

The City Record

Official Publication of the City of Cleveland

September the Seventeenth, Nineteen Hundred and Ninety-Seven

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

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

DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit
DIVISIONS - Accounts - 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 Nobile, Commissioner, Room 517

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

DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.
DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
 Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue
 Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.
 Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
 Emergency Medical Service - Bruce Shade, Commissioner, 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 Nobile, Theodore Sande, Randall Shorr, Shirley Thompson, Councilmen Craig E. Willis and Helen K. Smith.

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

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

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

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OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, SEPTEMBER 17, 1997

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CITY COUNCIL

MONDAY, SEPTEMBER 15, 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:** Patton, Chairman; Robinson, Vice Chairman; Gordon, Lewis, Melena, Moran, Polensek.

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio September 15, 1997.

The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

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

Also present were Directors Sobol-Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch, Holland, Willis, Nelson and Morrison.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Dr. Joseph W. Skrha of the Catholic Diocese of Greater Cleveland and St. Michael's Hospital. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 1727-97.

From the Division of Purchases & Supplies re: Emergency Requisition (RE-97649). Received.

File No. 1728-97.

From the Division of Purchases & Supplies re: Excess Property - Reference No. 010-97. Received.

File No. 1729-97.

From the Board of Elections re: Certificate of result of election on Issue 1, Proposed Charter Amendment. Received.

File No. 1730-97.

From the Division of Purchases & Supplies re: Excess Property - Reference No. 011-97. Received.

File No. 1731-97.

From the Northeast Ohio Regional Sewer District re: 1996 Annual Report, Protecting your clean water investment. Received.

File No. 1732-97.

From the Director of Public Safety re: Summary of OC Spray training and usage by the Division of Police for the period of April 1, 1997 to June 30, 1997. Received.

File No. 1733-97.

From the Cleveland Minority Cable Channel re: CMCC Financials 1996. Received.

File No. 1734-97.

From the Department of Parks, Recreation and Properties re: Notice to Council of Subsidiary Agreement. Received.

File No. 1735-97.

From the Northeast Ohio Regional Sewer District re: Manhole Rehabilitation Contract MR-8. Received.

File No. 1736-97.

From the Civil Service Commission re: Request to establish the classification of Assistant Commissioner of Assessments and Licenses. Received.

File No. 1765-97.

Two proposed Scope of Services for Monitor of the Cleveland Hopkins International Airport Expansion Project. Received.

STATEMENT OF WORK ACCEPTANCE

File No. 1766-97.

From the Director of the Department of Parks, Recreation and Property re: Contract No. 49803 for Moulton/Scoutway Park Phase II. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1749-97—Mildred L. Lewis.

Res. No. 1750-97—Aissa Danyelle Archie.

Res. No. 1751-97—Robert W. H. Dickerson.

CONGRATULATORY RESOLUTIONS

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

Res. No. 1752-97—Harmonia-Chopin Singing Society.

Res. No. 1753-97—St. Stanislaus Dad's Club 50th Anniversary.

Res. No. 1754-97—Shed Scott.

Res. No. 1755-97—Richard P. & Elizabeth Stack.

Res. No. 1756-97—Detective Rich Calabrese.

Res. No. 1757-97—Edward & Olga Baran.

Res. No. 1758-97—Anna Chatman.

Res. No. 1759-97—Our Lady of Mercy Church.

Res. No. 1761-97—Robert R. & Edna Tarter, Sr.

RESOLUTIONS OF RECOGNITION

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

Res. No. 1760-97—National Hispanic Heritage.

Res. No. 1762-97—Sisters of St. Joseph of Cleveland 125th Anniversary.

Res. No. 1763-97—Sergeant Calvin Williams.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 1737-97.**

By Councilmen Coats and Westbrook (by departmental request).

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

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

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

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

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

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

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

Ord. No. 1738-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 51055 for renovations to City Hall with Envirocom Construction Inc. for the Department of Parks, Recreation and Properties.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make the following alterations and modifications in Contract No. 51055 with Envirocom Construction Inc. for renovations to City Hall, for the Department of Parks, Recreation and Properties:

Subsidiary Additions

General Conditions	\$ 22,410.00
Demolition	24,925.00
Barricades	13,500.00
Concrete	32,400.00
Waterproofing	14,580.00
Quarry Tile	15,120.00
Plaster Patching	21,600.00
Painting	12,150.00
Plumbing	<u>104,490.00</u>
Subtotal	\$ 261,175.00

Overhead & Profit @ 10%	\$ 26,118.00
Subtotal	\$ 287,293.00

Bond \$ 4,307.00

TOTAL SUBSIDIARY ADDITIONS \$ 291,600.00

Original Contract Amount	\$ 611,200.00
Total Subsidiary Additions	<u>291,600.00</u>
REVISED CONTRACT AMOUNT	\$ 902,800.00

which alteration has been recommended in writing by the said Director of Parks, Recreation and Properties, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Parks, Recreation and Properties and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$291,600.00, to be paid from Fund No. 20 SF 340.

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

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 1739-97.

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

An emergency ordinance to amend Sections 561.02 and 561.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1328-82, passed September 20, 1982; to supplement said codified ordinances by enacting new Sections 210.01, 210.02 and 210.03 thereof; and to retitle Chapter 561 of said codified ordinances to "Permits for Clean Hard Fill" all relating to landfills.

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 561.02 and 561.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1328-82, passed Sep-

tember 20, 1982, are hereby amended to read, respectively, as follows:

Section 561.02 Definitions

As used in this chapter, unless a different meaning is clearly indicated by the context:

(a) "Director" means the Director of Public Service.

(b) "Clean hard fill" means reinforced or nonreinforced concrete, asphalt concrete, brick, block, tile, and/or stone which can be utilized as construction material. Clean hard fill does not include materials contaminated with hazardous wastes, solid wastes, (including materials treated with lead-based paint), or infectious wastes.

(c) "Earth material" means any rock, fill, natural soil and/or any combination thereof.

(d) "Fill" means an artificial or mechanical act by which earth is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface and includes the conditions resulting therefrom. "Fill" also means the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. "Fill" also means the material used to make a fill. "Fill" refers to temporary or permanent operations.

(e) "Person" means an individual, partnership, partner, firm, corporation, association, joint stock company, trust, estate or any other legal entity, or their legal representatives, agents or assigns.

(f) "Site" means any lot or parcel of land or contiguous combination thereof, upon which filling is, has been or will be performed.

Section 561.03 Permit Application and Approval Required

(a) No person, being the owner of any property or in possession or control of any property, shall cause, permit or allow any filling to be done on such property until such person, or his or her agent, files an application, in the office of the Director of Public Service, for a permit to do so, and until such a permit has been issued to such person by the Director. A separate application and permit are required for each site.

(b) Such permit applications shall be made on forms prepared by the Director and shall contain such information as he or she deems necessary to determine whether or not the permit should be issued. The information required in such application, including plans and specifications in triplicate, shall include:

(1) The owner's name and address;

(2) A plot plan, drawn to scale, showing the location of the proposed work, with the permanent parcel number and street address;

(3) A contour map of the affected area, showing the existing contours in dashed lines and the proposed contours in solid lines at one-foot intervals;

(4) A diagram of any temporary drive provision; and

(5) The name and address of the person supplying the fill.

(c) The Director may, by rule or regulation, prescribed additional requirements for permit applications.

(d) A person having a valid construction and demolition debris landfill permit issued by the Director of Public Health is exempt from the requirements of this section.

(e) **The Director of Public Service shall issue a permit to fill only to persons using clean hard fill. All applicants shall be given a copy of Ohio Administrative Code 3745-400-05, relating to the use of clean hard fill. Any person intending to use any material other than clean hard fill shall be directed to contact the Director of Public Health who shall inform the applicant of the requirements for construction and demolition debris landfills.**

(f) **The Director of Public Service shall notify the Director of Public Health of all applications for fill permits.**

Section 2. That existing Sections 561.02 and 561.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1328-82, passed September 20, 1982, are hereby repealed.

Section 3. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 210.01, 210.02 and 210.03 thereof, to read, respectively, as follows:

CHAPTER 210 CONSTRUCTION AND DEMOLITION DEBRIS LANDFILLS

Section 210.01 State Program

(a) All provisions of Chapter 3714 of the Ohio Revised Code, and all provisions of Chapters 3745-37 and 3745-400 of the Ohio Administrative Code, relating to construction and demolition debris landfills shall be enforced by the Director of Public Health.

(b) If at any time the Cleveland Department of Public Health ceases to be an approved health district, then the enforcement of the laws governing construction and demolition debris landfills shall revert to the Director of the Ohio Environmental Protection Agency, pursuant to state law.

Section 210.02 Coordination

(a) The Department of Public Health shall notify the Department of Public Service and the member of the City Council in whose ward a construction and demolition debris land fill may be located of the receipt of any permit application and of the name of the applicant and the address of the landfill. The entire permit application shall also be made available to them on request.

(b) No permit application, permit modification, or permit exemption shall be granted by the Director of Public Health without review of the proposed action by the Director of Public Service.

