

The City Record

Official Publication of the City of Cleveland

April the Twenty-Second, Nineteen Hundred and Ninety-Eight


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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

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

Recreation - Michael Cox, Acting Commissioner, Room 8

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

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

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

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

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

DEPT. OF AGING - Susan E. Axelrod, Director, Room 122

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

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

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

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman,
Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Eugene Cranford, Jr., Secretary.

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

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

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

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

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

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

MORAL CLAIMS COMMISSION - Law Director Sylvester Summers, Jr.;
Chairman; Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook.

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

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

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

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, APRIL 22, 1998

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CITY COUNCIL

MONDAY, APRIL 20, 1998

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio April 20, 1998.

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

Councilmen present: Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, Polensek, Robinson, Sweeney, Westbrook, White, Willis, Zone.

Also present were Mayor White and Directors Summers, Carmody, Konicek, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren, Morrison, Williams and Acting Directors Sheffield-McClain, Alexander and Carter.

Absent: Director Axelrod.

The Chair dispensed with the opening prayer. 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. 1746-97-C.

Objection to Estimated Assessment for the Cleveland Theater District.

The following entity sent a letter: Carnegie Companies, Inc. re: Parcel No. 101-37-07, letter dated February 11, 1998. Received.

File No. 417-98-A.

Received, letter from various entities apprising the Council that each said entity will be a partner in a residential development project located in various wards, with any development dependent upon various funding programs and tax credits, some through the Ohio Housing Finance Agency, and allowing for public comment regarding each project's impact. The following entity sent a letter for the development listed with project type and number of units:

Broadway Area Housing Coalition for Harvard School Senior Apartments (Maximum 60 Apartments), letter dated April 9, 1998. Received.

File No. 653-98.

From the Division of Purchases & Supplies re: Emergency Requisitions (RE-18267), (RE-17127), and (RE 17128). Received.

File No. 654-98.

From the Department of Public Utilities re: Nerone & Sons Inc., Contract No. 51807A. Received.

File No. 655-98.

From the Division of Purchases & Supplies re: Emergency Requisitions (RE-18269), (RE-18270), and (RE-18268). Received.

File No. 656-98.

From the Richard E. Jacobs Group, Inc. re: Financial Agreements dated July 6, 1988 between the City of Cleveland and Public Square North Community Urban Redevelopment Corporation, Mall A Community Urban Redevelopment Corporation and Memorial Park Garage Community Urban Redevelopment Corporation, as amended pertaining to Tax Abatement for Key Center. Received.

File No. 657-98.

From the Department of Community Development re: 1998 Housing Trust Fund. Received.

File No. 658-98.

From the Department of Public Utilities re: Notice to Council of Subsidiary Agreement, Contract No. 50009. Received.

File No. 659-98.

From the National City Bank re: Investment and Transaction Statement, January 1, 1998 through March 31, 1998. Received.

File No. 660-98.

From the White House re: Announcement of the 1999 NATO Summit meeting in Washington on April 24-25, 1999. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 661-98.

Re: Consideration of Contract with Qasem, Inc., 2747 Cedar Avenue. (Ward 5). Received.

File No. 662-98.

Re: New Application - 73153250055 - Revco Drug Stores, Inc. dba Revco Drug Store 5366, 10905 Kinsman Road. (Ward 3). Received.

File No. 663-98.

Re: Transfer of Ownership Application - Dalaps Group, Inc. dba Last Chance Saloon & Grille, 2139 Broadview Road. (Ward 15). Received.

File No. 664-98.

Re: Transfer of Ownership Application - 0103095 - Alescis Gateway Cafe LTD, LLC, 828 Huron Road, first floor and basement. (Ward 13). Received.

File No. 665-98.

Re: Transfer of Ownership Application - 6619699 - Oz Schilling Inc. dba Century Sports Bar & Grill, 7403 Denison Avenue. (Ward 18). Received.

File No. 666-98.

Re: Transfer of Ownership Application - 4466810 - Kam Jam Inc. dba K & J Market, 7002 Cedar Avenue. (Ward 5). Received.

File No. 667-98.

Re: Transfer of Ownership Application - 9374775 - Wally's Food Corp. dba East 116th Street, 2892 East 116th Street. (Ward 4). Received.

File No. 668-98.

Re: Transfer of Location Application - 74015600157 - Rite Aid of Ohio Inc. dba Rite Aid 3157, 3402 Clark Avenue. (Ward 14). Received.

File No. 669-98.

Re: Transfer of Ownership and Location Application - 0862041 - Peter Boukis, 1265 West 9th Street. (Ward 13). Received.

File No. 670-98.

Re: Transfer of Ownership and Location Application - 3198400 - Ginzza Sushi House, Inc., 1105 Carnegie Avenue. (Ward 13). Received.

File No. 671-98.

Re: Stock Transfer Application - 1887018 - D. W. R. Tavern, Inc. dba Betty's, 9011 Lorain Avenue. (Ward 18). Received.

PLAT**File No. 672-98.**

Councilman Cintron.
Lot Consolidation and Split Plat - Lutheran Hospital. (Ward 14). Received.

**STATEMENT OF WORK
ACCEPTED****File No. 673-98.**

From the Department of Parks, Recreation and Properties re: Contract No. 51149A, Irma Park Site Improvements. Received.

OATH OF OFFICE**File No. 674-98.**

For Nicholas P. Jackson, Office of Director for the Department of Parks, Recreation and Properties. Received.

COMMUNICATION**File No. 675-98.**

April 2, 1998

The Honorable Jay Westbrook
President, Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am pleased to recommend Ms. Evangeline Hardaway for appointment to the Community Relations Board as a public representative. This appointment is effective upon approval by Council and will expire on March 31, 2000.

Thank you for your consideration.

Sincerely,
MICHAEL R. WHITE
Mayor

Received. Referred to Committee on Mayor's Appointments.

CONDOLENCE RESOLUTIONS

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

Res. No. 680-98. Jarrett Daniel Smith.

Res. No. 720-98. Alfred Freeman.

Res. No. 721-98. Catherine Marie Nelson.

Res. No. 722-98. John E. Lange.

Res. No. 723-98. Lillie Mae Kado.

Res. No. 724-98. Officer David M. Smith.

Res. No. 725-98. Sallie Mae Leonard.

CONGRATULATORY RESOLUTIONS

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

Res. No. 726-98. Joe Mosbrook.

Res. No. 727-98. Casimer Pulaski Post #30 — 65th Anniversary.

Res. No. 728-98. St. Timothy Parish — 75th Anniversary.

Res. No. 729-98. Star of Bethel Missionary Baptist Church — 36th Church Anniversary.

Res. No. 730-98. Sandra J. Benson.

RECOGNITION RESOLUTIONS

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

Res. No. 731-98. Kay C. Allen.

Res. No. 732-98. Tri-C JazzFest.

Res. No. 733-98. National Safe Kids Week.

Res. No. 734-98. March of Dimes Walk.

COMMEMORATION RESOLUTION

The rules were suspended and the following Resolution was adopted without objection.

Res. No. 735-98. Vietnamese Community.

RESOLUTION OF WELCOME

The rules were suspended and the following Resolution was adopted without objection.

