. 787-97.**

By Directors Spellman and Hamilton.

Whereas, Resolution No. 571-97, adopted by this Board on July 16, 1997, pursuant to the authority of Ordinance Nos. 1284-96 and 788-97, passed by the Cleveland City Council on October 14, 1996, and June 2, 1997 respectively, authorized the Director of Parks, Recreation & Properties and the Director of Community Development to enter into a contract with R. DiLillo & Company as the lowest responsible bidder for the public improvement of Baltic Park site improvements, in the aggregate amount of Two Hundred Twenty-Four Thousand, Nine Hundred Eighty-Three and 82/100 dollars (\$224,983.82); and

Whereas, said Resolution No. 571-97 incorrectly stated the numerical dollar amount of the improvement as (\$240,983.82); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 571-97 adopted July 16, 1997, is hereby amended by substituting the numbers (\$224,983.82) for (\$240,983.82).

Be it further resolved that all other provisions of said Resolution No. 571-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.  
Absent: None.

**Resolution No. 788-97.**

By Director Hamilton.

Whereas, pursuant to the authority of Ordinance No. 1183-96, passed October 14, 1996 by the Council of the City of Cleveland, the Director of Community Development is authorized to enter into a lease with Kamm's Development Corporation for control and operation of the City-owned parking lot located on the Northside of Albers Avenue between

Rocky River Drive and West 168th Street, Permanent Parcel Numbers 025-25-031 through 025-25-040, for a term of five (5) years for an amount at fair market value as determined by the Board of Control: now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the lease of the aforementioned parking lot on Albers Avenue to Kamm's Development Corporation shall be for One Dollar (\$1.00) per year which amount is hereby determined to be the fair market value.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 789-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 022-25-033 located at 4257 West 140 Street in Ward 20; 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, Robert A. Tavares, 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 20 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Robert A. Tavares for the sale and development of Permanent Parcel No. 022-25-033 located at 4257 West 140 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 790-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 007-09-116 located at 2200 West 30 Street in Ward 14; and

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

Whereas, Kevin R. and Jean M. Collins, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Kevin R. and Jean M. Collins for the sale and development of Permanent Parcel No. 007-09-116 located at 2200 West 30 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 791-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 109-20-053 under said Land Reutilization Program; and

Whereas, Ordinance No. 1488-97 passed August 13, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Glenville Development Corp. or designee 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. 1488-97 passed August 13, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Glenville Development Corp. or designee for the sale and development of Permanent Parcel No. 109-20-053, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 792-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 119-01-047 and 119-01-048 under said Land Reutilization Program; and

Whereas, Ordinance No. 1681-97 passed September 8, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1681-97 passed September 8, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Kelly Chapman for the sale and development of Permanent Parcel Nos. 119-01-047 and 119-01-048, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 793-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 109-20-033, 131-18-026, 131-18-032, 131-18-033, 131-19-055,

131-19-056, 131-19-087, 131-21-068, 131-21-069, 133-06-030, and 136-13-096 under said Land Reutilization Program; and

Whereas, Ordinance No. 1684-97 passed September 8, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Cleveland Housing Network, Ltd., Partnership XIV has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1684-97 passed September 8, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Cleveland Housing Network, Ltd., Partnership XIV for the sale and development of Permanent Parcel Nos. 109-20-033, 131-18-026, 131-18-032, 131-18-033, 131-19-055, 131-19-056, 131-19-087, 131-21-068, 131-21-069, 133-06-030, and 136-13-096, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 794-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 139-11-001 under said Land Reutilization Program; and

Whereas, Ordinance No. 1683-97 passed September 8, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Evangelistic Temple of Faith, Inc. 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. 1683-97 passed September 8, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Evangelistic Temple of Faith, Inc. for the sale and development of Permanent Parcel No. 139-11-001, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 795-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 127-19-061, 130-04-116, 130-07-059, 130-11-113, 130-21-108, 130-22-154 and 135-02-054 under said Land Reutilization Program; and

Whereas, Ordinance No. 1682-97 passed September 8, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Mt. Pleasant Now Development Corp. or designee has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1682-97 passed September 8, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Mt. Pleasant Now Development Corp. or designee for the sale and development of Permanent Parcel Nos. 127-19-061, 130-04-116, 130-07-059, 130-11-113, 130-21-108, 130-22-154 and 135-02-054, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 796-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 104-18-077 and 104-18-078 under said Land Reutilization Program; and

Whereas, Ordinance No. 1680-97 passed September 8, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Bernard and Marsha Pettus have proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1680-97 passed September 8, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Bernard and Marsha Pet-

tus for the sale and development of Permanent Parcel Nos. 104-18-077 and 104-18-078, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 797-97.**

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that the proposal of The Hertz Corporation for rental car concession privileges at Cleveland Hopkins International Airport, as authorized by Ordinance No. 1024-97, passed by Cleveland City Council on June 16, 1997, is hereby accepted and the Director of Port Control is hereby authorized to enter into a Lease by Way of Concession for Service Area with The Hertz Corporation.

The term for the Lease by Way of Concession for Service Area shall be twenty (20) years. The City shall receive as rental during the term one dollar and 15/100 dollars (\$.15) per square foot per year, subject to adjustment pursuant to the Lease by Way of Concession.

The term for the Lease by Way of Concession for Counter Space and Ready/Return Area shall be five (5) years with an option to renew for another five (5) year period. As concession fee for the Lease by Way of Concession for Counter Space/Ready Return Area, the City shall receive the greater of one million six hundred eighty-six thousand and no/100 dollars (\$1,686,000.00) for the first year of the term, or ten percent (10%) of annual gross revenues. Thereafter, for years two (2) through five (5) and for any renewal period, the City shall receive as concession fee one million six hundred eighty-six thousand and no/100 dollars (\$1,686,000.00) or eighty-five percent (85%) of the privilege fee paid to the City in the year immediately preceding.

Be it further resolved that the Lease by Way of Concession shall be prepared by the Director of Law and shall contain substantially the same terms and conditions as the Lease by Way of Concession set forth in the request for proposal, as amended, as well as such other terms and conditions the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 798-97.**

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that the proposal of Avis Rent A Car System, Inc. for rental car concession privileges at Cleveland Hopkins

International Airport, as authorized by Ordinance No. 1024-97, passed by Cleveland City Council on June 16, 1997, is hereby accepted and the Director of Port Control is hereby authorized to enter into a Lease by Way of Concession for Service Area with Avis Rent A Car System, Inc.