Section 210.03 Prohibition on Dual Permitting

(a) A person having a valid construction and demolition debris landfill permit issued by the Director of Public Health shall not be required to also obtain a permit to fill from the Director of Public Service.

(b) A person intending to dispose of only clean hard fill as described by Ohio Administrative Code 3745-400-01 and 3745-400-05 shall be directed to obtain a permit to fill from the Director of Public Service.

Section 4. That the existing title to Chapter 561 of the Codified Ordinances of Cleveland, Ohio, 1976, is hereby changed to read "Permits for Clean Hard Fill"

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.

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

Ord. No. 1740-97.

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

An emergency ordinance to amend Section 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 925-95, passed September 15, 1995, relating to yard encroachments.

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

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

Section 1. That Section 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 925-95, passed September 15, 1995, is hereby amended to read as follows:

Section 357.13 Yard Encroachments Permitted

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

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

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

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

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

(3) Fences, walls or hedges not more than fifty-four inches above grade level; provided that on a corner lot no wall, fence or other structure shall be erected and no hedge, shrub, tree or other vegetation shall be maintained which exceeds thirty inches above the sidewalk grades of

the intersecting streets in the area bounded by the street lines or such corner lots and a line thirty feet from a point where such street lines intersect, and providing further, that the Board of Zoning Appeals may, after public hearing, permit the construction of a wall or fence not higher than ten feet above the grade level to enclose a public or private playground or any other area or structure which is the property of any agency or branch of government, where adjacent premises will not be substantially injured thereby. Notwithstanding Sections 329.04 and 357.14 of this Zoning Code, the Board of Zoning Appeals may, after public notice and hearing, permit the erection of structures between the street line and setback building line if such structures are needed to provide protection from crime for the occupants of a building or for property at a building. The Board shall determine if the proposed structures are needed by taking into account security conditions in the neighborhood, including the feasibility of alternative means of security, and by considering any detrimental effect the proposed structures will have on the property itself or on the neighborhood and any positive or mitigating effect created by the installation of landscaping or other design features which are not required by this code. The Board may approve a proposed design in part if the Board finds that only that part meets the requirements of this section. **However, when in the discretion of the Zoning Administrator, the proposed corner fence will not block lines of sight and will be constructed of such material such as to not block lines of sight such as a metal chain link, he or she shall issue a permit for such corner fence provided that the fence shall not exceed fifty-four inches.**

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

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

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

(1) In rear yards only, accessory buildings and uses in connection with Residence Occupancy as defined and limited in Section 337.23, and similar accessory buildings and uses in connection with buildings of Institutional H Occupancy Classification. Accessory buildings or uses attached or forming part of a main

building shall be permitted to encroach upon such rear yards to the extent permitted for detached accessory buildings or uses.

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

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

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

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

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

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

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

Section 2. That existing Section 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 925-95, passed September 15, 1995, is hereby repealed.

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

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

Ord. No. 1741-97.

By Councilmen Patmon and Westbrook (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the City, County and Waste Paper Drivers Union, Local 244 - Seasonal Employees.

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, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with the City, County and Waste Paper Drivers Union, Local 244 - Seasonal Employees set forth in File No. 1741-97-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and

wages for members of the bargaining unit in accordance with the following schedule:

<u>Percentage Increase</u>	<u>Effective Date of Increase</u>
Two percent (2%)	April 1, 1995
Three percent (3%)	April 1, 1996
Three percent (3%)	April 1, 1997

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

Ord. No. 1742-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional financial and information service consultants to audit and review the City's fund disbursement and transfer procedures for the Department of Finance.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to employ by contract one or more professional financial and information service consultants or firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to audit, review and issue a report of findings and recommendations concerning the City's fund disbursement and transfer procedures, including electronic and paper transactions.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Finance from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Finance 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 and approved and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from funds appropriated for the use of the Department of Finance.

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

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

Ord. No. 1743-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of towel and linen service, for the various divisions of City government, for a period not to exceed two years.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22985)

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

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

Ord. No. 1744-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of computer hardware, software and supplies, office furniture, equipment, data processing services, employee training, and building equipment and maintenance for various divisions of City government; and authorizing said director to employ one or more computer consultants and data processors to provide professional services, in conjunction with the Year 2000 project.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ord-

nances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of computer hardware, software and supplies, office furniture, equipment, data processing services, employee training, and building equipment, including parts and maintenance, in conjunction with the Year 2000 computer compliance project, in the estimated sum of \$6,000,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government, City Council and Cleveland Municipal Court. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23236)

Section 3. That the Director of Finance is hereby authorized and directed to employ by contract one or more computer and/or data processing consultants or one or more firms of computer and/or data processing 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 assist the City of Cleveland, City Council and Cleveland Municipal Court in implementing the Year 2000 computer compliance project.

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 Finance from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Finance 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 Finance, and certified by the Director of Finance.

Section 4. That the costs for such services herein contemplated shall be paid from Fund Nos. 52 SF 001, 54 SF 001, 57 SF 001, 58 SF 001, 81 SF 001, 60 SF 001, 10 SF 165, 10 SF 006 and 50 SF 001, Request No. 23236.

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.

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

FIRST READING ORDINANCES REFERRED

Ord. No. 1745-97.

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

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

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

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

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

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

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

Ord. No. 1764-97.

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

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

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

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

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

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1953, Sheet No. 5 and

shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 1746-97.

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

An emergency resolution to amend Section 2 of Resolution No. 483-95, passed June 5, 1995, relating to the formation of the Cleveland Theater District as a Special Improvement District within the City; declaring it necessary to provide for additional security for the Cleveland Theater District, cleaning and maintenance of the public rights-of-way and Star Plaza within the Cleveland Theater District, and collective marketing of the Cleveland Theater District in the City of Cleveland; approving the comprehensive plan of services to be provided by the Cleveland Theater District Development Corporation; and providing for the assessment of the cost and expense of such work upon benefited property in said district; and declaring an emergency.

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 Section 2 of Resolution No. 483-95, passed June 5, 1995, is hereby amended to read as follows:

Section 2. Pursuant to Chapter 1710 of the Ohio Revised Code, this Council hereby approves the Petition and the Articles of Incorporation of a special improvement district to be known as the Cleveland Theater District, whose boundaries shall be as follows:

CLEVELAND THEATRE DISTRICT

Beginning in the Easterly line of East 18th Street at its intersection with the Southerly line of Prospect Avenue, S.E.;

Thence Northerly along said Easterly line of East 18th Street to its intersection with the Northerly line of Chester Avenue N.E.;

Thence Westerly along the Northerly line of Chester Avenue, N.E., to its intersection with the Westerly line of East 12th Street;

Thence Southeasterly and Southerly along said line of East 12th Street, to its intersection with the Northerly line of Euclid Avenue;

Thence Southerly, in a direct line across Euclid Avenue, to the Westerly line of East 12th Street;

Thence Southerly along said line of East 12th Street to the Northerly line of Barn Court, S.E.;

Thence Southwesterly along said line of Barn Court, S.E. and its Southwesterly prolongation, to the Southwesterly line of East 9th Street;

Thence Southerly along said line of East 9th Street to its intersection with the Southerly line of Prospect Avenue, S.E.;

Thence Easterly along said line of Prospect Avenue, S.E., to the place of beginning.

Section 2. That existing Section 2 of Resolution No. 483-95, passed June 5, 1995, is hereby repealed.

Section 3. That it is hereby determined and declared necessary and conducive to the public health, convenience and welfare of the City of Cleveland and the inhabitants to provide additional security for the Cleveland Theater District, additional cleaning and maintenance of the public rights-of-way and Star Plaza within the Cleveland Theater District and collective marketing of the Cleveland Theater District for a five year period commencing after the passage of the ordinance to proceed in this matter.

Section 4. That it is hereby determined that the property contained within the Cleveland Theater District will be benefited by the above-described public improvements and shall be assessed to pay for the cost of the improvements, calculated as the percentage of tax value of the property taken as a percentage of the district as a whole.

Section 5. Except as stated in Section 6 herein, the Comprehensive Plan of Services to be provided by the Cleveland Theater District Development Corporation (the "Plan") on file in File No. 1746-97-A, is hereby approved in accordance with Section 1710.06(B) of the Revised Code of Ohio at an estimated cost of \$1,652,521.00.

Section 6. That any portion of the Plan that duplicates services to control blight and disease of shade trees, as further described in Resolution No. 376-96, adopted May 13, 1996, as amended or any services undertaken by the City in any future Tree Assessment District relating to downtown is expressly not approved and shall be void.

Section 7. That the entire cost of such Plan in the Cleveland Theater District be specially assessed by a percentage of the tax value of all lots and lands within the Cleveland Theater District, which said lots and lands are hereby determined to be specifically benefited by said work in the amount equal to the amount specially assessed against each such lot and land. The cost of said work shall include the cost of printing, serving and publishing notices, resolutions and ordinances, the amount of damages resulting from the work assessed in favor of any owner of land affected by the work and the interest thereon, the costs incurred in connection with the preparation, levy and collection of the special assessments, the cost of purchasing, appropriating and otherwise acquiring therefor any required real estate or interests therein, expenses of legal services, the cost of all labor and materials, and all other necessary expenditures allowed by law.