Res. No. 736-98. Women's Division of the Progressive National Baptist Mid-West Program.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 676-98.

By Councilman Johnson (by departmental request).

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

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

tem Services; and

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

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

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

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

Section 2. That the lease term shall commence August 1, 1998, expire December 31, 1999, and shall be cancelable upon six (6) months' written notice by said Director.

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

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

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

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

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

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

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

Ord. No. 677-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to modify and maintain a trac-vac residuals collection system at the Garrett Morgan Water Works Facility, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written

requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials needed to modify and maintain a trac-vac residuals collection system at the Garrett Morgan Water Works Facility, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 24012)

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

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

Ord. No. 678-98.
By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the Mayor to apply for a Water Pollution Control Loan Fund loan to finance a City-wide sewer system evaluation survey; and authorizing the Director of Public Utilities to employ one or more consultants to provide a City-wide sewer system evaluation survey.

Whereas, Title VI of the Clean Water Act, as amended (the "CWA"), authorizes the Administrator of the United States Environmental Protection Agency to make capitalization grants to states to establish a state water pollution control revolving loan fund; and

Whereas, pursuant to the CWA, states can provide loans from a water pollution control revolving loan fund to municipal corporations for professional services necessary to provide a sewer system evaluation survey as defined in Section 212 of the CWA; and

Whereas, the Ohio General Assembly has created a water pollution control loan fund ("WPCLF") pursuant to Ohio Revised Code Section 6111.036 to provide loans as set forth in said Section, which shall be administered by the Director of the Ohio Environmental Protection Agency; and

Whereas, to assist the Director of the Ohio Environmental Protection Agency in administering the

WPCLF, the Director of the Ohio Environmental Protection Agency has entered into an Interagency Agreement, dated September 1, 1989, with the Ohio Water Development Authority; and

Whereas, the City desires to have a City-wide sewer system evaluation survey done with loan funds from the WPCLF in the approximate amount of \$750,000; and

Whereas, the City of Cleveland desires to apply for and enter into an agreement to repay loan funds from the WPCLF in the approximate amount of \$750,000 for the City-wide sewer system evaluation survey; and

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

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

Section 1. That the Mayor is hereby authorized to apply for the WPCLF loans in the approximate amount of \$750,000 to finance the City-wide sewer system evaluation survey. The Mayor is hereby authorized to pay application fees to the WPCLF for the costs of the loan agreement in the amount of .35% of the estimated project costs, or \$400.00, whichever is greater, payable from Fund No. 54 SF 211.

Section 2. That the Mayor is authorized to enter into a loan agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for WPCLF loans, which loan agreement shall be in substantially the same form as the Water Pollution Control Loan Fund Agreement, File No. 678-98-A, and shall contain such additional terms as are acceptable to the Director of Law to protect the public interest. The Mayor is further authorized to file all papers and to execute all documents necessary to receive the funds under said loan agreement; and said loan funds are hereby appropriated for the purposes set forth in the loan agreement.

Section 3. That upon execution of the loan agreement, the Director of Public Utilities is authorized to repay the loan funds to the WPCLF in accordance with the terms and conditions of the loan agreement, from the operating revenues of the Division of Water Pollution Control.

Section 4. That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide a City-wide sewer system evaluation survey, which will be used by the Division of Water Pollution Control as design criteria for various recommended projects for sewer relief and sewer replacement projects throughout the City.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Utilities 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 hereby authorized shall be prepared by the Director of Law, approved by

the Director of Public Utilities, and certified by the Director of Finance.

Section 5. That the costs for such services herein contemplated shall be paid from Fund No. 54 SF 211.

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

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

Ord. No. 679-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to test and dispose of hazardous or non-hazardous waste or materials, including asbestos assessment and removal, for the Divisions of Cleveland Public Power and Water Pollution Control, Department of Public Utilities, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to test and dispose of hazardous or non-hazardous waste or materials, including asbestos assessment and removal, 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 Divisions of Cleveland Public Power and Water Pollution Control, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (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 22195)

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

from and after the earliest period allowed by law.

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

Ord. No. 681-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Solid Waste District for the 1998 Solid Waste Disposal Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$129,948 and such other funds as may become available during the grant period, from the Cuyahoga County Solid Waste District, to conduct the 1998 Solid Waste Disposal Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 681-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 682-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic control signal lamps, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of traffic control signal lamps in the estimated sum of \$20,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20475)

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

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

Ord. No. 683-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic signal and sign material and equipment, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20471)

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

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

Ord. No. 684-98.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located north of Cherry Street and east of East Boulevard, adjacent to Calvary Cemetery to the Catholic Cemeteries Association of the Diocese of Cleveland.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located north of Cherry Street and east of East Boulevard, adjacent to Calvary Cemetery; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

PARCEL "A"

Situated in the City of Garfield Heights, County of Cuyahoga and the State of Ohio and part of Sublot No. 44 in A. L. McCurdy's Allotment of Original Lots Nos. 484 and 485 and bounded and described as follows:

Beginning on the Northerly line of Cherry Street (40 feet wide) at a point distant 12.79 feet from the Westerly line of Sublot No. 44;

Thence North 66° 13' 55" West along the Northerly line of Cherry Street, a distance of 12.79 feet to the Westerly line of Sublot No. 44;

Thence North 3° 25' 25" East along the Westerly line of Sublot No. 44, a distance of 813.27 feet to a point on the Northerly line of Original One Hundred Acre Lot No. 485, a distance of 80.29 feet from the Northwesterly corner of Original Lot No. 485;

Thence North 89° 23' 05" East, 357.78 feet to the Westerly line of land conveyed to the City of Cleveland by deed recorded in Volume 5666, Page 568 of Cuyahoga County Deed Records;

Thence South 3° 14' 00" West along said Westerly line, a distance of 280.00 feet to the Northeastly corner of land conveyed to the Catholic Cemeteries Association as recorded in Volume 11632, Page 545 of Cuyahoga County Deed Records;

Thence South 62° 23' 45" West, a distance of 237.50 feet;

Thence South 85° 53' 50" West, a distance of 143.58 feet to the Northwesterly corner of Catholic Cemeteries Association as aforesaid;

Thence South 3° 25' 25" West and parallel to the Westerly line of Sublot No. 44, a distance of 421.70 feet to the Northerly line of Cherry Street and the place of beginning, containing 3.0645 acres of land, be the same more or less, but subject to all legal highways.