The term for the Lease by Way of Concession for Service Area shall be twenty (20) years. The City shall receive as rental during the term one dollar and 15/100 dollars (\$.15) per square foot per year, subject to adjustment pursuant to the Lease by Way of Concession.

The term for the Lease by Way of Concession for Counter Space and Ready/Return Area shall be five (5) years with an option to renew for another five (5) year period. As concession fee for the Lease by Way of Concession for Counter Space/Ready Return Area, the City shall receive the greater of one million five hundred seventeen thousand and no/100 dollars (\$1,517,000.00) for the first year of the term, or ten percent (10%) of annual gross revenues. Thereafter, for years two (2) through five (5) and for any renewal period, the City shall receive as concession fee one million five hundred seventeen thousand and no/100 dollars (\$1,517,000.00) or eighty-five percent (85%) of the privilege fee paid to the City in the year immediately preceding.

Be it further resolved that the Lease by Way of Concession shall be prepared by the Director of Law and shall contain substantially the same terms and conditions as the Lease by Way of Concession set forth in the request for proposal, as amended, as well as such other terms and conditions the Director of Law deems necessary to protect and benefit public interest.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 799-97.**

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that the proposal of National Car Rental System, Inc. for rental car concession privileges at Cleveland Hopkins International Airport, as authorized by Ordinance No. 1024-97, passed by Cleveland City Council on June 16, 1997, is hereby accepted and the Director of Port Control is hereby authorized to enter into a Lease by Way of Concession for Service Area with National Car Rental System, Inc.

The term for the Lease by Way of Concession for Service Area shall be twenty (20) years. The City shall receive as rental during the term one dollar and 15/100 dollars (\$.15) per square foot per year, subject to adjustment pursuant to the Lease by Way of Concession.

The term for the Lease by Way of Concession for Counter Space and Ready/Return Area shall be five (5) years with an option to renew for another five (5) year period. As concession fee for the Lease by Way of Concession for Counter Space/Ready Return Area, the City shall receive the greater of nine hundred thousand and no/100 dollars (\$900,000.00) for the first year of the term, or ten percent (10%) of annual gross revenues. Thereafter, for years two (2) through five (5) and for any renewal period, the City shall receive as

concession fee nine hundred thousand and no/100 dollars (\$900,000.00) or eighty-five percent (85%) of the privilege fee paid to the City in the year immediately preceding.

Be it further resolved that the Lease by Way of Concession shall be prepared by the Director of Law and shall contain substantially the same terms and conditions as the Lease by Way of Concession set forth in the request for proposal, as amended, as well as such other terms and conditions the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 800-97.**

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that the proposal of Dollar Rent A Car Systems, Inc. for rental car concession privileges at Cleveland Hopkins International Airport, as authorized by Ordinance No. 1024-97, passed by Cleveland City Council on June 16, 1997, is hereby accepted and the Director of Port Control is hereby authorized to enter into a Lease by Way of Concession for Service Area with Dollar Rent A Car Systems, Inc.

The term for the Lease by Way of Concession for Service Area shall be twenty (20) years. The City shall receive as rental during the term one dollar and 15/100 dollars (\$.15) per square foot per year, subject to adjustment pursuant to the Lease by Way of Concession.

The term for the Lease by Way of Concession for Counter Space and Ready/Return Area shall be five (5) years with an option to renew for another five (5) year period. As concession fee for the Lease by Way of Concession for Counter Space/Ready Return Area, the City shall receive the greater of two hundred thirty-eight thousand five hundred and no/100 dollars (\$238,500.00) for the first year of the term, or ten percent (10%) of annual gross revenues. Thereafter, for years two (2) through five (5) and for any renewal period, the City shall receive as concession fee two hundred thirty-eight thousand five hundred and no/100 dollars (\$238,500.00) or eighty-five percent (85%) of the privilege fee paid to the City in the year immediately preceding.

Be it further resolved that the Lease by Way of Concession shall be prepared by the Director of Law and shall contain substantially the same terms and conditions as the Lease by Way of Concession set forth in the request for proposal, as amended, as well as such other terms and conditions the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 801-97.**

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that the proposal of CLERAC, Inc. dba

Enterprise Rent-A-Car for rental car concession privileges at Cleveland Hopkins International Airport, as authorized by Ordinance No. 1024-97, passed by Cleveland City Council on June 16, 1997, is hereby accepted and the Director of Port Control is hereby authorized to enter into a Lease by Way of Concession for Service Area with CLERAC, Inc. dba Enterprise Rent-A-Car.

The term for the Lease by Way of Concession for Service Area shall be twenty (20) years. The City shall receive as rental during the term One dollar and 15/100 dollars (\$.15) per square foot per year, subject to adjustment pursuant to the Lease by Way of Concession.

The term for the Lease by Way of Concession for Counter Space and Ready/Return Area shall be five (5) years with an option to renew for another five (5) year period. As concession fee for the Lease by Way of Concession for Counter Space/Ready Return Area, the City shall receive the greater of fifty-three thousand and no/100 dollars (\$53,000.00) for the first year of the term, or ten percent (10%) of annual gross revenues. Thereafter, for years two (2) through five (5) and for any renewal period, the City shall receive as concession fee fifty-three thousand and no/100 dollars (\$53,000.00) or eighty-five percent (85%) of the privilege fee paid to the City in the year immediately preceding.

Be it further resolved that the Lease by Way of Concession shall be prepared by the Director of Law and shall contain substantially the same terms and conditions as the Lease by Way of Concession set forth in the request for proposal, as amended, as well as such other terms and conditions the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

**Resolution No. 802-97.**

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that the proposal of BVM Inc. dba Budget Rent A Car Cleveland for rental car concession privileges at Cleveland Hopkins International Airport, as authorized by Ordinance No. 1024-97, passed by Cleveland City Council on June 16, 1997, is hereby accepted and the Director of Port Control is hereby authorized to enter into a Lease by Way of Concession for Service Area with BVM Inc. dba Budget Rent A Car Cleveland.

The term for the Lease by Way of Concession for Service Area shall be twenty (20) years. The City shall receive as rental during the term One dollar and 15/100 dollars (\$.15) per square foot per year, subject to adjustment pursuant to the Lease by Way of Concession.

The term for the Lease by Way of Concession for Counter Space and Ready/Return Area shall be five (5) years with an option to renew for another five (5) year period. As concession fee for the Lease by Way of Concession for Counter Space/Ready Return Area, the City shall receive the greater of four hundred ninety thousand eight hundred eighty-eight and no/100 dollars (\$490,888.00) for

the first year of the term, or ten percent (10%) of annual gross revenues. Thereafter, for years two (2) through five (5) and for any renewal period, the City shall receive as concession fee four hundred ninety thousand eight hundred eighty-eight and no/100 dollars (\$490,888.00) or eighty-five percent (85%) of the privilege fee paid to the City in the year immediately preceding.