Section 8. That the assessments to be levied shall be paid when levied in five annual installments. The first annual installment of \$331,465.00 shall be payable in cash within thirty (30) days after passage of the City's ordinance of assessment. All cash payments remaining unpaid at the expiration of said thirty (30) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 9. The second through fifth annual installments in the amounts of \$330,264.00 each shall be payable in cash within thirty (30)

days after each of the next four anniversaries of the date of passage of the City's ordinance of assessment. All cash payments remaining unpaid at the expiration of each of said thirty (30) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 10. That no notes or bonds of the City of Cleveland shall be issued in anticipation of the collection of the special assessments.

Section 11. That the Commissioner of Assessments and Licenses be and he hereby is authorized and directed to prepare and file in the Office of the Clerk of Council an estimated assessment in accordance with the provisions of this resolution showing the amount of the assessment against each lot or parcel of land to be assessed. Such estimated assessment shall be based upon the estimated cost of the Plan which is now on file in the Office of the Clerk of Council.

Section 12. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1747-97.

By Councilman Melena.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 5901 Detroit Avenue, and repealing Res. No. 2159-96 objecting to said transfer of ownership.

Whereas, this Council objected to transfer of ownership of a C2 and C2X Liquor Permit to 5901 Detroit Avenue, by Res. No. 2159-96, adopted December 2, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 5901 Detroit Avenue, and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 1748-97.

By Councilman Skrha.

An emergency resolution withdrawing objection to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit to 3528 Payne Avenue, 1st Fl., and repealing Res. No. 917-97 objecting to said transfer of ownership.

Whereas, this Council objected to transfer of ownership of a D2, D2X, D3 and D6 to 3528 Payne Avenue 1st Fl., by Res. No. 917-97, adopted May 5, 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 D2, D2X, D3 and D6 Liquor Permit to 3528 Payne Avenue, 1st Fl., be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

SECOND READING EMERGENCY ORDINANCES

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.

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

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.

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

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 require-

ment 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.

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

1. In Section 2, at the end, insert the following: "(**RL 22756**)".

2. At the end of Section 1, add the following new paragraph:

"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."

Amendments agreed to.

Ord. No. 1298-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Service 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.

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

1. In the title, lines 2 and 3, in Section 1, line 1 and also in line 6, strike "Public Service" and insert in lieu thereof "**Finance**".

Amendment agreed to.

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.

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

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.

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

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.

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1450-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing the Mayor to apply to the

District One Public Works Integrating Committee for state funding of various infrastructure capital improvement projects and state funding to obtain credit enhancements and loan assistance in support of the City's 1998 general obligation bond issue for road and bridge improvements.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1640-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to enter into contract with Michael Benza & Associates for professional services necessary to design the public improvement of rehabilitating East 55th Street, Phase II, from Woodland Avenue to Superior Avenue, for the Division of Engineering and Construction, Department of Public Service.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1643-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating East 89th Street Bridge over N & S and RTA; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

THIRD READING EMERGENCY ORDINANCE PASSED

Ord. No. 1472-97.

By Councilman Westbrook (by departmental request)

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

Read third time. Passed. Yeas 21. Nays 0.

MOTION

The Council adjourned at 8:15 p.m. to meet on Monday, September 22, 1997, at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 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.

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.

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.

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.

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.

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.

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.

BOARD OF CONTROL

September 10, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 10, 1997, at 11:30 a.m., with Mayor White presiding.

Present: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 730-97.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that all bids received on August 28, 1997 for Installation of Runway and taxiway lighting systems for the Division of Cleveland Hopkins International Airport, Department of Port Control, pursuant to the authority of Ordinance No. 562-97, passed by the Council of the City of Cleveland on June 16, 1997, be and the same are hereby rejected.

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

Nays: None.

Absent: None.

Resolution No. 731-97.

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Anthony Allega Cement Contractor, Inc. for the public improvement of Phase II - Site Grading/Underground Utilities/Paving for the Consolidated Car Rental Facility for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on September 5, 1997, pursuant to the authority of Ordinance No. 561-97, passed June 2, 1997, for a gross price for the improvement in the aggregate amount of Six Million Six Hundred Eight Thousand Four Hundred Thirty and no/100 Dollars (\$6,608,430.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into contract for said improvement with said bidder.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Anthony Allega Cement Contractors, Inc. for Phase II - Site Grading/Underground Utilities/Paving for the Consolidated Car Rental Facility at Cleveland Hopkins International Airport for the Department of Port Control is hereby approved:

SUBCONTRACTOR SERVICE

Ballast Construction, Inc.
dba Ballast Fence
(FBE - \$139,510.00/2%)

Fence work, temp.
Construction

Cuyahoga Supply & Tool, Inc.

Geotextile, under-
drain, silt fence

Granger Trucking, Inc.

(MBE - \$953,000.00/14%)

Subbase material

Bradley Construction Company, Inc.
(MBE - \$1,184,000.00/18%)

Excavation

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

Nays: None.

Absent: None.

Resolution No. 732-97.

By Director Guzman.

Whereas, pursuant to the authority of Ordinance No. 1471-96 & 1330-96 passed by the Council of the City of Cleveland October 14, 1996 & July 17, 1996, and Resolution No. 138-97, adopted by this Board of Control on March 5, 1997 the City, through its Director of Public Service, entered into an agreement with Dodson-Stilson Inc. ("Consultant"), Contract No. 51835, to supplement the regularly employed staff of the several departments of the City in order to furnish professional engineering services necessary in making the public improvement of rehabilitating and reconstructing East 123rd Street/Arlington Avenue/East 125th Street; and

Whereas, the City desires to modify the original scope of services to include additional design work involving pavement reconstruction, traffic counts and signal warrants for two (2) additional signals, and the display of new pavement widths on the plans; and

Whereas, consultant has proposed by its July 29, 1997 letter to provide the additional engineering services mentioned above for an amount not to exceed \$22,000.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Service hereby is authorized to enter into a first modification to Contract No. 51835 with Dodson-Stilson, Inc. for the additional engineering services required for the public improvement of East 123rd Street/Arlington Avenue/East 125th Street in accordance with consultants July 29, 1997 proposal letter. The compensation for the additional services shall not exceed a total of \$22,000.00, thereby increasing the total fee under the agreement as modified from \$260,070.00 to \$282,070.00. The modification authorized hereby shall be prepared by the Director of Law and shall include such additional provisions as said Director deems necessary to benefit and protect the public interest.

Be it further resolved that all other term and provisions of Contract No. 51835 not expressly modified herein shall remain in full force and effect.

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

Nays: None.

Absent: None.

Resolution No. 733-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Baker Vehicle Systems, Inc. for an estimated quantity of Cushman Equipment Parts and Labor (all items with a labor rate of \$44.00 per

hour and 5% trade discount) 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 22, 1997, pursuant to the authority of Ordinance No. 546-97, passed June 2, 1997, which on the basis of the estimated quantity would amount to approximately Sixty Thousand and no/100 Dollars, (\$60,000.00), (2% 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 105793 which shall be certified against such contract in the sum of Eight Thousand and no/100 Dollars (\$8,000.00).

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

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

Resolution No. 734-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of G-S Ford, Inc. for an estimated quantity of Ford Tractor, Mower, and Construction Equipment Parts and Labor (all items with a labor rate of \$40.00 per hour and a trade discount of 15%) 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 22, 1997, pursuant to the authority of Ordinance No. 539-97, passed June 2, 1997, which on the basis of the estimated quantity would amount to approximately One Hundred Seventy Thousand and no/100 Dollars, (\$170,000.00), (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. 105794 which shall be certified against such contract in the sum of Fifteen Thousand and no/100 Dollars (\$15,000.00).

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

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

Resolution No. 735-97.

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Granger Trucking, Inc. for an estimated quantity of Ball Diamond Clay (All Items) for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for the period of two (2) years beginning with the date of execution of a contract received on July 31, 1997, pursuant to the authority of Ordinance No. 551-97, passed May 5, 1997, which on the basis of the estimated quantity would amount to Twenty-Six Thousand, Two Hundred Ninety-Seven and 37/100ths Dollars, (\$26,297.37), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties 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. 089658 which shall be certified against such contract in the sum of Ten Thousand and 00/100ths Dollars (\$10,000.00).

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

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

Resolution No. 736-97.

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Emerald Supply, Inc. for an estimated quantity of De-icing Agents (All Items) for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for the period of two (2) years beginning with the date of execution of a contract received on July 31, 1997, pursuant to the authority of Ordinance No. 552-97, passed May 5, 1997, which on the basis of the estimated quantity would amount to Thirty-Four Thousand, Four Hundred Twenty-Four and 28/100ths Dollars, (\$34,424.28), (1% - 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties 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. 089650 which shall be certified against such contract in the sum of Seven Thousand and 00/100ths Dollars (\$7,000.00).