PARCEL "B"

Situated in the City of Garfield Heights, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lots Nos. 477 and 485 and further bounded and described as follows:

Beginning at a point in the Easterly line of East Boulevard (130 feet wide) at its intersection with the Northerly line of Sublot No. 341, as shown in the Cranwood Park Allotment No. 2 as recorded in Volume 78, Page 22 of Cuyahoga County Map Records;

Thence Southerly along the Easterly line of said East Boulevard, on the arc of a circle deflecting to the right 295.46 feet to a point in the Southerly line of Original Lot No. 477, which point is North 89° 23' 05" East, 420.02 feet from the Southwesterly corner of said Original Lot No. 477, said arc of a circle having a radius of 2020.56 feet and a chord which bears South 4° 24' 40" East, 295.20 feet;

Thence North 89° 23' 06" East along the Southerly line of said Original Lot No. 477, 17.90 feet to a point in the Northeasterly corner of land conveyed to the City of Cleveland by the Cranwood Estates Company by deed dated December 27, 1921, and recorded in Volume 503, Page 270 of Cuyahoga County Deed Records;

Thence South 3° 14' 00" West along the Easterly line of said land conveyed to the City of Cleveland, and the Easterly line of land conveyed to Stella B. Wells by deed dated January 4, 1937, and recorded in Volume 4698, Page 583 of Cuyahoga County Deed Records, which line is also the Westerly line of lands now owned by The Cranwood Estates Company, 972.08 feet to the point in the Northeasterly line of Cherry Street (40 feet wide), said point being also the Southeasterly corner of land conveyed to said Stella B. Wells;

Thence South 66° 13' 55" East along the Northeasterly line of said Cherry Street, 128.14 feet to a point;

Thence North 3° 14' 00" East parallel with the Westerly line of lands now owned by The Cranwood Estates Company and 120.00 feet Easterly, measured at right angles therefrom, 586.66 feet to a point of curvature;

Thence along the arc of a circle deflecting to the left 317.51 feet to a point of tangency, said arc having a radius of 1039.49 feet and a chord which bears North 5° 31' 01" West, 316.28 feet.

Thence North 14° 16' 03" West, 125.89 feet to a point in the Southerly line of said Original Lot No. 477;

Thence continuing North 14° 16' 03" West, 303.11 feet to the place of beginning, and containing 2.5981 acres of land, be the same more or less, but subject to all legal highways, according to a survey by Andrew E. Rudy, Registered Surveyor No. 5531, January 1998.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the

Catholic Cemeteries Association of the Diocese of Cleveland at a price not less than fair market value as determined by the Board of Control.

Section 3. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require, and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the Director of Parks, Recreation and Properties is authorized to accept a purchase money mortgage to finance all or part of purchaser's acquisition cost.

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 Parks, Recreation and Properties, City Planning Commission, Finance, Law; Committees on Public Parks, Property and Recreation, City Planning, Finance.

Ord. No. 685-98.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located south of Detroit Avenue between West Boulevard and Landon Avenue; and authorizing the Director of Parks, Recreation and Properties to execute an easement granting to the Ohio Department of Transportation certain easement rights to property located on Detroit Avenue at the northwest corner of Detroit Avenue and West Boulevard and declaring said easement rights no longer needed for public use.

Whereas, the Ohio Department of Transportation is planning to replace the existing bridge on Detroit Avenue over the GCRTA and Norfolk & Southern Railroad; and

Whereas, the Ohio Department of Transportation will require fee title to a portion of City-owned land for additional right-of-way along Detroit Avenue, and will also require an easement for public highway and road purposes; and

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located south of Detroit Avenue between West Boulevard and Landon Avenue; and

Whereas, the Ohio Department of Transportation has requested the Director of Parks, Recreation and Properties to convey certain easement rights in property located on Detroit Avenue at the northwest corner of Detroit Avenue and West Boulevard; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

Fee Title to ODOT Parcel No. 6WD

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and in Original Brooklyn Township Lot 12, Town 7, Range 13, and bounded and described as follows:

Being a parcel of land lying on the right side of the centerline of a survey made for the Department of Transportation, and recorded in Book _____, Page _____, of the records of Cuyahoga County and being located within the following described points in the boundary thereof:

Commencing at a stone monument found on the centerline of right-of-way of Detroit Avenue (66 feet wide), said monument being 8.67 feet left of centerline of construction station 20+50.52, as shown on the CUY-6A-4.73 right-of-way plans on file with the Ohio Department of Transportation;

Thence along the centerline of right-of-way of Detroit Avenue, North 83° 57' 43" East, 46.77 feet;

Thence South 06° 02' 17" East, 33.00 feet to the intersection of the Southerly right-of-way line of Detroit Avenue with the Easterly right-of-way line of West Boulevard, said point being 24.33 feet right of centerline of construction station 20+97.29 as shown on the above mentioned CUY-6A-4.73 plans and the place of beginning of the herein described parcel;

Thence North 83° 57' 43" East, along the Southerly right-of-way line of Detroit Avenue, 399.91 feet to the Westerly right-of-way line of Landon Avenue;

Thence South 67° 37' 47" East, along the Westerly right-of-way line of Landon Avenue, 53.96 feet to a point 25.67 feet distant, by normal measurement, from the Southerly right-of-way line of Detroit Avenue.

Thence North 83° 57' 43" West, parallel with and 25.67 feet distant, by normal measurement, from the Southerly right-of-way line of Detroit Avenue, 450.21 feet to the Easterly right-of-way line of West Boulevard (60 feet wide);

Thence North 00° 16' 36" East, along the Easterly right-of-way line of West Boulevard, 25.83 feet to the place of beginning and containing 10,912 square feet of land.

This description was prepared in October, 1997 by Burgess & Niple, Ltd. under the direction of James A. Pezar, P.S. Ohio No. 7772 and is based on a survey made for the Ohio Department of Transportation in 1991 by Burgess & Niple, Ltd., under the direction of Steven N. Roessner, P.S. Ohio No. 7070.

Grantor claims title by deed record Volume 1042, Page 513.

The above described area is to be deleted out of the auditor's Permanent Parcel 001-29-062.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described properties to the Ohio Department of Transportation at a price not less than fair market

value as determined by the Board of Control.

Section 3. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the Director of Parks, Recreation and Properties is authorized to accept a purchase money mortgage to finance all of part of purchaser's acquisition cost.

Section 5. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that an easement interest in the following described property is no longer needed for public use:

Easement
Parcel No. 4 (Highway)

Situated in Cuyahoga County, Ohio, Original Brooklyn Township Lot 12, Town 7, Range 13, further described as follows;

Being a parcel of land lying on the left side of the centerline of a survey made for the Ohio Department of Transportation, and recorded in Book _____ Page _____ of the records of Cuyahoga County and being located within the following described points in the boundary thereof:

Commencing at a stone monument found on the centerline of right-of-way of Detroit Avenue (66 feet wide), said monument being 8.67 feet left of centerline of construction station 20+50.52, as shown on the CUY-6A-4.73 right-of-way plans on file with the Ohio Department of Transportation;

Thence along the centerline of right-of-way of Detroit Avenue, North 83° 57' 43" East, 792.04 feet;

Thence North 06° 02' 17" West, 33.00 feet to the Southeast corner of land described in deed to Daniel L. and Bonnie J. Roberts as recorded in Volume 94-03837, Page 53 of the Cuyahoga County Records, said point being 41.67 feet left of centerline of construction station 28+42.56 as shown on the above mentioned CUY-6A-4.73 plans and the place of beginning of the here-in described parcel;

Thence North 35° 23' 30" West, along the Easterly line of of the above mentioned land of Daniel L. and Bonnie J. Roberts, 9.56 feet to a point 8.33 feet distant, by normal measurement, from the Northerly right-of-way line of Detroit Avenue;

Thence North 83° 57' 43" East, parallel with and 8.33 feet distant, by normal measurement, from the Northerly right-of-way line of Detroit Avenue, 76.53 feet to the Westerly right-of-way line of West Boulevard;

Thence along the Westerly right-of-way of West Boulevard, along the arc of a curve to the right, 24.93 feet to the Northerly right-of-way line of Detroit Avenue, said curve having a radius of 35.82 feet and a chord

which bears South 64° 01' 29" West 24.43 feet;

Thence South 83° 57' 43" West, along the Northerly right-of-way line of Detroit Avenue, 48.89 feet to the place of beginning.