Be it further resolved that the Lease by Way of Concession shall be prepared by the Director of Law and shall contain substantially the same terms and conditions as the Lease by Way of Concession set forth in the request for proposal, as amended, as well as such other terms and conditions the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

#### Resolution No. 803-97.

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that the proposal of Alamo Rent-A-Car, Inc. for rental car concession privileges at Cleveland Hopkins International Airport, as authorized by Ordinance No. 1024-97, passed by Cleveland City Council on June 16, 1997, is hereby accepted and the Director of Port Control is hereby authorized to enter into a Lease by Way of Concession for Service Area with Alamo Rent-A-Car, Inc.

The term for the Lease by Way of Concession for Service Area shall be twenty (20) years. The City shall receive as rental during the term one dollar and 15/100 dollars (\$.15) per square foot per year, subject to adjustment pursuant to the Lease by Way of Concession.

The term for the Lease by Way of Concession for Counter Space and Ready/Return Area shall be five (5) years with an option to renew for another five (5) year period. As concession fee for the Lease by Way of Concession for Counter Space/Ready Return Area, the City shall receive the greater of four hundred thousand and no/100 dollars (\$400,000.00) for the first year of the term, or ten percent (10%) of annual gross revenues. Thereafter, for years two (2) through five (5) and for any renewal period, the City shall receive as concession fee four hundred thousand and no/100 dollars (\$400,000.00) or eighty-five percent (85%) of the privilege fee paid to the City in the year immediately preceding.

Be it further resolved that the Lease by Way of Concession shall be prepared by the Director of Law and shall contain substantially the same terms and conditions as the Lease by Way of Concession set forth in the request for proposal, as amended, as well as such other terms and conditions the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Directors Terry, Fallon, Hudecek, Directors Nolan, Warren and Lynch.

Nays: None.

Absent: None.

JEFFREY B. MARKS,  
Secretary

## CIVIL SERVICE NOTICES

### General Information

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

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

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

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

FREDDIE J. FENDERSON,  
President

## SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 13, 1997

9:30 A.M.

**Calendar No. 97-207:** 3225 Chatham Avenue, S.W.

David & Joyce Flanders, owners, appeal to erect approximately 172 linear feet of 4' high chain link fence to enclose the 90' x 50' irregular shaped corner parcel located in a Two-Family District on the southeast corner of W. 33 St. and Chatham Ave. and occupied by a two story frame dwelling house at 3225 Chatham Ave.; portions of said fence to be in excess of the 30' maximum height limited for a corner lot by Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 97-211:** 5801 Wetzel Avenue, S.W.

5801 Wetzel Corp. dba: Mini-Maxi Storage c/o Arden Wright, owner, appeals to erect eight one story masonry and frame storage buildings having a floor area of 50,736 square feet on the westerly part (Phase II) of a 1358' x 225' irregular shaped acreage parcel located in a Two-Family District for a depth of 150' and in a General Industry District for the remainder and occupied on the east part (Phase I) by eight one-story masonry and frame non-conforming storage buildings and known as 5801 Wetzel Ave.; said buildings within the residence district portion of the property being contrary to the residence limitations of Section 337.03 and the expansion limitations of Section 359.01 and three of said proposed buildings to be 20' back from the street line instead of 30' as required by the front yard requirements of Section 357.04 and six of said proposed buildings not having a 20' rear yard as required by Section 357.08 and the

area and use of said buildings having an off-street parking requirement of 17 spaces with none being provided contrary to Section 349.04 of the Codified Ordinances.

**Calendar No. 97-213:** 4474 South Hills Drive, S.W.

Ron Trepka, owner, appeals to erect a 50' high metal self supporting radio tower on the rear of a 40' x 141' irregular shaped parcel located in an A-1 One-Family District and to be located behind the one-family dwelling house at 4474 South Hills Dr.; said tower to be in excess of 35' in height and less than 25' from the north and south property lines as limited by Sections 353.01, 353.02 and 353.06 of the Codified Ordinances.

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

Kwan D. Hunt dba: Calypso's Bar appeals, under Section 76-6 of the Charter of the City of Cleveland and Section 692A.14 of the Codified Ordinances from the refusal to issue a Coin Operated Amusement Device License for the premises at 573 E. 140 St.; said refusal being by Robert J. Schneider, Commissioner of Assessments and Licenses upon recommendation of William Denihan, Director of Public Safety (Division of Police) under authority of Section 692A.06 of the Codified Ordinances.

**Calendar No. 97-216:** 3767 Community College Avenue, S.E.

Topps Inc., owner, and James & Nancy Smith, prospective purchasers, appeal to convert to a carryout restaurant the 88' x 39' one-story masonry irregular shaped non-conforming repair garage building on a 130' x 164' irregular shaped corner parcel located in a General Retail District on the northeast corner of E. 38 St. and Community College Ave. at 3767 Community College Ave.; a portion of the parking area (8 cars) to be within the 10' specific setback building line area on Community College Ave. contrary to the limitations of Sections 349.05, 357.07 and 357.14 but subject to the approval authority of Section 357.14(b) and said use not in conformance with the landscape requirements on the north property line as required by Section 352.11 of the Codified Ordinances.

HUNTER MORRISON,  
Acting Secretary

## REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, SEPTEMBER 29, 1997

At the Meeting of the Board of Zoning Appeals on, Monday, September 22, 1997, the following appeals were heard by the Board, and, on Monday, September 29, 1997 were decided by the Board.

The following appeals were **Granted:**

**Calendar No. 97-177:** 1705 Granby Avenue, S.W.

Ralph and Mary Ann Young, owners, appealed, to enclose the 17' 5" x 7' 8" one-story open front porch.

**Calendar No. 97-193:** 13821 Thornhope Road, S.W.

Jeff Oblak, owner, appealed, to erect a 24' x 8' open deck to the



front of the 24' x 30' one-story frame dwelling house. (conditional grant)

**Calendar No. 97-196:** 3343 West 97th Street  
Nick Sarsama, owner, appealed, to enclose the 24' x 8' two-story front porches of the 24' x 45' two-story frame two family dwelling house. (conditional grant)

The following appeal was **Refused:**

**Calendar No. 97-201:** 4031 Crest Drive S.W.  
Patricia A. Miles, owner, appealed, to use as a Type A. Day Care Center for a maximum of 12 children the 40' x 30' one-story frame one family dwelling.