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

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

Resolution No. 737-97.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that the bid of U.S. Floor Service for the following: gymnasium floor refinishing at the Estabrook and Lonnie Burton Recreation Centers for the Division of Recreation, Department of Parks, Recreation and Properties, received on the seventh day of August, 1997, pursuant to the authority of Ordinance No. 162-97, passed April 14, 1997, which on the basis of order quantity would amount to \$9,270.00, is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Be it further resolved that the employment of the following subcontractor of U.S. Floor Service for the abovementioned purchase hereby is approved:

SUBCONTRACTOR WORK

Big Picture Sign Co., Inc.
11018 Peony
Cleveland, Ohio 44111

Line gyms, paint lines
all art work

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

Resolution No. 738-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel Nos. 124-26-019 and 124-26-020 located at 7102 Colfax Road in Ward 5; 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, Gail M. Hodges, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcels; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Commu-

nity Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Gail M. Hodges for the sale and development of Permanent Parcel Nos. 124-26-019 and 124-26-020 located at 7102 Colfax Road, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

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

Resolution No. 739-97.

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. 109-19-120 located at 10837 Olivet Avenue in Ward 8; and

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

Whereas, George A. Burton, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has consented to the proposed sale;

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

3. The proposed 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 George A. Burton for the sale and development of Permanent Parcel No. 109-19-120 located at 10837 Olivet Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

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

Resolution No. 740-97.

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. 109-13-015, 109-13-016, 109-13-024, 109-13-082, 109-13-121, 109-14-132, 109-14-133, 109-14-135, 109-20-038, 109-20-036, 109-20-044 and 109-20-050, under said Land Reutilization Program; and

Whereas, Ordinance No. 1488-97 passed August 13, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Glenville 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. 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 Nos. 109-13-015, 109-13-016, 109-13-024, 109-13-082, 109-13-121, 109-14-132, 109-14-133, 109-14-135, 109-20-038, 109-20-036, 109-20-044, and 109-20-050, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said 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 Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 741-97.

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. 109-18-106, 109-18-108, 109-18-116, 109-19-004, 109-19-016, 109-19-010, 109-19-117, 109-19-127 and 109-18-130, under said Land Reutilization Program; and

Whereas, Ordinance No. 1164-97 passed August 13, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Glenville 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. 1164-97 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 Nos. 109-18-106, 109-18-108, 109-18-116, 109-19-004, 109-19-016, 109-19-010, 109-19-117, 109-19-127 and 109-18-130, 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 Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 742-97.

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 5122 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No. 102-08-046 under said Land Reutilization Program; and

Whereas, Ordinance No. 1004-97 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, Mike Rooney Enterprises 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. 1004-97 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 Mike Rooney Enterprises for the sale and development of Permanent Parcel No. 102-08-046, 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 \$10.00, 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 Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution 743-97.

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. 109-16-030 and 109-16-031 under said Land Reutilization Program; and

Whereas, Ordinance No. 1163-97 passed Gary E. and Orlando E. Davidson authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, have 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. 1163-97 passed Gary

E. and Orlando E. Davidson 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 have for the sale and development of Permanent Parcel Nos. 109-16-030 and 109-16-031, 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 \$1.00 each, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

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

Nays: None.

Absent: None.

Resolution No. 744-97.

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. 105-23-091 under said Land Reutilization Program; and

Whereas, Ordinance No. 1161-97 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, Milton and Beauty M. Parks have 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. 1161-97 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 Milton and Beauty M. Parks for the sale and development of Permanent Parcel No. 105-23-091, 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 \$1.00, 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 Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 745-97.

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. 144-02-113 under said Land Reutilization Program; and

Whereas, Ordinance No. 1073-97 passed June 9, 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, Buckeye Area 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. 1073-97 passed June 9, 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 Buckeye Area Development Corp. or designee for the sale and development of Permanent Parcel No. 144-02-113, 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 Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 746-97.

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. 104-17-139 under said Land Reutilization Program; and

Whereas, Ordinance No. 1006-97 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, Robert E. and Beverly M. Leach have 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. 1006-97 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 Robert E. and Beverly M. Leach for the sale and development of Permanent Parcel No. 104-17-139, 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 \$1.00, 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 Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 747-97.

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. 130-04-020 under said Land Reutilization Program; and

Whereas, Ordinance No. 287-97 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, Covenant Community Church of Cleveland 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. 287-97 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 Covenant Community Church of Cleveland for the sale and development of Permanent Parcel No. 130-04-020, 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 Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 748-97.

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. 127-27-001, 130-07-119, 130-10-071, 130-23-063 and 137-01-049, under said Land Reutilization Program; and

Whereas, Ordinance No. 1489-97 passed August 13, 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. 1489-97 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 Mt. Pleasant Now Development Corp. or designee for the sale and development of Permanent Parcel Nos. 127-27-001, 130-07-119, 130-10-071, 130-23-063 and 137-01-049, 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 Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 749-97.

By Director Spellman.
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by The Albert M. Higley Company, under City Contract No. 51794, pursuant to Ordinance No. 305-96 passed on March 8, 1996, and Board of Control Resolution No. 539-97, adopted July 7, 1997, for the new Cleveland Browns Stadium concrete foundation, hereby is approved:

Cuyahoga Concrete Company
Western Waterproofing, Inc.

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

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, SEPTEMBER 29, 1997
9:30 A.M.

Calendar No. 97-192: 987 East 67th St. John Semen, owner, appeals to erect approximately 172 linear feet of 6' high (including 1' of barb-wire) chain link fence to complete the enclosure of the 33' x 139' irregular shaped vacant lot located in a Local Retail District at 987 E. 67 St.;

said fence to be in excess of the 4' 6" height limited by Sections 357.06, 357.09 and 357.13(b)(3) of the Codified Ordinances.

Calendar No. 97-202: 15334 Yorick Ave.; N.E.

Andrea Thompson, owner, appeals to use for storage of personal vehicles in the 35' x 20' one-story masonry former private garage and also the exterior area of the 36' x 156' irregular shaped lot located in a Two-Family District at 15334 Yorick Ave.; said storage being contrary to the residence limitations of Sections 337.03 and 337.23 of the Codified Ordinances.

Calendar No. 97-203: 10522 Edgewater Dr., N.W.

Paul S. Novosel, owner, appeals to maintain a 24' x 40' in ground private swimming pool on the rear of a 146' x 370' irregular shaped lot located in a Limited One-Family District and occupied by a one family dwelling house at 10522 Edgewater Dr.; said pool being partly within the front half of the lot instead of entirely in the rear half as required by Section 337.23 of the Codified Ordinances.

Calendar No. 97-210: 4444 Rocky River Dr., S.W.

Rocky River Puritas Inc., owner c/o Marsha McCoy, and CVS Pharmacy Store, tenant, c/o Daniel Slane, appeal to erect a 75' x 135' one-story masonry store building and construct a 59 car accessory off-street parking lot with related driveways, maneuvering areas and a trash enclosure all on the 173' x 452' irregular shaped corner parcel located in a Residence-Office and General Retail District on the northwest corner of Rocky River Dr. and Puritas Ave. and to be known as 4444 Rocky River Dr.; said building to be located entirely within the Residence-Office District contrary to the use limitations of Section 337.10 and a portion of the parking lot (approximately 14 cars) to be within the specific setback building line area (75' from centerline of Puritas Ave.) contrary to the prohibitions of Sections 357.07 and 357.14 and the trash enclosure to be within the required landscaped transition strip on the west contrary to the limitations of Section 352.12 and the driveway near the north property line on to Rocky River Dr. not being in compliance with the location distance required in Section 343.18(c) of the Codified Ordinances.

HUNTER MORRISON,
Acting Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, SEPTEMBER 15, 1997

At the Meeting of the Board of Zoning Appeals on, Monday, September 8, 1997, the following appeals were heard by the Board, and, on Monday, September 15, 1997 were decided by the Board.

The following appeals were **Granted:**

Calendar No. 97-191: 10101 Adelaide Avenue, S.W.

Gloria Ramos, owner, appealed, to enclose the 24' x 8' one-story open front porch.

The following appeals were **Dismissed:**

Calendar No. 97-190: 6700 Euclid Avenue.

Calendar No. 97-71: 4511 Pearl Road, S.W.

HUNTER MORRISON,
Acting Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

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

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

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

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."

CORRECTION**THURSDAY, OCTOBER 9, 1997**

Interior Renovation at the Third District Police Station Building (17-90D), for the Department of Public Safety, as authorized by Ordinance Nos. 1278-92 and 2053-91, passed by the Council of the City of Cleveland, July 22, 1992 and February 24, 1992, respectively.

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

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, SEPTEMBER 24, 1997, 9:00 A.M. AT THE THIRD DISTRICT POLICE STATION BUILDING, 2001 PAYNE AVENUE, SECOND FLOOR CONFERENCE ROOM.