This description was prepared in July, 1997 by Burgess & Niple, Ltd. under the direction of James A. Pezar, P.S. Ohio No. 7772 and is based on a survey made for the Ohio Department of Transportation in 1991 by Burgess & Niple, Ltd., under the direction of Steven N. Roessner, P.S. Ohio No. 7070.

The above described land is part of Cuyahoga County Permanent Parcel 001-13-025.

Grantor claims title by instrument record in Volume 3279, Page 134.

It is understood that the strip of land above described contains 558 square feet, more or less, including the present road which occupies 0 square feet, more or less.

Said station being the station numbers as stipulated in the here-inbefore mentioned survey and as shown by plans on file in the Ohio Department of Transportation, Columbus, Ohio.

Section 6. That the easement shall be non-exclusive and the purpose of the easement shall be for public highway and road purposes on the north side of Detroit Avenue, west of West Boulevard.

Section 7. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described (non-exclusive) easement interest to the Ohio Department of Transportation at a price not less than fair market value as determined by the Board of Control.

Section 8. That the duration of the easement shall be perpetual; that the easement may include reasonable access rights; that the easement shall be assignable, that the easement shall require the grantee to indemnify the City, provide reasonable insurance, maintain any grantee improvements located within the easement, and pay any applicable taxes and assessments.

Section 9. That the conveyance referred to above shall be made by Official Deed of Easement prepared by the Director of Law and executed by the Director of Parks, Recreation and Properties on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to protect the interests of the parties. The Directors of Parks, Recreation and Properties and Law are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the construction of the road improvements within the property described in Section 5.

Section 10. 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, City Planning Commission, Finance, Law; Committees on Public Parks, Property and Recreation, City Planning, Finance.

Ord. No. 686-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10512 Shale Avenue to Kenneth Wayne Williams and Keyetta Latise Williams.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 128-07-004, as more fully described in Section 2 below, to Kenneth Wayne Williams and Keyetta Latise Williams.

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. 128-07-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 28 in the Bigelow Allotment or a part of Original One Hundred Acre Township Lot Nos. 425 and 426, as shown by the recorded plat in Volume 9 of Maps, Page 15 of Cuyahoga County Records, and being 50 feet front on the Southerly side of Shale Avenue, S.E., and extending back between parallel lines 126 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.

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

Ord. No. 687-98.

By Councilmen Jackson and Johnson (by departmental request).

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

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

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

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

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

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

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

Ord. No. 688-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Department of Community Development; and for reimbursement of non-profit subrecipients for the cost of the audits required by OMB Circular A-133.

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

Whereas, this ordinance consti-

tutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

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

Personnel	\$3,310,000
Other802,000

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

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

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

Ord. No. 689-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Code Enforcement and Demolition Programs.

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

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$3,385,000 from Fund No. 14 SF 024, for the administrative expenses of the Code Enforcement and Demolition Programs in conjunction with the Community Development Block Grant Program, Year XXIV, and pursuant to the following schedule:

Personnel	\$3,330,000
Other55,000

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

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

Ord. No. 690-98.

By Councilmen Jackson and Johnson (by departmental request).

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

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

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

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

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

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

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

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

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

Ord. No. 691-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and Federal HOME Program funds for the administration of the Housing Rehabilitation Programs.

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

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$1,275,000 from Fund No. 14 SF 024 and Federal HOME Program funds from Fund No. 13 SF 875, for the administration of the Housing Rehabilitation Programs in conjunction with the Community Development Block Grant Program, Years XXIV, and pursuant to the following schedule:

Personnel \$1,250,000
Other 25,000

Section 2. And that the Director of Community Development is authorized to enter into one or more contracts for professional services related to inspecting properties to comply with Section 8 Housing Quality Standards (HQS).

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 Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to expend Community Development Block Grant funds for the operation of the Project Clean Program.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to expend Community Development Block Grant funds in the amount of Five Hundred Thousand Dollars (\$500,000.00), from Fund No. 14 SF 024 Request No. 23095, for the operation of the Project Clean Program and that said Director and the Director of Community Development are hereby authorized to memorialize said expenditure through a memorandum of understanding.

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

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

Ord. No. 693-98.
By Councilmen Jackson, Rybka and Johnson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located east of 7510 Woodland Avenue; and authorizing the Director of Community Development to execute an easement granting to the Mt. Sinai Baptist Church certain easement rights to property located on Woodland Avenue and declaring said easement rights no longer needed for public use.

Whereas, the Director of Community Development has requested the sale of City-owned property no

longer needed for public use and located east of 7510 Woodland Avenue, having Permanent Parcel Nos. 124-27-006, 124-17-008 and 124-17-009; and

Whereas, Mt. Sinai Baptist Church has requested the Director of Community Development to convey certain easement rights in property located on Woodland Avenue, having Permanent Parcel No. 124-17-007; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

Permanent Parcel 124-17-006
Easterly Part

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot Number 144 and part of Otis Court S.E. (12.00 feet wide) now vacated, in the T.D. Crocker and Eliza P.O. Crocker Resubdivision of part of Original 100 Acre Lot Number 333, as shown by the recorded plat in Volume 26, Page 29 of Cuyahoga County Map Records, and together forming a parcel of land bounded and described as follows:

Beginning at a stone monument found at the centerline of vacated East 76th Street (40.00 feet wide) and the Southerly line of Woodland Avenue (80 feet wide);

Thence North 89° 50' 00" East, 90.00 feet along said Southerly line of Woodland Avenue to the principle place of beginning;

Thence North 89° 50' 00" East 30.00 feet, along said Southerly line of Woodland Avenue to the North-easterly corner of Sublot 144 of the said T.D. Crocker and Eliza P.O. Crocker Resubdivision;

Thence South 00° 00' 00" West, 157.00 feet, along the Easterly line of T.D. Crocker and Eliza P.O. Crocker Resubdivision to a point;

Thence South 89° 50' 00" West, 30.00 feet, to a point;

Thence North 00° 00' 00" East, 157.00 feet to the place of beginning containing 0.1081 acres of land according to a survey made by Bemba K. Jones, P.S. & Associates, Inc., #7343 in March 1998, be the same more or less, but subject to all legal highways.