The following appeal was **Dismissed:**

**Calendar No. 95-62:** 4900 West 150th Street.

The following appeal was **Withdrawn:**

**Calendar No. 97-192:** 987 East 67th Street.

HUNTER MORRISON,  
Acting Secretary

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

NO MEETING

**PUBLIC NOTICE**

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

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

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

**NOTICE OF PUBLIC HEARING**

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

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, October 8, 1997  
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, October 8, 1997, at 1:00 P.M., to consider the following ordinances now pending in the Council:

**Ord. No. 942-97.**  
By Councilman Smith.  
An ordinance to change the Use District of lands between Auburn Avenue, S.W. and Barber Avenue, S.W., east of W. 25 Street and west of Scranton Road. (Map Change No. 1919, Sheet No. 1).

**Ord. No. 1223-97.**  
By Councilman Smith.  
An ordinance to change the Use and Area Districts of lands on the westerly side of West 26 Street between Hancock Avenue, S.W. and Monroe Avenue, S.W. (Map Change No. 1948, Sheet No 1).

**Ord. No. 1329-97.**  
By Councilman Rybka.  
An ordinance to change the Use District of lands on the northwesterly side of Warner Road, S.E. between Maryland Avenue, S.E. and Grand Division. (Map Change No. 1950, Sheet No. 6).

**Ord. No. 1331-97.**  
By Councilman Rybka.  
An ordinance to change the Use District of lands on the northwesterly side of Warner Road, S.E. from Maryland Avenue, S.E. to approximately 151' north of Beman Avenue, S.E. (Map Change No. 1951, Sheet No. 6).

**Ord. No. 1332-97.**  
By Councilman Westbrook.  
An ordinance to change the Use, Area and Height Districts of lands on the east side of W. 96 Street, north of Madison Avenue, N.W. and south of the Railroad tracks. (Map Change No. 1952, Sheet No. 1).

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

September 24, 1997 and October 1, 1997

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

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

**enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."**

**THURSDAY, OCTOBER 9, 1997**

**Sewer Test Tee Installation and Snaking**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 643-90, passed by the Council of the City of Cleveland, June 11, 1990.

**A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, OCTOBER 1, 1997, 10:00 A.M. AT 12302 KIRBY AVENUE, CLEVELAND, OHIO.**

**Phase III — Reconstruction of Maplewood Drive for the Consolidated Rental Car Facility**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 561-97, passed by the Council of the City of Cleveland, June 2, 1997.

**A NON-REFUNDABLE DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS.**

**A PRE-BID MEETING WILL BE HELD ON THURSDAY, OCTOBER 2, 1997, 10:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.**

September 24, 1997 and October 1, 1997

**WEDNESDAY, OCTOBER 17, 1997**

**Laboratory Equipment, Testing and Analytical Services: ION Chromatograph and Accessories**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of the City of Cleveland, 1976.

**Lining Cement, Mortar Cement and Sand**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

September 24, 1997 and October 1, 1997

**THURSDAY, OCTOBER 23, 1997**

**Electronic Meter Reading Devices**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 335-97, passed by the Council of the City of Cleveland, May 5, 1997.

**A MANDATORY PRE-BID CONFERENCE WILL BE HELD ON THURSDAY, OCTOBER 16, 1997, 10:00 A.M. IN THE DIRECTOR'S CONFERENCE ROOM AT THE DIVISION OF WATER, CARL B. STOKES BUILDING, 1201 LAKESIDE AVENUE.**

September 24, 1997 and October 1, 1997

**THURSDAY, OCTOBER 16, 1997**

**Bid Package 3 — Concourse D — Concrete and Underground Utilities Bid Package 4 — Conveyance Systems**, for the Department of Port Control, Continental Airlines Inc., Cleveland 2000.

**PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM MORSE DIESEL INTERNATIONAL, INC., 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135 FOR**

THE REFUNDABLE DEPOSIT OF \$250.00.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, OCTOBER 2, 1997 IN THE ROC BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO. BIDS WILL BE RECEIVED AT CONTINENTAL AIRLINES INC., ATTENTION BILL FRASER, ROC BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135.

October 1, 1997 and October 8, 1997

**FRIDAY, OCTOBER 17, 1997**

**Construction Equipment Parts**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1150-97, passed by the Council of the City of Cleveland, August 13, 1997.

October 1, 1997 and October 8, 1997

**THURSDAY, OCTOBER 23, 1997**

**Breath Alcohol Content Machines**, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1167-97, passed by the Council of the City of Cleveland, August 8, 1997.

**Criminal and Civil File System**, for the Department of Finance, on behalf of the Cleveland Municipal Court, as authorized by Ordinance No. 1322-97, passed by the Council of the City of Cleveland, August 13, 1997.

**Asphalt Concrete and Tack Coat, Including Labor to repair Roadways, Runways and Taxiways**, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 879-97, passed by the Council of the City of Cleveland, June 16, 1997.

**Rental of Grading Equipment and Grading Equipment with Operators**, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 803-97, passed by the Council of the City of Cleveland, June 16, 1997.

**Hydraulic Repairs**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2197-96, passed by the Council of the City of Cleveland, February 10, 1997.

October 1, 1997 and October 8, 1997

**FRIDAY, OCTOBER 31, 1997**

**Various Automotive and Truck Parts**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1155-97, passed by the Council of the City of Cleveland, August 13, 1997.

October 1, 1997 and October 8, 1997

### ADOPTED RESOLUTIONS AND ORDINANCES

**Res. No. 278-97.**  
**By Councilman Zone.**  
**An emergency resolution urging adoption of a policy against purchasing, leasing, renting, or taking on consignment goods for use and for resale by City-owned enterprises that are produced under sweatshop conditions.**

Whereas, goods and products are being produced under sweatshop conditions both in the United States and abroad; and

Whereas, other cities have adopted policies of not purchasing, leasing, renting or taking on consignment and for use or for resale at City-owned enterprises which were produced under sweatshop conditions; and

Whereas, it is the desire of this Council to support fair humane labor practices around the world by not transacting or trading in goods or products produced under sweatshop conditions; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that this Council is greatly concerned and strongly deprecates worker exploitation which is contrary to fair humane labor practices; now, therefore,

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

**Section 1.** That this Council urges the Administration to establish a policy of not purchasing, leasing, renting or taking on consignment goods for use or for resale at City-owned enterprises which were produced and said policy should incorporate the following points:

A. The factory does not employ anybody younger than the legal age for children to work in the country in which the factory is located, and regardless of the legal age, does not employ anybody younger than age 15.