September 3, 1997 and September 10, 1997

THURSDAY, SEPTEMBER 25, 1997

Installation of Runway and Taxiway Lighting Systems, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 562-97, passed by the Council of the City of Cleveland, June 16, 1997.

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

A PRE-BID MEETING WILL BE HELD ON THURSDAY, SEPTEMBER 18, 1997, 12:00 NOON, IN THE ENGINEERING CONFERENCE ROOM, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DR., CLEVELAND, OHIO.

September 10, 1997 and September 17, 1997

FRIDAY, SEPTEMBER 26, 1997

Generator Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 536-97, passed by the Council of the City of Cleveland, June 2, 1997.

September 10, 1997 and September 17, 1997

THURSDAY, OCTOBER 2, 1997

Park Maintenance Service Facilities at Humphrey Park, East 40th St. and Johnston Parkway - Construction of Three New Site Specific Buildings, for the Division of Architecture, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1284-96, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH

SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, SEPTEMBER 23, 1997, 10:00 A.M. IN CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE, ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO.

September 10, 1997 and September 17, 1997

FRIDAY, OCTOBER 3, 1997

Chrysler, Dodge, Plymouth and Jeep Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1153-97, passed by the Council of the City of Cleveland, August 13, 1997.

Elgin Sweeper Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1149-97, passed by the Council of the City of Cleveland, August 13, 1997.

September 10, 1997 and September 17, 1997

WEDNESDAY, OCTOBER 1, 1997

Rockefeller Lagoon Reconstruction Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1284-96, 2120-96, 556-97, passed by the Council of the City of Cleveland October 14, 1996, November 26, 1996 and May 5, 1997, respectively.

A DEPOSIT OF TWENTY-FIVE DOLLARS (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

September 17, 1997 and September 24, 1997

THURSDAY, OCTOBER 9, 1997

Continental Airlines, Inc., Cleveland 2000/Bid Package 2 Concourse D Civil Site Work, Cleveland International Airport. Plans and specifications may be obtained from the offices of Morse Diesel International, ROC Building, 5900 South Cargo Road, Cleveland, Ohio 44135, for the refundable deposit of Two Hundred Fifty Dollars (\$250.00).

A PRE-BID MEETING WILL BE HELD ON THURSDAY, SEPTEMBER 25, 1997, 10:00 A.M. AT THE FOREMENTIONED LOCATION. BIDS WILL BE RECEIVED AT CONTINENTAL AIRLINES, INC., ATTENTION: BILL FRAZER (ROC BUILDING - SAME ADDRESS) UNTIL 3:00 P.M., THURSDAY, OCTOBER 9, 1997.

General Office Renovation and Furniture for City Hall, for the Division of Architecture, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1282-96.

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

A PRE-BID MEETING WILL BE HELD ON TUESDAY, SEPTEMBER 30, 1997, 2:00 P.M. AT CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE - ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO.

September 17, 1997 and September 24, 1997

FRIDAY, OCTOBER 10, 1997

Lubricants, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1154-97, passed by the Council of the City of Cleveland, August 13, 1997.

Six (6) 3-Wheel, Front High Dump, Street Sweepers, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 8918-96, 1476-96, 323-97 and 1113-97, passed by the Council of the City of Cleveland.

Hydraulic Side-Dumping Trailer with Steel Bins, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1025-97, passed by the Council of the City of Cleveland, June 16, 1997.

September 17, 1997 and September 24, 1997

FRIDAY, OCTOBER 24, 1997

Southeast Service and Maintenance Facility at Twinsburg Township, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2109-90, passed by the Council of the City of Cleveland on November 19, 1990.

A DEPOSIT OF TWO HUNDRED FIFTY DOLLARS (\$250.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, OCTOBER 1, 1997, 10:00 A.M. IN AUDITORIUM A OF THE PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO.

September 17, 1997 and September 24, 1997

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 1673-97.****By Councilman White.**

An emergency resolution urging the Director of Public Safety and the Chief of Police to make policy changes for high-speed police pursuits in the City of Cleveland to apprehend criminal suspects without endangering the general public.

Whereas, the City of Cleveland Division of Police has policy protocol Number 10-95 to deal with the

persons suspected of committing a felony and who attempt to flee apprehension in a moving vehicle; and

Whereas, the act of high speed police pursuit often involves vehicles exceeding the speed limit, which excess can pose a threat to the safety of the general public; and

Whereas, Council has researched high speed police pursuit protocols in police divisions in other major municipalities throughout the United States; and

Whereas, Council based upon its' research recommends that the following changes to policy protocol 10-95 be implemented by the Director of Public Safety and the Chief of the Division of Police to ensure the safety of the general public; and

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

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

Section 1. That the following policy protocol regarding high speed police pursuits be implemented by the Division of Police, Department of Public Safety of the City of Cleveland:

1. Jurisdiction

That the policy and procedures of the Division of Police relating to high speed pursuit in order to apprehend a criminal suspect is under the control of the Director of Public Safety and Chief of Police for the City of Cleveland.

2. Initiation of Police Pursuit

That the decision to initiate a pursuit must be based on the pursuing officer's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large. Any law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when all of the following criteria are met:

(a) The suspect exhibits the intention to avoid arrest by using a motorized vehicle to flee apprehension for an alleged felony or misdemeanor where a full custody arrest is authorized.

(b) The suspect operating the vehicle refuses to stop at the direction of the officer; and

(c) The suspect, if allowed to flee, would present a danger to human life or cause serious injury to the general public.

That the pursuing officer shall consider factors in determining whether to initiate a pursuit such as weather, time of day, amount of traffic, road conditions and the capability of the pursuit vehicle, population density, geographic location, proximity to school areas during school hours and familiarity of the area.

3. Discontinuance of a Vehicle Pursuit

A vehicle pursuit shall be discontinued when the following circumstances occur:

(a) Loss of communication with the CCS or sector supervisor.

(b) If there is sufficient information to identify and file on the fleeing suspect, and termination of the pursuit will not result in the lost of vital evidence.

(c) The distance between the pursuing vehicle and the vehicle being pursued becomes so great that further pursuit is futile.

(d) If the driver shows a complete disregard for his/her life or the lives of others as evidenced by activity such as not attempting to slow for red lights or stop signs, driving left of center into oncoming traffic, or excessive speed relative to road/traffic conditions, etc.

4. Responsibilities of the Pursuing Officer

(a) It shall be the responsibility of the pursuing officer to immediately notify the Communications Control Section that a pursuit is underway. The pursuing officer shall provide reasoning for the pursuit, direction of travel, description of the vehicle and license plate number, number of occupants and speeds involved.

(b) The pursuing officer shall abandon the pursuit when the danger to life and/or property outweighs the need for immediate apprehension. The pursuing officer shall also abandon the pursuit if it should persist for more than 60 seconds unless directed by that officer's supervisor.

(c) It shall be the responsibility of the pursuing officer to use emergency lights and sirens at all times during the duration of the pursuit. The pursuing officer shall terminate the pursuit if radio contact is lost with the Communications Section and/or other units involved in the pursuit are lost, except where extraordinary circumstances exist. The pursuing officer shall not engage in, or continue, vehicular pursuits in areas where the officer is unfamiliar, exceptions will be permitted only in the most grievous of circumstances.

(d) The pursuing officer shall not make any attempt to overtake or pass the pursued vehicle. At no time shall the pursuing officer exceed the maximum speed limit by no more than 20 mph as long as life or property is not endangered or the following circumstances; areas with increase traffic and pedestrian density; in a school zone during school hours.

(e) There shall be no paralleling of the pursuit route, unless the pursuit passes through a unit's assigned patrol area. Any police unit that is paralleling shall not join or interfere with the pursuit and shall not violate traffic laws to keep pace with the pursuit.

(f) Stationary roadblocks and the ramming of vehicles are prohibited except in critical circumstances such as preventing injury to pedestrians.

5. Motorcycles and Unmarked Units

That unmarked police vehicles and motorcycle units may pursue vehicles as a primary unit only until the arrival of a marked unit. An unmarked police vehicle and/or motorcycle unit shall terminate involvement when a marked police vehicle with a lightbar becomes available to take over the pursuit. Any unmarked police vehicle or motorcycle unit shall adhere to the vehicle pursuit policy when involved in a high speed pursuit. At no time shall an unmarked unit initiate or become involved in a pursuit unless equipped with emergency red or blue lights and siren.

6. Administrative Responsibilities

Upon notification that a vehicular pursuit incident is in progress, the sector supervisor shall assume responsibility for monitoring control

and termination of the pursuit as it progresses. The supervisor must grant permission for the pursuit to continue or it shall be terminated. It shall be the responsibility of the supervisor to control and direct the pursuit by directing specific units into and out of the pursuit; redesignating primary support or other back up unit responsibilities; approving or ordering alternative tactics; or terminating the pursuit in accordance to departmental policy.

7. Jurisdictional Responsibilities between Cities regarding High Speed Pursuit.

(a) In the event that a pursuit from another community enters into the City of Cleveland, the supervisor will monitor the pursuit and determine if Cleveland cars are to be permitted to join the pursuit once notified by Police Communications.