Subject to an appurtenant easement for ingress and egress as follows:

An access easement over a strip of land 25 feet, wide containing an existing 17 foot wide asphalt driveway described as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot Number 333. Beginning at a 5/8 inch iron pin found at the intersection of the Southerly line of Woodland Avenue (80 feet wide) with the Easterly line of East 75th Street (60 feet wide);

Thence North 89° 50' 00" East, 355.51 feet, along said Southerly line to a 5/8 inch iron pin found in the Northeastly corner of land conveyed to the City of Cleveland by deed recorded in Volume 10932, Page

675 of Cuyahoga County Deed Records and the principal place of beginning;

Thence North 89° 50' 00" East, 25.00 feet, along said Southerly line to a point;

Thence South 00° 00' 00" West, 179.08 feet to a point;

Thence South 89° 50' 00" West, 25.00 feet to a point;

Thence North 00° 00' 00" East, 179.08 feet, to a 5/8 inch iron pin found and the place of beginning containing 0.1028 acres of land according to a survey by Bemba K. Jones, P.S. & Associates, Inc. #7343 in March, 1998.

Permanent Parcel 124-17-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Numbers 141 and 142 and part of Otis Court S.E. (12.00 feet wide) now vacated, in the T.D. Crocker and Eliza P.O. Crocker Resubdivision of part of Original 100 Acre Lot Number 333, as shown by the recorded plat in Volume 26, Page 29 of Cuyahoga County Map Records, and together forming a parcel of land bounded and described as follows:

Beginning at a stone monument found at the centerline of vacated East 76th Street (40.00 feet wide) and the Southerly line of Woodland Avenue (80 feet wide);

Thence North 89° 50' 00" East, 120.00 feet along the Southerly line of Woodland Avenue to the North-easterly corner of Sublot 144 of the said T.D. Crocker and Eliza P.O. Crocker Resubdivision;

Thence South 00° 00' 00" West, 157.00 feet, along the Easterly line of T.D. Crocker and Eliza P.O. Crocker to the principle place of beginning;

Thence South 00° 00' 00" West, 66.00 feet, along said Easterly line to the Southeast corner of Sublot Number 141;

Thence South 89° 50' 00" West, 30.00 feet along the Southerly line of Sublot 141 to a point;

Thence North 00° 00' 00" East, 66.00 feet to a point;

Thence North 89° 50' 00" East, 30.00 feet to the place of beginning containing 0.0455 acres of land according to a survey made by Bemba K. Jones, P.S. Associates, Inc., #7343 in March, 1998 be the same more or less, but subject to all legal highways.

Permanent Parcel 124-17-009

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Numbers 138, 139 and 140, and part of Otis Court S.E. (12.00 feet wide) both now vacated, in the T.D. Crocker and Eliza P.O. Crocker Resubdivision of part of Original 100 Acre Lot Number 333, as shown by the recorded plat in Volume 26, Page 29 of Cuyahoga County Map Records, and together forming a parcel of land bounded and described as follows:

Beginning at a stone monument found at the centerline of said vacated East 76th Street and the Southerly line of Woodland Avenue (80 feet wide);

Thence North 89° 50' 00" East, 120.00 feet, along the Southerly line of Woodland Avenue to the North-easterly corner of Sublot 144 of the said T.D. Crocker and Eliza P.O. Crocker Resubdivision;

Thence South 00° 00' 00" West, 223.00 feet, along the Easterly line of T.D. Crocker and Eliza P.O. Crocker Resubdivision to the principle place of beginning;

Thence South 00° 00' 00" West, 90.00 feet along said Easterly line to the Southeast corner of Sublot 138;

Thence South 89° 50' 00" West, 30.00 feet along the Southerly line of Sublot 138 to a point;

Thence North 00° 00' 00" East, 90.00 feet to a point;

Thence North 89° 50' 00" East, 30.00 feet to the place of beginning containing 0.0620 acres of land according to a survey made by Bemba K. Jones, P.S. Associates, Inc., #7343 in March, 1998, be the same more or less, but subject to all legal highways;

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described properties to the Mt. Sinai Baptist Church at a price not less than fair market value as determined by the Board of Control.

Section 3. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the Director of Community Development is authorized to accept a purchase money mortgage to finance all of part of purchaser's acquisition cost.

Section 5. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that an easement interest in the following described property is no longer needed for public use:

**EGRESS AND INGRESS
EASEMENT DESCRIPTION**

An access easement over a strip of land 25 feet, wide containing an existing 17 foot wide asphalt driveway described as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot Number 333.

Beginning at a 5/8 inch iron pin found at the intersection of the Southerly line of Woodland Avenue (80 feet wide) with the Easterly line of East 75th Street (60 feet wide);

Thence North 89° 50' 00" East, 355.51 feet, along said Southerly line to a 5/8 inch iron pin found in the Northeasterly corner of land conveyed to the City of Cleveland by deed recorded in Volume 10932, Page 675 of Cuyahoga County Deed Records and the principal place of beginning;

Thence North 89° 50' 00" East, 25.00 feet, along said Southerly line to a point;

Thence South 00° 00' 00" West, 179.08 feet to a point;

Thence South 89° 50' 00" West, 25.00 feet to a point;

Thence North 00° 00' 00" East, 179.08 feet, to a 5/8 inch iron pin found and the place of beginning

containing 0.1028 acres of land according to a survey by Bemba K. Jones, P.S. & Associates, Inc. #7343 in March, 1998.

Section 6. That the easement shall be non-exclusive and the purpose of the easement shall be for ingress and egress.

Section 7. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described (non-exclusive) easement interest to Mt. Sinai Baptist Church at a price not less than fair market value as determined by the Board of Control.

Section 8. That the duration of the easement shall be perpetual; that the easement may include reasonable access rights; that the easement shall be assignable; that the easement shall require the grantee to indemnify the City, provide reasonable insurance, maintain any grantee improvements located within the easement, and pay any applicable taxes and assessments.

Section 9. That the conveyance referred to above shall be made by Official Deed of Easement prepared by the Director of Law and executed by the Director of Community Development on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to protect the interests of the parties. The Directors of Community Development and Law are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the construction of the road improvements within the property described in Section 5.

Section 10. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 694-98.
By Councilmen Melena, Jackson, Rybka and Johnson (by departmental request).

An emergency ordinance to appropriate property for the redevelopment and/or rehabilitation of the blighted premises located at 1284 West 87th Street, Cleveland, Ohio.

Whereas, the Council of the City of Cleveland, by Resolution No. 2158-96, adopted December 16, 1996, declared the necessity and intention of appropriating the fee simple property interests herein described for the redevelopment and/or rehabilitation of the blighted premises located at 1284 West 87th Street, Cleveland, Ohio; and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such property; and

Whereas, such acquisition, redevelopment and/or rehabilitation was determined to be a satisfactory method for the elimination of blight and the prevention of blight in the neighborhood surrounding the blighted premises located at 1284 West 87th Street; 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 for the public purpose of eliminating blight and preventing the recurrence of blight in the neighborhood surrounding the blighted premises located at 1284 West 87th Street through acquisition, redevelopment and/or rehabilitation, the following described fee simple interests be and the same hereby are appropriated:

1284 West 87th Street
PPN: 001-09-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 24 in E. F. Davis and Henry Grombacher's Allotment of a part of Original Brooklyn Township Lots Nos. 11 and 12, as shown by the recorded plat in Volume 14 of Maps, Page 47 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 87th Street (formerly Mecca Street), and extending back 96.36 feet on the Northerly line, 96.37 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.

Section 2. That the Director of Law is hereby directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests hereinbefore described.