B. The factory does not use forced labor of any kind - prison labor, indentured labor or bonded labor.

C. The factory pays a wage which enables its employees to meet their basic needs for food, shelter, clothing and medical care and to set aside money for future purchases. The factory also provides all benefits required by law in their country and compensates workers for overtime.

D. Employees are not required to work more than 48 hours per week or less if the law of the country in which the factory is located sets a shorter work week.

E. The factory is a workplace free from physical, sexual or verbal harassment. Employees have the right to speak up about conditions in the factory without fear of retaliation and have the right to form unions of their own choosing without employer intimidation.

F. The factory provides a safe and healthy working environment.

**Section 2.** That this Council further urges the Administration to prohibit, to the extent possible, the purchase, lease, rental or taking on consignment of goods for use or for resale at City-owned enterprises which were produced under sweatshop conditions.

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

Adopted September 22, 1997.  
Awaiting the approval or disapproval of the Mayor.

**Res. No. 1795-97.**

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

**An emergency resolution urging the voters of the City of Cleveland to Vote NO on State Issue 2 in order to repeal Senate Bill 45, the so-called Workers Compensation Reform Bill.**

Whereas, Senate Bill 45 ("S.B. 45"), the so-called Worker's Compensation Reform Bill, was signed by Governor Voinovich in the spring of 1997; and

Whereas, although the American Medical Association calls the use of the AMA's permanent impairment guidelines for workers' compensation disability assessment purposes unfair, arbitrary and unreasonable, S.B. 45 mandates the use of these guidelines in permanent partial impairment hearings; and

Whereas, S.B. 45 will substantially diminish the rights of Cleveland citizens who are injured while working to receive Workers' Compensation benefits in several ways, including (1) by preventing consideration of education or past work experience in determination of permanent and total disability benefits; (2) by making it almost impossible to receive Workers' Compensation benefits for occupational cancers and other occupational diseases; and (3) by making injury, disease and accident inspection records maintained by the Ohio Division of Safety and Hygiene secret; and

Whereas, S.B. 45 will effectively deny coverage for those who suffer from carpal tunnel injuries and other repetitive motion injuries, thereby discriminating against women who incur these injuries in disproportionately high numbers because of the work that they do; and

Whereas, the drastic cuts in Workers' Compensation benefits and coverage incorporated in S.B. 45 will adversely affect the lives of the working people of Cleveland and their families; and

Whereas, on July 21, 1997, a coalition of public interest, labor, and injured worker organizations submitted 415,000 signatures on petitions to the Ohio Secretary of State, forcing a referendum of S.B. 45; and

Whereas, this November 4th will be the first time since 1939 that the citizens of Ohio will be able to go to the polls and VOTE NO on a piece of anti-injured workers legislation;

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

**Section 1.** That the Council of the City of Cleveland has determined that Senate Bill 45 will negatively impact those citizens who have suffered injuries and diseases as a consequence of their employment, and strongly urge the citizens of Cleveland to VOTE NO on Issue 2 on November 4, 1997.

**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 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 September 22, 1997.  
Effective September 30, 1997

**Res. No. 1796-97.****By Councilman Skrha.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 1276-80 W. 6th St., and repealing Res. No. 1678-97, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 1276-80 W. 6th St., by Res. No. 1678-97, adopted September 8, 1997; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a D5 Liquor Permit to 1276-80 W. 6th St., be and the same is hereby withdrawn and Res. No. 1678-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

**Section 2.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all 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 September 22, 1997.  
Effective September 30, 1997

**Res. No. 1797-97.****By Councilman Skrha.**

**An emergency resolution withdrawing objection to the transfer of ownership and location of a D1, D2, D3, D3A and D6 Liquor Permit to 700 St. Clair Ave. W, and repealing Res. No. 1677-97, objecting to said transfer of ownership and location.**

Whereas, this Council objected to the transfer of ownership and location of a D1, D2, D3, D3A and D6 Liquor Permit to 700 St. Clair Ave. W, by Res. No. 1677-97, adopted September 8, 1997; 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 D1, D2, D3, D3A and D6 Liquor Permit to 700 St. Clair Ave. W, be and the same is hereby withdrawn and Res. No. 1677-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

**Section 2.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all 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 September 22, 1997.  
Effective September 30, 1997

**Res. No. 1799-97.****By Councilmen Westbrook and Dolan.**

**An emergency resolution urging the U. S. Department of Transportation to seriously examine the safety issues involved in the proposed acquisition and distribution of the assets of Conrail among Norfolk Southern and CSX Transportation.**

Whereas, Norfolk Southern ("NS") and CSX Transportation ("CSX") have proposed the acquisition and distribution of the assets of Consolidated Rail Corp. ("Conrail"); and

Whereas, the federal Surface Transportation Board ("STB") is the body studying the proposed acquisition and distribution and is the federal body authorized to act upon the said proposal; and

Whereas, although the proposed acquisition and distribution may offer the potential for economic development and redevelopment in this area due to improved freight movement and intermodal connections, this Council is concerned that the proposed acquisition will have negative impacts on our community due to increased and re-routed traffic throughout the region from 14 trains to 31 to 38 each day; and

Whereas, the negative impacts include safety issues such as increase in injuries to citizens, especially children due to the increase in train traffic, increase in delays in emergency equipment response, environmental issues related to air and noise pollution and the shipment of hazardous cargo; and

Whereas, due to the approximate threefold increase in freight train traffic, the fair market values of the areas residential and non-residential properties will most likely experience significant decreases in value; and

Whereas, the STB must review the proposed plan to determine the existence of alternative routing plans that will reduce the potential adverse impacts to the citizens of the City of Cleveland and the City itself, and on the Greater Cleveland area;

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

**Section 1.** That the Council of the City of Cleveland officially notifies the Surface Transportation Board of its concerns that as proposed, the acquisition and distribution of Conrail's assets by NS and CSXT will have a significant adverse impact on the citizens of the City of Cleveland.

**Section 2.** That the City of Cleveland coordinate with other interested parties such as the cities of Bay Village, Lakewood, Rocky River, Westlake, Avon Lake, Berea, the Greater Cleveland Growth Association, the Northeast Ohio Area-wide Coordinating Agency, the Greater Cleveland Regional Transit Authority, and the Ohio Rail Development Commission, as well as state and federal legislators such as Congressman Dennis J. Kucinich.

**Section 3.** That the Clerk of Council transmit copies of this resolution to the Surface Transportation Board and representatives of NS and CSXT and other interested parties.