(b) Should a pursuit enter into another community, the Cleveland supervisor shall remain in charge unless control is requested by another agency, it shall be the responsibility of the supervisor to instruct the Communications Control Section to notify the other agency of the pursuit and any request for assistance.

Section 2. That the Clerk of Council be and she is hereby directed to transmit a copy of this resolution to the Director of Public Safety and to the Chief of the Police Division.

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 8, 1997.

Effective September 16, 1997.

Res. No. 1674-97.

By Councilman Moran.

An emergency resolution objecting to the transfer of location of a D2, D2X, D3 and D3A Liquor Permit to 6625 Denison Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 9129537, Tymocs Cafe Inc., 777 Starkweather Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44113, to Permit No. 0769039, Blume inc., DBAPub, 6626 Denison Ave., Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 9129537, Tymocs Cafe Inc., 777 Starkweather Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44113, to Permit No. 0769039, Blume inc., DBAPub, 6626 Denison Ave., Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 8, 1997.
Effective September 16, 1997.

Res. No. 1675-97.

By Councilman Robinson.

An emergency resolution objecting to the stock of a C1 and C2 Liquor Permit to 4025 E. 131st St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock of a C1 and C2 and Liquor Permit to Permit No. 0012160, AAAMFood Corp., DBASpeedy Superette, 4025 E. 131st St., Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the stock of a C1 and C2 Liquor Permit to Permit No. 0012160, AAAMFood Corp., DBASpeedy Superette, 4025 E. 131st St., Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 8, 1997.
Effective September 16, 1997.

Res. No. 1676-97.

By Councilman Skrha.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 1303 Clark Ave. & Gas Pumps.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 9554967, West 14th & Clark Corp., 1303 Clark Ave. & Gas Pumps, Cleveland, Ohio 44109, to Permit No. 6591277, OSO Inc., 1303 Clark Ave. & Gas Pumps, Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 9554967, West 14th & Clark Corp., 1303 Clark Ave. & Gas Pumps, Cleveland, Ohio 44109, to Permit No. 6591277, OSO Inc., 1303 Clark Ave. & Gas Pumps, Cleveland, Ohio 44109; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 8, 1997.
Effective September 16, 1997.

Res. No. 1677-97.

By Councilman Skrha.

An emergency resolution objecting to the transfer of ownership and location of a D1, D2, D3, D3A and D6 Liquor Permit to 700 St. Clair Avenue W.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 2760874, 5304 Detroit Inc. Sol Tushman RCVR 1st Fl. & Bsmt. & Patio, 5304 Detroit Ave., Cleveland, Ohio 44113, to Permit No. 26239710005, Fairview Hospitality Inc., 700 St. Clair Ave. W., Cleveland, Ohio 44113; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 2760874, 5304 Detroit Inc. Sol Tushman RCVR 1st Fl. & Bsmt. & Patio, 5304 Detroit Ave., Cleveland, Ohio 44113, to Permit No. 26239710005, Fairview Hospitality Inc., 700 St. Clair Ave. W, Cleveland, Ohio 44113; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 8, 1997.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1678-97.

By Councilman Skrha.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 1276-80 W. 6th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 0418591, Della Baltimore, 10408-12 Union Ave. 1st Fl. & Bsmt., Cleveland, Ohio 44113, to Permit No. 9555006, West 6th Street Partners Inc., 1276-80 W. 6th St., Cleveland, Ohio 44113; and

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard

of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 0418591, Della Baltimore, 10408-12 Union Ave. 1st Fl. & Bsmt., Cleveland, Ohio 44113, to Permit No. 9555006, West 6th Street Partners Inc., 1276-80 W. 6th St., Cleveland, Ohio 44113; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 8, 1997.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1679-97.

By Councilman Skrha.

An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 1012 Sumner Court, and repealing Res. No. 1102-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 1012 Sumner Court, by Res. No. 1102-97, adopted June 16, 1997; and

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

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

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

Section 1. That objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 1012 Sumner Court, be and the same is hereby withdrawn and Res. No. 1102-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted September 8, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1663-97.

By Councilman Melena.

An emergency ordinance consenting to and approving the issuance of a permit for the Cleveland AIDS Walk on September 28, 1997, sponsored by the Health Issues Task Force of Cleveland.

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 the Cleveland AIDS Walk Race, sponsored by the Health Issues Task Force of Cleveland, on September 28, 1997, beginning at Edgewater Park, through Edgewater Park to Edgewater Drive, west on Edgewater Drive to the Cleveland - Lakewood border, outside the City limits into the City of Lakewood, return back into Cleveland at West 117th Street and Clifton, east on Clifton to West Blvd., West Blvd. back into Edgewater Park and finish, 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 8, 1997.

Effective September 16, 1997.

Ord. No. 1664-97.
By Councilman Moran.
An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to issue a permit to St. Leo's the Great Church to stretch a banner across Broadview Road at 4900 Broadview Road for the period from August 15, 1997 to October 15, 1997, inclusive, publicizing their Octoberfest.

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 St. Leo's the Great Church to install, maintain and remove a banner across Broadview Road at 4900 Broadview Road for the period from September 15, 1997 to October 15, 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 8, 1997.
 Effective September 16, 1997.

Ord. No. 1665-97.
By Councilman Patmon.
An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to issue a permit to the Rockefeller Park Cultural Arts Association to stretch banners on eight utility poles on Dr. Martin Luther King, Jr. Blvd. between East Blvd. and Ansel Rd. for the period of August 29, 1997 to September 16, 1997, inclusive, publicizing the celebration of "One World Day".

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 Parks, Recreation and Properties is hereby authorized and directed to issue a permit to the Rockefeller Park Cultural Arts Association, South Park Boulevard, Shaker Heights, Ohio 44120; to install, maintain and remove eight (8) banners on Dr. Martin Luther King, Jr. Boulevard between the freeway ramp to East Boulevard and Ansel Road in Rockefeller Park, for the celebration of "One World Day", for the period from August 29, 1997 to September

16, 1997, inclusive. Said banners shall be approved by 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 8, 1997.
 Effective September 16, 1997.

Ord. No. 1666-97.
By Councilmen Patmon and Willis.
An emergency ordinance consenting to and approving the issuance of a permit for the Race for the Cure on September 28, 1997, sponsored by Hermes Race Systems.

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 the Race for the Cure, sponsored by Hermes Race Systems, on September 28, 1997, beginning at Wade Oval to East Blvd., East Blvd. to E. 99th St., E. 99th St. to MLK, MLK to Oval Drive, Oval Dr. to Wade Oval, 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 8, 1997.
 Effective September 16, 1997.

Ord. No. 1667-97.
By Councilman Skrha.
An emergency ordinance consenting and approving the issuance of a permit for a footrace on September 7, 1997 sponsored by Hermes Race Systems.

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 footrace, sponsored by Hermes Race Systems, the route is; start at W. 38th and Lorain, Lorain to Abbey, Abbey to Columbus, Columbus to Riverbed, Riverbed to Elm, Elm to River, River to Center, Center to Riverbed and return the same route, 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 8, 1997.
 Effective September 16, 1997.

Ord. No. 1668-97.
By Councilman Skrha.
An emergency ordinance consenting and approving the issuance of a permit for a Walk-A-Thon/Pray-A-Thon on September 20, 1997 sponsored by the Office of Religious/Diocese of Cleveland.

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 Walk-A-Thon/Pray-A-Thon, sponsored by the Office of Religious/Diocese of Cleveland, on September 20, 1997, beginning at East Side - St. Vitas Parish, the route: come out of the parking lot at St. Vitas and go to St. Clair, then head west on the north side of St. Clair Ave. until walkers reach W. 3rd St. Cross to the west side of W. 3rd St. and proceed south to the south west quadrant of Public Square. South Side - Our Lady of Lourdes Parish, the route: come out of the parking lot at Our Lady of Lourdes and proceed to the west side of Broadway Ave. Follow on the west side of the street Broadway Avenue all the way until it meets Orange Ave. Make a left on Orange Ave. and stay on the west side of the street. Follow Orange until it becomes Ontario St. and then follow to Public Square and make a left and go to the southwest Quadrant of Public Square, 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 8, 1997.

Effective September 16, 1997.

Ord. No. 1669-97.

By Councilman Skrha.

An emergency ordinance consenting to and approving the issuance of a permit for the Walk for Diabetes (Walktoberfest) on October 5, 1997, sponsored by the American Diabetes Association.