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

Ord. No. 695-98.
By Councilmen White, Jackson, Rybka and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8915 Cannon Avenue, S.E. to Charles Maczko.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 133-28-080, as more fully described in Section 2 below, to Charles Maczko.

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. 133-28-080

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 55 feet of Sublot Nos. 100 and 101 in Justus Hamilton's Subdivision of part of Original One Hundred Acre Lot Nos. 455 and 456, as shown by the recorded plat in Volume 2 of Maps, Page 35 of Cuyahoga County Records, together forming a parcel of land 55 feet front on the Northerly side of Cannon Avenue, S.E. and extending back between parallel lines 112.17 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

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

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

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

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

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

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

Other Expenses \$ 538,220.00

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

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

Other Expenses \$ 227,798.00

Section 5. That the Director of Personnel and Human Resources is further authorized to enter into a contract with the United Labor Agency for basic readjustment and retraining services in the amount of \$420,487.00, payable from Fund Nos. 15 SF 200 and 15 SF 073.

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

Section 7. That the cost of the contracts authorized in Section 6 shall not exceed \$92,886 in the aggregate and shall be paid from Fund No. 25 SF 200.

Section 8. That the Director of Personnel and Human Resources is hereby authorized to enter into one or more contracts for the purchase of labor and materials necessary to install a telephone system, including associated incidentals, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Department of Person-

nel and Human Resources for use at the Jobs For Clevelanders One Stop Career Center.

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

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

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

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

Ord. No. 697-98.
By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts for various training services for the disadvantaged under the Job Training Partnership Act.

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

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

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

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

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

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

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

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

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

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

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

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

Whereas, under the authority of Title IV Part D of the Job Training Partnership Act (JTPA), the Employment and Training Administration of the U.S. Department of Labor ("DOL/ETA") has made available Year Three (3) funds for demonstration projects to replicate and formally evaluate a successful model by the Ford Foundation, known as the Quantum Opportunities Project (QOP) to service delivery areas under JTPA, which need to have the local public school district as a co-applicant and identify a community based organization to operate the demonstration; and

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

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

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

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

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

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

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

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

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

Ord. No. 699-98.
By Councilmen Melena, Westbrook, Zone, Sweeney, Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the U.S. Environmental Protection Agency for the EPA Brownfields Economic Development Initiative Brownfield Assessment Demonstration Pilot Program, and to enter into contract with WIRE-Net to implement the program.

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

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

Section 1. That the Director of Economic Development is hereby authorized to apply for and accept a grant in the amount of \$200,000.00, from the U.S. Environmental Protection Agency, to conduct the EPA Brownfields Economic Development Initiative Brownfield Assessment Demonstration Pilot Program, for the purposes set forth in the application and according thereto; that the Director of Economic Development is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds 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. 699-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Economic Development is hereby authorized to enter into contract with WIRE-Net, for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1

of this ordinance.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 700-98.
By Councilman Sweeney (by departmental request).

An emergency ordinance ratifying and approving the making of a contract with Waste Management of Ohio for the direct haul and emergency transferring of solid waste as a result of the fire at the Ridge Road Transfer Station, for period of not to exceed one year.

Whereas, pursuant to Section 181.22 of the Codified Ordinances of Cleveland, Ohio, 1976, a contract was entered into with Waste Management of Ohio for the direct haul and emergency transferring of solid waste as a result of the fire at the Ridge Road Transfer Station; and

Whereas, this Council determines that protection of the public peace, property, health and safety dictates that formal competitive bidding be dispensed with, so that the emergency services can be obtained; and

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

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

Section 1. That this Council hereby determines that contracting for alternative transfer station facilities is necessary to alleviate an emergency endangering the health and safety of the general public. Therefore, this Council hereby ratifies and approves the making of a contract, made pursuant to Section 181.12 of the Codified Ordinances of Cleveland, Ohio, 1976, with Waste Management of Ohio for the use of the Harvard Road Transfer Station and the use of the Northern Ohio Waste Transfer Station, for such emergency services, for the Division of Waste Collection and Disposal, Department of Public Service, payable from Fund No. 01-40-03-0327, Request No. 21354. Such services shall be for a period not to exceed one (1) year.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 701-98.
By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for an AIDS Candlelight Vigil Walk on May 9, 1998, sponsored by the New Hope Alternative Therapy Research.

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 an AIDS Candlelight Vigil Walk, sponsored by the New Hope Alternative Therapy Research, on May 9, 1998, the route is down Euclid Avenue until you reach the Soldiers and Sailor's Monument turning there onto and then turning onto Superior until the Northwest Quadrant and ending there, 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 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 702-98.
By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Rockers for a walk on June 7, 1998, sponsored by the Cleveland Rockers 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 race, sponsored by the Cleveland Rockers and Hermes Race Systems, on June 7, 1998, starting at Ontario heading southerly to Hope Memorial Bridge to W. 25th Street to Veterans Memorial Bridge to Huron to Ontario to finish in front of Jacobs Field Plaza, 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 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 703-98.
By Councilman Melena.
An emergency ordinance consenting and approving the issuance of a permit for the Run for Roses Road Race on May 2, 1998, 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 Run for Roses Road Race, sponsored by Hermes Race Systems, on May 2, 1998, beginning on Detroit Ave. at W. 116th proceeding northbound to W. 115th then north on W. 115th to Lake Ave. Lake Ave. eastbound to Harborview. Harborview to Lake, proceeding eastbound on Lake to Cliff Drive, around Cliff back to Lake and retracing the route back to St. Roses Church on Detroit at W. 116th St., 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 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 704-98.
By Councilman Patmon.
An emergency ordinance consenting and approving the issuance of a permit for the 10th Annual Miles

Standish Miler Fun Run on June 2, 1998 (raindate: June 3, 1998), sponsored by the Miles Standish Elementary School.

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 10th Annual Miles Standish Miler Fun Run, sponsored by the Miles Standish Elementary School, on June 2, 1998 (raindate: June 3, 1998), beginning at the school, 1000 East 92nd Street, west on Parkgate Rd. to East Blvd., south on East Blvd. to Superior Ave., turn around and head north on East Blvd. to Parkside Rd., north on Parkside Rd. to Parkgate Rd., east on Parkgate Rd. and finish back at the school, 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 of 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 718-98.
By Councilman Lewis.
An emergency ordinance consenting and approving the issuance of a permit for a 2.2K Race and Parade on May 9, 1998, sponsored by Thurgood Marshall Recreation 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 2.2K Race and Parade, sponsored by Thurgood Marshall Recreation Center, on May 9, 1998, with the 2.2K Race beginning on Hough to Ansel to Wade Park to East 79th Street down to Hough to finish at Thurgood Marshall Recreation Center; and the parade to begin at Crawford and Hough Ave., west on Hough to E. 79th St., north on E. 79th St. to Wade Park, east on Wade Park to E. 82nd St., south on E. 82nd St. to Hough, east on Hough to Crawford and finish in front of Thurgood Marshall Recreation 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 705-98.

By Councilman Cimperman.