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

Adopted September 22, 1997.  
Effective September 30, 1997

**Res. No. 1800-97.****By Councilman Westbrook.**

**An emergency resolution urging the Statewide Transportation Coordination Task Force to support a process which awards funding for transportation services based on the size of the relative caseload of Temporary Assistance for Needy Families in each county.**

Whereas, the Ohio General Assembly passed welfare reform legislation (Sub. H.B. 408), which was subsequently signed by Governor Voinovich on July 2, 1997; and

Whereas, under the state's welfare reform legislation the responsibility for the administration of welfare benefits lies with the county commissioners, and each board of county commissioners must develop a written transportation work plan, and set policies regarding the transportation needs of low income residents seeking or striving to retain employment; and

Whereas, approved amendments to H.B. 408 require the Ohio Department of Human Services to allocate to counties statewide, up to \$5 million in fiscal years 1998 and 1999 to provide appropriate transportation services TANF participants; and

Whereas, the Statewide Transportation Coordination Task Force has been charged with reviewing current state transportation resources and policies, supporting new transportation initiatives for under-employed and unemployed Ohioans; and

Whereas, the Statewide Transportation Coordination Task Force is developing recommendations and guidelines for the county-level State transportation plan and distribution formula for the \$5 million allocation for transportation services for work-required TANF participants; and

Whereas, approximately one-fifth all Ohioans receiving Temporary Assistance to Needy Families (TANF) reside in the City of Cleveland; and

Whereas, the City of Cleveland and Cuyahoga County have taken a leadership role in developing a community-based plan to provide local transportation for TANF recipients; and

Whereas, the most appropriate process for distributing the funds would be one based on the statewide distribution of the TANF caseload, and readiness of the locality to proceed with implementing a viable plan; and

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

**Section 1.** That the Cleveland City Council urges the Statewide Transportation Coordination Task Force to support a process which awards funding for transportation services based on the size of the relative TANF caseload in each county, local initiative in designing welfare to work transportation programs and readiness to implement a plan which addresses specific local needs and circumstances.

**Section 2.** That the Clerk of Council transmit a copy of this resolution to appropriate federal, state and local agencies and officials.

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

Adopted September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1270-97.**  
**By Councilmen Smith and Westbrook (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to repair one Oshkosh dump truck, for the Division of Cleveland Hopkins International Airport, Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to repair one Oshkosh dump truck, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 22619.

**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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1271-97.**  
**By Councilmen Smith and Westbrook (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by contract of one mobile sign unit, for the various divisions of the Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) mobile sign, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 22591.

**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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1272-97.**  
**By Councilmen Smith and Westbrook (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by contract of protective clothing for the various divisions of the Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed twelve (12) complete sets of bunker gear suits, not to exceed twenty-four (24) sets of suspenders, and not to exceed twenty-four (24) nomax hoods, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 22590.

**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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1275-97.**  
**By Councilmen Smith and Westbrook (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to install a computerized maintenance management system, including maintenance and training, for the Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to purchase and install a computerized maintenance management system, including training and maintenance, which system will include, but be not limited to, the capability to process information regarding work orders, inventory, supplies and equipment, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 105 and 60 SF 106, Request No. 22593.

**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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1276-97.**  
**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 an upgrade to the HVAC systems at Burke Lakefront Airport.**

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 an upgrade to the HVAC systems at Burke Lakefront Airport.

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 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 the costs for such services 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 contract are credited, Request No. 22517.

**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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1293-97.**  
**By Councilmen Robinson and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health to lease space located at 3030 Euclid Avenue, from Hug-John Inc./Najm Square, or its designee, for a three-year term, for the operation of the City of Cleveland's Centerpoint Program.**

Whereas, the City of Cleveland has operated a Centerpoint Treatment project at 3030 Euclid Avenue; and

Whereas, the continued operation of said program at 3030 Euclid Avenue will ensure stability in the Program and benefit the residents of 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 Public Health is authorized to lease approximately 2,500 square feet located at Suite 300, the NAJM CENTER, 3030 Euclid Avenue, Cleveland, Ohio, from Hug-John Inc./Najm Square, or its designee.

**Section 2.** That the rent for said lease shall be fair market rental as determined by the Board of Control.

**Section 3.** That said lease shall be for a term no more than three years, commencing September 1, 1997.

**Section 4.** That said lease may provide for the City to pay for the installation and operating cost of utility services to the leased premises.

**Section 5.** That said lease shall be for the purpose of maintaining office space for the Centerpoint Treatment Project.

**Section 6.** That the costs of said lease shall be paid from Fund No. 13 SF 466, Request No 20990.

**Section 7.** That said lease shall contain such other provisions as the Director of Law deems necessary to protect the public interest and effect the purpose described in Section 5 above.

**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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1294-97.**  
**By Councilmen Polensek and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice for the 1997-98 Caribbean/Gang Task Force 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 Safety is hereby authorized to apply for and accept a grant in the amount of \$86,373.00, from the U.S. Department of Justice, to conduct the 1997-98 Caribbean/Gang Task Force Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety 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. 1294-97-A made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$28,791.00 from Fund No. 01-60-02-0901, is hereby approved in all respects.

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

Passed September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1295-97.**  
**By Councilmen Polensek and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the Director of Public Safety to enter into a requirement contract without competitive bidding with Dictaphone Corporation for the purchase of Dictaphone equipment maintenance, for the Department of Public Safety, for a period of one year, with four one-year options to renew.**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Dictaphone Corporation. Therefore, the Director of Public Safety is hereby authorized and directed to make a written requirement contract for the period of one year with said contractor for maintenance for Dictaphone equipment, with four (4) one-year options exercisable by the Director of Public Safety, to renew for additional one-year terms, and cancellable upon thirty days' written notice by said director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Safety.

If the Director of Public Safety exercises an option(s) at any time during this period, he shall notify the Council of such action, and also provide an explanation of the reasons for the renewal.

**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 22756).

**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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1298-97.**  
**By Councilmen Coats and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to apply for and accept a grant from the Ohio Public Works Commission for the State Issue 2 for the Bridge and Road G.O. Bonds - Loan Assistance 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 Finance is hereby authorized to apply for and accept a grant in the amount of \$599,076, from the Ohio Public Works Commission, to conduct the State Issue 2 for the Bridge and Road G.O. Bonds - Loan Assistance Program, for the purposes set forth in the application and according thereto; that the Director of Finance 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. 1298-97-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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1314-97.  
By Councilmen Patton, Jackson,  
Rybka and Westbrook (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 15001, 14917 and 14913 Florida Avenue to Amistad Development Corp.**

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. 142-27-053, 142-27-054 and 142-27-055, as more fully described in Section 2 below, to Amistad Development Corp.