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 the Walk for Diabetes (Walktoberfest), sponsored by the American Diabetes Association, on October 5, 1997, starting at Nautica Stage, West Bank of the Flats, west on Main Ave. to Center St., east on Center St. to Columbus Rd., east on Columbus Rd. to Merwin Ave., north on Merwin Ave. to W. Superior Ave., east on W. Superior Ave. to Public Square, south on Public Square to Ontario Ave., south on Ontario Ave. to Huron Rd., east on Huron Rd. to Prospect Ave., east on Prospect Ave. to E. 18th St., north on E. 18th St. to Superior Ave., west on Superior Ave. to E. 9th St., north on E. 9th St. to Erieside Ave., west on Erieside Ave. to W. 3rd St., south on W. 3rd St. to Lakeside Ave., west on Lakeside Ave. to W. 9th St., north on W. 9th St. to Front Ave., west on Front Ave. to Old River Rd., south on Old River Rd. to Merwin Ave., south on Merwin Ave. to Columbus Rd., west on Columbus Rd. to Center St., west on Center St. to Main Ave., east on Main Ave. to the boardwalk, east on the boardwalk and back to Nautica Stage where walkers will disperse, 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 8, 1997.

Effective September 16, 1997.

Ord. No. 1670-97.

By Councilman Skrha.

An emergency ordinance consenting and approving the issuance of a permit for a footrace on September 1, 1997 sponsored by the Cleveland Browns and Hermes Race Systems.

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 footrace, sponsored by the Cleveland Browns and Hermes Race Systems, start at W. 3rd and Lakeside, north on Erieside, Erieside to E. 9th, across to N. Marginal to E. 26 and return the same route, 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 8, 1997.

Effective September 16, 1997.

Ord. No. 1671-97.

By Councilman Skrha.

An emergency ordinance consenting and approving the issuance of a permit for a Walk-A-Thon on September 20, 1997 sponsored by the Interchurch Council of Greater Cleveland.

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 Walk-A-Thon, sponsored by the Interchurch Council of Greater Cleveland, start west on Euclid to Huron (using sidewalk on south side of street), turn left, southwest on Huron to Prospect (using sidewalk on southeast side of street), turn right, west on Prospect to Huron (using sidewalk on south side of street), turn left, southwest on Huron to East 6th St (using sidewalk on southeast side of street), turn left, south and then west on East 6th to Ontario (using sidewalks on east and then north side of street), turn right, north on Ontario to St. Clair (using sidewalk on east side of street), turn left, west on St. Clair to Old River Road (using sidewalk on south side of street), turn right, north on Old River Road to Front (using side-

walk on east side of street), turn right, east on Front to West 9th (using sidewalk on south side of street), turn right, south on West 9th to West Lakeside (using sidewalk on west side of street), turn right, east on West Lakeside/Lakeside to Mall B (using sidewalk on south side of street), turn right, south through Mall B to St. Clair, turn left, east on St. Clair to East 12th (using sidewalk on south side of street), turn right, south on East 12th to Chester (using sidewalk on west side of street), turn left, east on Chester to East 21st (using sidewalk on north side of street), turn right, north on East 21st to Euclid (using sidewalk on east side of street), turn left, east on Euclid to 2230 Euclid (using sidewalk on south side of street), end, 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 8, 1997.

Effective September 16, 1997.

Ord. No. 1672-97.

By Councilmen Skrha and Smith. An emergency ordinance consenting and approving the issuance of a permit for a 5K and 10K Walkathon on October 14, 1997 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 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, 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 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. & 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 Kenil-

worth 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 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 8, 1997.

Effective September 16, 1997.

Ord. No. 1680-97.
By Councilmen Lewis, 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 5709 and 5713 Whittier Avenue to Bernard and Marsha Pettus.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 104-18-077 and 104-18-078, as more fully described in Section 2 below, to Bernard and Marsha Pettus.

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

P.P. No. 104-18-077

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the West-

erly 32 feet from front to rear of Sublot No. 92 and the Easterly 20 feet from front to rear of Sublot No. 93 in the Luther Moses Subdivision of part of Original One Hundred Acre Lot No. 340, as shown by the recorded plat on Volume 7 of Maps, Page 13 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 52 feet on the Northerly side of Whittier Avenue N.E. (formerly Sixth Avenue N.E.), and extending back of equal width 180 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 104-18-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 91 and the Easterly 8 feet front to rear of Sublot No. 92 in Luther Moses Subdivision of part of Original One Hundred Acre Lot No. 340 as shown by the recorded plat in Volume 7 of Maps, Page 13 of Cuyahoga County Records and together forming a parcel of land 48 feet front on the Northerly side of Whittier Avenue, N.E., and extending back of equal width 180 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed September 8, 1997.

Effective September 16, 1997.

Ord. No. 1681-97.
By Councilmen Lewis, 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 8100-8106 and 8108 Hough Avenue to Kelly Chapman.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722

of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-01-047 and 119-01-048, as more fully described in Section 2 below, to Kelly Chapman.

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

P.P. No. 119-01-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 11 in the L.M. and A.J. Holt's Subdivision of part of Original One Hundred Acre Lot No. 391, as shown by the recorded plat in Volume 5 of Maps, Page 29 of Cuyahoga County Records and bounded and described as follows: Beginning on the Southerly line of Hough Avenue, N.E. at its point of intersection with the Easterly line of East 81st Street (formerly Princeton Street); thence Easterly along said Southerly line of Hough Avenue, N.E., 60 feet to the Northwesterly corner of land conveyed to George J. Hardway by Deed dated February 4, 1889 and recorded in Volume 438, Page 639 of Cuyahoga County Records; Thence Southerly, along the Westerly line of land so conveyed to George J. Hardway and parallel with Westerly line of said East 81st Street, 87 feet and 10-1/4 inches to the Northeastly corner of land conveyed to Effie I. Jackett by Deed dated April 24, 1923 and recorded in Volume 2800, Page 582 of Cuyahoga County Records; Thence Westerly along the Northerly line of land so conveyed to Effie I. Jackett and parallel with said Southerly line of Hough Avenue, N.E., 60 feet to the Easterly line of East 81st Street; Thence Northerly along said Easterly line of East 81st Street, 87 feet and 10-1/4 inches to the place of beginning, be the same more or less, but subject to all legal highways.

Appurtenant Rights for Use of Driveway recorded in Volume 438, Page 639 of Cuyahoga County Records.

Easement for Common Driveway over the Southerly 4 feet of premises in Caption, the Northerly 4 feet of the Premises Adjacent to the South, and over a strip of land 8 feet wide lying Easterly of and adjacent to the Easterly Line of Premises in Caption and More Land, recorded in Volume 2835, Page 81 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

P.P. No. 119-01-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 11 in L.M. and A.J. Holt's

Re-Subdivision of Sublot No. 12 of the Subdivision made by the heirs of O. Hough, deceased, of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 5 of Maps, Page 29 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the South line of Hough Avenue, N.E., at a point 60 feet East of the Northwest corner of said Sublot No. 11 and which is also 60 feet East of the East line of East 81st Street (formerly Princeton Street); thence South parallel with the West line of said Sublot No. 11, 147 feet to the South line of said Sublot No. 11; thence East on the South line of said Sublot No. 11; 45 feet; thence North parallel with the East line of said Sublot No. 11 to the South line of Hough Avenue, N.E.; thence West along the South line of Hough Avenue, N.E., 45 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed September 8, 1997.

Effective September 16, 1997.

Ord. No. 1682-97.
By Councilmen Robinson, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10813 Elliott Avenue; 3345 East 121st Street, 3263 East 130th Street, 3278 East 140th Street, 3386 East 117th Street, 3415 East 125th Street, 9616 Gibson Avenue to Mt. Pleasant Now Development Corporation or designee.

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, adminis-

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 127-19-061, 130-04-116, 130-07-059, 130-11-113, 130-21-108, 130-22-154, 135-02-054, as more fully described in Section 2 below, to Mt. Pleasant Now Development Corporation or designee.

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. 127-19-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in the Walton Brothers Subdivision of part of Original One Hundred Acre Lot No. 442, as shown by the recorded plat in Volume 15 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Elliot Avenue, S.E., and extending back of equal width 125 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 130-04-116

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 163 in Crawford-Woodhill Subdivision of part of Original One Hundred Acre Lot Nos. 436, 445 and 444, as shown by the recorded plat in Volume 47 of Maps, Page 12 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 121st Street and extends back between parallel lines 139 feet deep, be the same more or less, but subject to all legal highways.

Also, subject to zoning ordinances, if any.

P.P. No. 130-07-059

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 224 in the Walton Bros. Subdivision of part of Original One Hundred Acre Lot No. 445 as shown by the recorded plat in Volume 14 of Maps, Page 6 of Cuyahoga County Records. Said Sublot No. 224 in the Walton Brothers Subdivision of part of Original One Hundred Acre Township Lot No. 445, as shown by the recorded plat of said Subdivision in Volume 14 of Maps, Page 6 of Cuyahoga County Records. Said Sublot No. has a frontage of 40 feet on the Easterly side of East 130th Street, (formerly Germania Avenue) and extends back between lines 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 130-11-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 79 in Behm-Homestead Allotment of part of Original One Hundred Acre Lot No. 446, as shown by the recorded plat in Volume 45 of Maps, Page 13 of Cuyahoga County Records, and

being 40 feet front on the Westerly side of East 140th Street and extending back between parallel lines 145.31 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 130-21-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36 in Karoline Knopf's Allotment of part of Original One Hundred Acre Lot No. 444, as shown by the recorded plat in Volume 32 of Maps, Page 23 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 117th Street (formerly Adam Street), and extending back of equal width 127 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P.P. No. 130-22-154

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 162, in the McHenry-Sinnott Realty Company's Mount Pleasant View Subdivision No. 3 of part of Original One Hundred Acre Lot No. 445, as shown by the recorded plat in Volume 49 of Maps, Page 11 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 125th Street and extending back 145.45 feet on the Northerly line, 145.50 feet on the Southerly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 135-02-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 70 in Gibson and Benham's Allotment of part of Original One Hundred Acre Lot No. 449, as shown by the recorded plat in Volume 20 of Maps, Page 20 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Gibson Avenue, S.E., and extending back of equal width, 91.06 feet deep on the Westerly side, 91.52 feet deep on the Easterly side and 35.01 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed September 8, 1997.