An emergency resolution objecting to the transfer of ownership and location of a D2, D2X, D3 and D3A Liquor Permit to 1275 W. Main Ave. 2nd Fl.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 5853053, Merlins Cave Inc., DBA Mama Sez, 7507-11 Detroit Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 1914774, Danczak Enterprises Inc., 1275 W. Main Ave., 2nd Fl., 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 D2, D2X, D3 and D3A Liquor Permit from Permit No. 5853053, Merlins Cave Inc., DBA Mama Sez, 7507-11 Detroit Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 1914774, Danczak Enterprises Inc., 1275 W. Main Ave., 2nd Fl., 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 706-98.

By Councilman Rintron.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4323 Clark Ave., 1st Fl. E/S.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 2848907, 4323 Clark Avenue Inc., DBA Als Market, 4323 Clark Ave., 1st Fl. E/S, Cleveland, Ohio 44102, to Permit No. 7128962, Qrieh Inc., DBA Mira Market, 4323 Clark Ave., 1st Fl. E/S, 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 and C2 Liquor Permit from Permit No. 2848907, 4323 Clark Avenue Inc., DBA Als Market, 4323 Clark Ave., 1st Fl. E/S, Cleveland, Ohio 44102, to Permit No. 7128962, Qrieh Inc., DBA Mira Market, 4323 Clark Ave., 1st Fl. E/S, 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 707-98.

By Councilman Johnson.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 2892 E. 116th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 2404999, East 116th St. Savor Inc., 2892 E. 116th St., Cleveland, Ohio 44120, to Permit No. 9374775, Wallys Food Corp., DBA East 116th St., 2892 E. 116th St., Cleveland, Ohio 44120; 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 C2 and C2X Liquor Permit from Permit No. 2404999, East 116th St. Savmor Inc., 2892 E. 116th St., Cleveland, Ohio 44120, to Permit No. 9374775, Wallys Food Corp., DBA East 116th St., 2892 E. 116th St., Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 708-98.

By Councilman Melena.

An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. & Bsmt., and repealing Res. No. 1549-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. & Bsmt., by Res. No. 1549-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; 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 renewal of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1549-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 709-98.

By Councilman Melena.

An emergency resolution withdrawing objection to the stock transfer of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. and Bsmt., and repealing Res. No. 1720-96, objecting to said stock transfer.

Whereas, this Council objected to the stock transfer of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. and Bsmt., by Res. No. 1720-96, adopted September 16, 1996; and

Whereas, this Council wishes to withdraw its objection to the above stock transfer and consents to said stock transfer; 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 stock transfer of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. and Bsmt., be and the same is hereby withdrawn and Res. No. 1720-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 710-98.

By Councilman Moran.

An emergency resolution withdrawing objection to the stock of a D1, D2, D3 and D3A Liquor Permit to 2109 Tate Ave., and repealing Res. No. 27-97, objecting to said stock.

Whereas, this Council objected to the stock of a D1, D2, D3 and D3A Liquor Permit to 2109 Tate Ave., by

Res. No. 27-97, adopted January 6, 1997; and

Whereas, this Council wishes to withdraw its objection to the above stock and consents to said stock; 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 stock of a D1, D2, D3 and D3A Liquor Permit to 2109 Tate Ave., be and the same is hereby withdrawn and Res. No. 27-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 711-98.

By Councilman Polensek.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 17318 Lakeshore Blvd., and repealing Res. No. 179-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 17318 Lakeshore Blvd., by Res. No. 179-97, adopted February 3, 1997; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 17318 Lakeshore Blvd., be and the same is hereby withdrawn, pursuant to the terms of the cooperation agreement executed between the permit holder and Councilman Polensek, and Res. No. 179-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 712-98.
By Councilman Robinson.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 10905 Kinsman Rd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of an application for the issuance of a C1 Liquor Permit to Permit No. 73153250055, Revco Drug Stores Inc., DBA Revco Drug Store 5366, 10905 Kinsman Rd., Cleveland, Ohio 44120; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 73153250055, Revco Drug Stores Inc., DBA Revco Drug Store 5366, 10905 Kinsman Rd., Cleveland, Ohio 44120, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 713-98.
By Councilman Robinson.
An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4025 E. 131st St., and repealing Res. No. 208-98, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 4025 E. 131st St., by Res. No. 208-98, adopted February 2, 1998; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4025 E. 131st St., be and the same is hereby withdrawn, and Res. No. 208-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 714-98.
By Councilman White.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3643 E. 118th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 4316059, Bennie Johnson, DBA Craven Mini Mart, 3643 E. 118th 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 issuance of a C1 Liquor Permit to Permit No. 4316059, Bennie Johnson, DBA Craven Mini Mart, 3643 E. 118th 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 715-98.
By Councilmen Cimperman, Dolan, Sweeney and Polensek.
An emergency resolution supporting the principles embodied in The Charter for Change intended to bring peace, justice and equality to all the people of Ireland.

Whereas, the Cleveland City Council has sought to seek justice for the people in Northern Ireland through the passage of legislation such as the MacBride Principles; and

Whereas, there is today in Northern Ireland a rare moment of hope for a just and lasting peace for all Irish people. The commitment by all necessary parties to the peace talks in Belfast, under the chairmanship of the American Special Envoy, presents an historic opportunity for the achievement of the long sought after goal of everlasting peace and equality; and

Whereas, a concerned group of people from Northern Ireland, after reflecting on what changes and what guarantees of rights are needed for nationalists and unionists to work together to build a future as equals, has designed **The Charter for Change**, which corresponds to the basic ideas of liberty, justice and democracy embodied in sacred documents such as the United States

Constitution and Bill of Rights, in domestic and international law and treaties and in basic notions of fair play and equity; and

Whereas, the denial of equal and full rights for all people has been the root cause of the conflict in Northern Ireland. All people everywhere should, at a basic minimum, be guaranteed these rights, and the people in the North of Ireland no exception. These rights must be guaranteed through the peace talks no matter what governance structures are ultimately negotiated by the parties and government this year; and

Whereas, Irish-Americans persuaded President Clinton to provide leadership in the Northern Ireland peace process, resulting in the Special Envoy from the United States to chair the talks.

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

Section 1. That the Council of the City of Cleveland wholeheartedly endorses **The Charter for Change** as a democratic agenda that must be enacted to ensure that peace, justice and full reconciliation be achieved in Ireland.

Section 2. That the Clerk of Council transmit copies of this resolution to President Clinton, the Secretary of State and the sponsors of **The Charter for Change** movement in Ireland.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 716-98.

By Councilmen Cintron, Britt, Cimperman, Coats, Dolan, Melena, Patmon, Polensek, Robinson, Sweeney, White and Zone.

An emergency resolution opposing State House Bill 386 which bill will prohibit public authorities from imposing certain labor requirements as a condition of being awarded certain public contracts.

Whereas, if passed, House Bill 386 of the 122nd Ohio General Assembly will prohibit public authorities, including the City of Cleveland, in all public contracts and the procurement of products and services from (1) requiring the successful bidder, contractor or subcontractor from entering into or adhering to agreements with any labor organization and (2) requiring the successful bidder, contractor and subcontractor to enter into, adhere to or enforce any agreement that requires the employees of said bidder, contractor or subcontractor to become members of or affiliated with a labor organization as a condition of employment or continued employment; and

Whereas, House Bill 386 permits an interested party to file a civil action within two years of the date on which a contract for a public improvement was signed for alleged violation of the bill, may make the public authority a party to the

action, requires a court to award court costs and attorney fees to a prevailing plaintiff, and possibly void the contract.