**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. 142-27-053**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 220 in the Bella Villa Subdivision of part of Original Warrensville Township Lot No. 104, as shown by the recorded plat in Volume 28 of Maps, Page 22 of Cuyahoga County Records. Said Subdivision has a frontage of 30 feet on Florida Avenue, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

**P. P. No. 142-27-054**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 221 in Bella Villa Subdivision of part of Original Warrensville Township Lot No. 104, as shown by the recorded plat in Volume 28 of Maps, Page 22 of Cuyahoga County Records. Said Sublot has a frontage of 30 feet on Florida Avenue, as appears by said plat, be the same more or less, but subject to all legal highways.

**P. P. No. 142-27-055**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 222 in the Bella Villa Subdivision of part of Original Warrensville Township Lot No. 104, as shown by the recorded plat in Volume 28 of Maps, Page 22 of Cuyahoga County Records. Said Sublot has a frontage of 30 feet on Florida Avenue, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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

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

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

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

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

Passed September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1458-97.  
By Councilmen Patton and Westbrook (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of anthracite filter media, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of anthracite filter media in the estimated sum of \$75,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two 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 23402)

**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 September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1459-97.  
By Councilmen Robinson and Westbrook (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1998 Federal Child Lead Poison Prevention Program; and to enter into contract necessary 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 estimated amount of \$355,216, from the Ohio Department of Health, to conduct the 1998 Federal Child Lead Poison 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. 1459-97-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 hereby authorized to employ by contract one professional consultant 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 implement the Program as described in the application contained in the File. The selection of the consultant shall be made by the Board of Control upon the nomination of the Director of Public Health from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Health 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 Public Health, and certified by the Director of Finance.

**Section 4.** That the cost of the contract authorized above shall be paid from the fund or funds to which are credited the proceeds of the grant accepted pursuant to Section 1 of this ordinance.

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

Passed September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1460-97.**  
**By Councilmen Robinson and Westbrook (by departmental request).**  
**An emergency ordinance to amend Sections 1 and 3 of Ordinance No. 440-97, passed March 24, 1997, relating to the 1997 Federal AIDS Prevention 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 Sections 1 and 3 of Ordinance No. 440-97, passed March 24, 1997, are hereby amended to read, respectively, as follows:

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the estimated amount of \$500,000.00, and such other funds as may become available during the grant period ending December 31, 1997, from the Ohio Department of Health, to conduct the 1997 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 3.** That the Director of Public Health is authorized to enter into contract with Open House, MetroHealth Medical Center, the City of East Cleveland, the Free Medical Clinic of Greater Cleveland, Case Western Reserve University, the Federation for Community Planning, Community Action Against Addiction, the Cleveland Treatment Center, the Harvard Community Service Center, the Hispanic Urban Minority Alcohol and Drug Assistance Outreach Program, the Murtis H. Taylor Multi-Service Center, the Cleveland Health Museum, the Urban League of Greater Cleveland and the AIDS Task Force of Greater Cleveland to implement the program.

**Section 2.** That existing Sections 1 and 3 of Ordinance No. 440-97, passed March 24, 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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1466-97.**  
**By Councilmen Smith and Westbrook (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to maintain and repair boilers, for the various divisions of the Department of Port Control for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials needed to maintain and repair boilers in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire 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 22523)

**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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1467-97.**  
**By Councilmen Smith and Westbrook (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair and maintain rolling overhead doors, for the various divisions of the Department of Port Control, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials needed to maintain and repair rolling overhead doors in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single

contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

**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 22522)

**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 September 22, 1997.  
 Effective September 30, 1997

**Ord. No. 1468-97.**  
**By Councilmen Smith and Westbrook (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and repair escalators and elevators for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years.**

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22524)

**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 September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1469-97.**  
**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 design and installation of software upgrades and required associated equipment to upgrade the airport noise monitoring system at Cleveland Hopkins International Airport.**

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 Airport Revenue Bonds authorized by Ordinance No. 923-97, passed June 9, 1997, the Director of Director of Port Control is hereby authorized and directed to employ by contract one or more acoustical consultants or one or more firms of acoustical 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 and install software upgrades and required associated equipment to upgrade the airport noise monitoring system at Cleveland Hopkins International Airport. The scope of services to be provided shall include upgrades within the boundaries of Wards 19, 20 and 21. The Director of Port Control shall obtain input from the members of Council from Wards 19, 20 and 21 on the upgrades to be provided in their respective wards.

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 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 the costs for such services herein contemplated shall be paid from the fund to which are credited the proceeds of the sale of Airport Revenue Bonds authorized by Ordinance No. 923-97, passed June 9, 1997, and the funds or funds to which any federal grants for said contract are credited, Request No. 22525.

**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 September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1470-97.**  
**By Councilmen Smith and Westbrook (by departmental request)**

**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to install aviation communications equipment and to remove existing equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials needed to install aviation communications equipment and to remove existing equipment in the estimated sum of \$25,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22511)

**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 September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1786-97.**  
**By Councilmen Coats and Westbrook (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating Grayton Road access and spine road leading to Cleveland Business Park Phase II; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing the Direc-**

**tor of Public Service to employ professional services necessary to perform architectural, engineering and other services necessary to design the public improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.**

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

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

**Section 1.** That, it is hereby determined to make the public improvement of rehabilitating the Grayton Road access and spine road leading to Cleveland Business Park, Phase II, including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement.

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

**Section 3.** That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional architects, engineers, one or more firms of architects and engineers, and other consultants necessary for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

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

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

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



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

**Section 7.** That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund No. 20 SF 302, 20 SF 312, 20 SF 322, 20 SF 334, and 20 SF 342, Request No. 21959.

**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 September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1787-97.**

**By Councilman Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at Blaine Avenue to Michael and Tamarah Bates.**

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. 107-16-057 and western half of 107-16-058, as more fully described in Section 2 below, to Michael and Tamarah Bates.