Effective September 16, 1997.

Ord. No. 1683-97.
By Councilmen Robinson, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 14700-10 Kinsman Road to Evangelistic Temple of Faith, Inc.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 139-11-001, as more fully described in Section 2 below, to Evangelistic Temple of Faith, Inc.

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. 139-11-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublots Nos. 417 and 418 in the Parkhill Land and Allotment Company's Shaker Overlook Subdivision of part of Original Warrensville Township Lot No. 51, as shown by the recorded plat in Volume 59 of Maps, Page 10 of Cuyahoga County Records and being 63.02 feet front on the Southerly side of Kinsman Road S.E. and being 122 feet deep on the Easterly line 103.53 feet and arc along the Westerly line, which is also the Easterly line of East 147th Street and being 96.59 feet wide in the rear, be the same more or less, but subject to all legal highways.

Subject to: Restrictions recited in Volume 2360, Page 501 of Cuyahoga County Records, dated 1/6/20.

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 8, 1997.

Effective September 16, 1997.

Ord. No. 1684-97.
By Councilmen Skrha, Rybka, Patmon, White, Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 930 Linn Drive; 3316 East 49 Street; 4804 Vivian Avenue; 3295, 3275, 3271 East 48th Street; 3272 East 49 Street; 3456, 3458 East 53 Street; 3546 East 82 Street and 9407 Pratt Avenue to Cleveland Housing Network Ltd. Partnership XIV.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-20-033 as more fully described in Section 2 below, to Cleveland Housing Network Ltd Partnership XIV.

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. 109-20-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 74 in the Realty Underwriting Com-

pany's Lakeview Road Subdivision of part of Original One Hundred Acre Lot No. 371 as shown by the recorded plat in Volume 63 of Maps, Page 30 of Cuyahoga County Records, said Sublot No. 74 has a frontage of 41 feet on the Westerly side of Linn Drive, N.E., and extends back between parallel lines 125 feet, appears by said plat.

Also subject to all zoning ordinances, if any.

Section 3. 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. 131-18-026 as more fully described in Section 4 below, to Cleveland Housing Network Ltd. Partnership XIV.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P.P. No. 131-18-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 9 in Joseph Stanley's Subdivision of part of Original One Hundred Acre Lot No. 284, as shown by the recorded plat in Volume 13 of Maps, Page 14 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 49 Street (formerly Petrie Street) and extending back of equal width 149 feet 10-1/5 inches to East 49 Place in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 5. 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. 131-18-032 as more fully described in Section 6 below, Cleveland Housing Network Ltd. Partnership XIV.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P.P. No. 131-18-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 35 in Joseph Stanley's Subdivision of part of Original One Hundred Acre Lot No. 284 as shown by the recorded plat in Volume 13 of Maps, Page 14 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 48th Street (formerly Ballou Street) and extending back 117 feet 10 3/4 inches on the Southerly line of Vivian Avenue, S.E., and having a rear line of 40 feet, as appears by said plat.

Section 7. 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. 131-18-033 as more fully described in Section 8 below, to Cleveland Housing Network Ltd. Partnership XIV.

Section 8. That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P.P. No. 131-18-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being an unimproved Lot, and known as being Sublot No. 34 in Joseph Stanley's Subdivision of part of Original One

Hundred Acre Lot No. 284 as shown by the recorded Plat in Volume 13 of Maps, Page 14 of Cuyahoga County Records, and being 35 feet front on the Easterly side of East 48th Street (formerly Ballou Street) and extending back of equal width 117 feet 10-3/4 inches 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 9. 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. 131-19-055 as more fully described in Section 10 below, to Cleveland Housing Network Ltd. Partnership XIV.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 131-19-055

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 38 in Joseph Stanley's Subdivision of part of Original One Hundred Acre Lot No. 284, as shown by the recorded plat in Volume 13 of Maps, Page 14 of Cuyahoga County Records, and being a parcel of land 35 feet front on the Easterly side of East 48th Street, (formerly Ballou Street), and extending back of equal width 117 feet 10-3/4 inches deep, 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 11. 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. 131-19-056 as more fully described in Section 12 below, to Cleveland Housing Network Ltd. Partnership XIV.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 131-19-056

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 39, in Joseph Stanley's Allotment of a part of Original Lot No. 284 in said City. Said Sublot No. 39 has a frontage of 35 feet on the East side of Ballou Street, now East 48th Street, and extends back 117-10-3/4/100 feet deep, as per plat of said Allotment recorded in Volume 13 of Maps, Page 14 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 13. 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. 131-19-087 as more fully described in Section 14 below, Cleveland Housing Network Ltd. Partnership XIV.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P.P. No. 131-19-087

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 284 and bounded and described as follows:

Beginning at a point in the Westerly line of East 49th Street (formerly Petrie Street, so called) 25 feet West from the Easterly line of said Original Lot and 300 feet South from the Northerly line of said Original One Hundred Acre Lot No. 284; thence South along the line of said street 40 feet; thence West at right angles to said street 149.83 feet; thence North parallel to East 49th Street 40 feet; thence East 149.85 feet to the place of beginning.

Section 15. 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. 131-21-068 as more fully described in Section 16 below, Cleveland Housing Network Ltd. Partnership XIV.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P.P. No. 131-21-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows, to wit: and known as being the Southerly 21.5 feet of Sublot No. 91 in Heisel, Hamm, Wagner Wagenmann's Allotment of part of Original One Hundred Acre Lots Nos. 316, 320 and 321, as shown by the recorded plat in Volume 6 of Maps, Page 3 of Cuyahoga County Records, and being 21.5 feet front on the Westerly side of East 53rd Street (formerly Goethe Street) and extending back of equal width 125 feet, as appears by said plat.

Section 17. 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. 131-21-069 as more fully described in Section 18 below, Cleveland Housing Network Ltd. Partnership XIV.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P.P. No. 131-21-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 90 in Heisel, Hamm, Wagner and Wageman's Allotment of part of Original One Hundred Acre Lot Nos. 316, 320 and 321, as shown by the recorded plat in Volume 6 of Maps, Page 3 of Cuyahoga County Records, and forming a parcel of land 30 feet front on the Westerly side of East 53rd Street and extending back between parallel lines 125 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Section 19. 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. 133-06-030 as more fully described in Section 20 below, Cleveland Housing Network Ltd. Partnership XIV.

Section 20. That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P.P. No. 133-06-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 46 in E. S. Gillett's Subdivision of part of Original One Hundred Acre Lot No. 447, as shown by the recorded plat in Volume 9 of Maps, Page 14 of Cuyahoga County Records, and being 40

feet front on the Westerly side of East 82nd Street (formerly Stafford Avenue), and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances.

Section 21. 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. 136-13-096 as more fully described in Section 22 below, to Cleveland Housing Network Ltd. Partnership XIV.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows.

P.P. No. 136-13-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 45 in Lucy M. Gaylord et al Subdivision of part of Original One Hundred Acre Lot No. 465, as shown by the recorded plat in Volume 14 of Maps, Page 56 of Cuyahoga County Records and being 40 feet front on the Northerly side of Pratt Avenue, S.E., and extending back of equal width 167.55 feet, 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 23. 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 24. 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 25. 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 26. 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 8, 1997.

Effective September 16, 1997.

Ord. No. 1685-97.
By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing the Director of the Community Relations Board to apply for and accept a grant from the Cleveland Foundation for the Strategic Planning Retreat for members of the Community Relations Board.

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

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

Section 1. That the Director of the Community Relations Board is hereby authorized to apply for and accept a grant in the amount of \$2,500.00, from the Cleveland Foundation, to conduct the Strategic Planning Retreat for members of the Community Relations Board, for the purposes set forth in the application and according thereto; that the Director of the Community Relations Board is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1685-97-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 8, 1997.
Effective September 16, 1997.

COUNCIL COMMITTEE MEETINGS

Monday, September 15, 1997

Public Health Committee: 10:00 A.M. — Present: Robinson, Chairman; Zone, Vice Chairman; Gordon, Jackson, Medena. Excused: Britt, Skrha.

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

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 1, 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 1, 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 17, 1997 and September 24, 1997

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