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

P.P. No. 107-16-057 and Western Half of 107-16-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Lot No. 392 in the City of Cleveland and known as being part of Sublot Nos. 24 and 26, and all of Sublot 25 of The Ford & Holden Allotment, Volume 5, Page 4, and is further bounded and described as follows:

Beginning at an iron pin monument box found at the intersection of the centerlines of East 86th Street, 60 feet wide, and Blaine

Avenue, 40.63 feet wide;

Thence South 00° 00' 00" West along the centerline of said East 86th Street, a distance of 142.17 feet to an iron pin monument box found;

Thence South 89° 53' 47" East a distance of 30.00 feet to an iron pin set on the easterly sideline of East 86th Street, also known as the Place of Beginning;

Course I: Thence South 89° 53' 47" East along the northerly line of land conveyed to Leo Wiggins as described in Volume 48575, Page 0017 of The Cuyahoga County Records of Deeds, a distance of 95.66 feet to an iron pin set;

Course II: Thence North 00° 06' 30" West a distance of 122.47 feet to an iron pin set in the southerly sideline of said Blaine Avenue;

Course III: Thence South 89° 53' 30" West along the southerly sideline of said Blaine Avenue, a distance of 95.43 feet to an iron pin set in the easterly sideline of said East 86th Street;

Course IV: Thence South 00° 00' 00" West along the easterly sideline of said East 86th Street a distance of 122.11 feet to the Place of Beginning.

Said parcel containing 0.2682 acres of land or 11,684 square feet, as surveyed and described in July 1997 by John Skonieczny, Registered Ohio Surveyor Number 6358, be the same more or less, but subject to all legal highways. Bearings used herein are to an assumed meridian and are used to denote interior angles only.

**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 September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1789-97.**

**By Councilman Westbrook.**

**An emergency ordinance to establish No Right Turn at the specific intersection in the City of Cleveland listed herein, and to amend the schedule on file with the Clerk of Council, File No. 106-76, pursuant to Section 413.10 of the Codified Ordina-**

**nances of Cleveland, Ohio, 1976, relating to No Right Turns during certain hours.**

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 4511.13 of the Ohio Revised Code, this Council does hereby prohibit right turns against a steady red signal, between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday at the specific intersection in the City of Cleveland listed herein, which list shall be added to the schedule on file with the Clerk of Council by amending File No. 106-76, established pursuant to Section 413.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976.

**WARD INTERSECTION DIRECTION**

18 West 110th and Detroit All Directions

**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 September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1790-97.**

**By Councilman Westbrook.**

**An emergency ordinance to change the name of Baltic Park located on Baltic Road and West 110th Street to Baltic Children's Park.**

Whereas, it is most fitting and appropriate to recognize Baltic Park as a recreational gathering for children involved in recreation activities throughout the year; 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 name of Baltic Park located on Baltic Road and West 110th Street be changed to Baltic Children's Park.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to give effect to this ordinance by the placing of appropriate signs, nameplates and plaques to reflect the name of this park.

**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 September 22, 1997.  
Effective September 30, 1997

**Ord. No. 1791-97.****By Councilman Britt.****An emergency ordinance consenting and approving the issuance of a permit for a Juno Jog on October 4, 1997 sponsored by the Health Museum.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Juno Jog, sponsored by the Health Museum, on October 4, 1997, start at E. 90th St. and Euclid Avenue, E. 90th St. to Chester, Chester to E. 89th St., E. 89th St. to Cedar, Cedar to E. 87th St., E. 87th St. to Quincy, Quincy to E. 89th St., E. 89th St. to Cedar, Cedar to E. 93rd St., E. 93rd St., to Carnegie, Carnegie to Beacon Hill, Beacon Hill to E. 89th St., E. 89th St. back to Chester, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 22, 1997.

Effective September 30, 1997

**Ord. No. 1792-97.****By Councilman Britt.****An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Karamu House Inc. to stretch a banner across the corner of East 89th Street (East/West directions) for the period from September 26, 1997 to October 27, 1997, inclusive, publicizing the Opening of their Performing Arts Season.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Karamu House Inc. to install, maintain and remove a banner across the corner of East 89th Street (East/West directions) for the period from September 26, 1997 to October 27, 1997, 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 September 22, 1997.

Effective September 30, 1997

**Ord. No. 1793-97.****By Councilmen Skrha and Smith.****An emergency ordinance to amend the Title and Section 1 of Ordinance No. 1672-97 relating to the issuance of a permit for a 5K and 10K Walkathon, sponsored by the OLA/St. Joseph Center.**

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 Title and Section 1 of Ordinance No. 1672-97, passed September 8, 1997, be the same are hereby amended to read as follows:

"An emergency ordinance consenting to and approving the issuance of a permit for a 5K and 10K Walk-a-thon on October 11, 1997, sponsored by OLA/St. Joseph Center.

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a 5K and 10K Walkathon, sponsored by the OLA/St. Joseph Center, on October 11, 1997, with the 5K and 10K walkers beginning at OLA/St. Joseph Center Parking lot on Kenilworth, head (east) on Kenilworth to W. 11th St., turn right circle Lincoln Park 2 times, return to W. 11th/Kenilworth intersection, turn left onto W. 11th Ave. walk to University Rd., turn right onto University Rd. walk to W. 10th St., turn right onto W. 10th St. walk to stop sign, veer left onto Professor Ave. (stay on right side of street), walk to Jefferson, turn right onto Jefferson walk to Starkweather (cross W. 14th to west side of W. 14th), turn left on West 14th St. walk (south) to Clark Ave., turn right onto Clark Ave. and walk across bridge (over highway) to Scranton Rd., turn right onto Scranton Rd. walk to Kenilworth, turn right onto Kenilworth, return to OLA/St. Joseph Center (on your left on other side of highway overpass) 5K WALKERS STOP HERE!; 10K walkers continue walking on Kenilworth to W. 11th St., turn left onto W. 11th St. walk to Abbey Rd., turn left onto Abbey Ave. (cross street to north side of Abbey), cross Abbey Ave. Bridge to West 20th Street (enjoy

the view of downtown!), cross street to south side of Abbey Avenue, turn left and return across the Abbey Avenue Bridge, (enjoy the view of the industrial side of the flats!), walk to West 11th St., turn left to University Rd., walk to W. 10th St., turn right onto W. 10th St. walk to Literary (right side of St.), turn right onto Literary walk to Kenilworth (veer left & cross street), turn right onto Kenilworth, return to OLA/St. Joseph Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law."

**Section 2.** That the Title and Section 1 of Ordinance No. 1672-97, passed September 8, 1997, be the same 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 September 22, 1997.

Effective September 30, 1997

**Ord. No. 1794-97.****By Councilman Rybka.****An emergency ordinance to change the name of Tod Park to Hyacinth Park.**

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 name of Tod Park is hereby changed to Hyacinth Park.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to give effect to this ordinance by the placing of appropriate signs, nameplates and plaques and the altering of references to the park to reflect the change of name.

**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 September 22, 1997.

Effective September 30, 1997, without the signature of the Mayor.

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