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

Section 1. That this Council urges the Ohio State Legislature and Governor Voinovich to reject House Bill 386 due to its anti-labor tenor and not being in the public's best interest.

Section 2. That the Clerk of Council transmit copies of this resolution to Governor Voinovich, House Speaker Davidson and the Cuyahoga County delegation.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 717-98.

By Councilmen Polensek, Cimperman, Cintron, Coats, Dolan, Lewis, Melena, Patmon, Britt, Zone, Gordon, Johnson, Sweeney and Jackson.

An emergency resolution urging the Mayor to negotiate with the NFL and the new owner of the Cleveland Browns to cover all costs overruns at the new Cleveland Stadium.

Whereas, during the Council deliberations in 1996 on the new Cleveland Stadium for the Cleveland Browns football team, Mayor White and the NFL represented that the cost of a "state of the art" stadium for an NFL football team would be \$220 Million; and

Whereas, the NFL agreed to participate in the financing of the Stadium when costs exceed \$220 Million; and

Whereas, subsequent to the execution of the appropriate agreements, Mayor White announced that the cost of the new Cleveland Stadium would be \$248 Million and that the project would come in "on time" and "on budget"; and

Whereas, costs for the new Cleveland Stadium may exceed the \$248 Million budget, presently estimated to be in the range of \$13 Million to \$23 Million; and

Whereas, the NFL recently signed the largest TV contract in history for the right to televise NFL games, which contract exceeds \$17 Billion; and

Whereas, due to the extraordinary amount of profit the NFL and the new owner of the Cleveland Browns will receive from the Browns franchise, the NFL and the new owner should be responsible for all cost overruns exceeding the \$248 Million budget.

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

Section 1. That this Council urges Mayor White to negotiate with the NFL and the new owner of the Cleveland Browns to agree to be responsible for all cost overruns incurred in connection with the new Cleveland Stadium that exceed the \$248 Million budget. This demand is made based upon the amount of public investment already committed by this community to the project and

the lost revenues this community has suffered with the relocation of the Browns to Baltimore and the projected amount of revenue the NFL and new owner will receive from the new Cleveland Browns and Stadium.

Section 2. That the Clerk of Council transmit copies of this resolution to NFL Commissioner Tagliabue and members of the NFL Executive Committee.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 719-98.

By Councilmen Patmon and Coats. An emergency resolution urging the U. S. Postal Service to designate a Centennial Stamp in honor of the lifetime achievements of Paul Robeson.

Whereas, April 9, 1998 marked the 100th Birthday of the great Paul Robeson: actor, athlete, scholar, author, humanitarian, and fighter for civil rights for all people throughout the world; and

Whereas, Paul Robeson, rose to prominence when segregation was legal in the United States and African-Americans were being lynched by mobs; and

Whereas, Paul Robeson, the son of a runaway slave, had many life achievements including an academic scholarship to Rutgers University, an All-American football player, class valedictorian, Phi Beta Kappa, four varsity letters, lawyer, author, and world renowned theatrical performer and singer who was fluent in several languages and sang songs in over 50 languages all around the globe; and

Whereas, during his lifetime, Paul Robeson spoke out strongly for labor and civil rights, opposed racism and colonialism and fought extremely hard for the rights of working people; and

Whereas, during the height of the McCarthy Era, Mr. Robeson had his passport revoked for eight years; due to his beliefs and outspokenness he sacrificed his fame and personal fortune and endured great personal hardship for his principles.

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

Section 1. That this Council urges the U. S. Postal Service Citizen's Stamp Advisory Committee to designate a Centennial Stamp in 1998 in honor of the lifetime achievements of the great humanitarian Paul Robeson and joins the thousands of other individuals and groups, including the Congressional Black Caucus in petitioning said Postal Service Advisory Committee.

Section 2. That the Council of the City of Cleveland further resolves to support the organizing efforts of the Paul Robeson Centennial Celebration and encourages education and cultural activities furthering the recognition of the Paul Robeson Centennial in 1998.

Section 3. That the Clerk of Council transmit copies of this resolution to the U. S. Postal Service Citizen's Stamp Advisory Committee.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

SECOND READING EMERGENCY ORDINANCES

Ord. No. 400-97.

By Councilman Sweeney.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 676B.01 to 676B.06 and 676B.99 thereof, relating to garage and residential personal property sales.

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

1. After Section 1, insert new Section 2 to read as follows:

"Section 2. That the Director of Public Safety shall report to the Public Safety Committee of Council one year after the passage of this legislation on the success and workability of this Codified Ordinance Chapter, which shall include recommendations as to amendments needed, if any."

2. Renumber Existing Section 2 to read **"Section 3"**.

3. In the title, line 4; and in Section 1, line 3, strike **"676B.06"** and insert in lieu thereof **"676B.05"**.

4. In Section 1, at Section 676B.01, strike division **"(c)"** in its entirety.

5. In Section 1, at Section 676B.02, at the end, strike the period and insert in lieu thereof the following: **"at a garage sale or other residential personal property sale."**

6. In Section 1, at division (b) of Section 676B.04, at the end, strike the period and insert in lieu thereof the following: **"unless permitted by the Director of Public Safety or the Director's designee after obtaining the approval of the City Councilmember for that ward."**

7. In Section 1, strike Section 676B.06 in its entirety.

8. In Section 1, at Section 676B.99, lines 2 and 3, strike **"Sections 676B.02, 676B.05, and 676B.06 of"**.

Amendments agreed to.

Ord. No. 295-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of asphalt concrete material, for the Division of Streets, Department of Public Service.

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

Ord. No. 296-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the procurement by requirement contract of large capacity trucks and operators, for the Division of Streets, Department of Public Service.

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

Ord. No. 297-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of manhole risers, for the Division of Streets, Department of Public Service.

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

Ord. No. 299-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of gutter brooms and gutter broom sets, for the Division of Streets, Department of Public Service.

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

Ord. No. 302-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of emulsion and emulsion service management, for the Division of Streets, Department of Public Service.

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

Ord. No. 329-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 1998 Title III-B G.O.W., Supportive Services, Chore Worker Program.

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

Ord. No. 428-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Gallon equipment parts, and the labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

Ord. No. 431-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of hydraulic cylinders, pumps, motors, valves, fuel injectors, drive shafts, gear boxes and trailers, and labor and materials necessary to repair existing equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

Ord. No. 433-98.

By Councilmen Cintron, Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor, materials and equipment to clean the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, for a period not to exceed eighteen months.

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

Ord. No. 507-98.

By Councilman Johnson (by departmental request).

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

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

Ord. No. 606-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to enter into a license agreement without competitive bidding with International Business Machines Corporation for computer software, for the Division of Information System Services, Department of Finance, for a period of one year with a one year option to renew.

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

Ord. No. 615-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with City Year to perform community service work and to work in collaboration with area non-profit agencies, for the Department of Parks, Recreation and Properties, for a period not to exceed three years.

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

1. In the title, strike lines 9 and 10 in their entirety, and insert in lieu thereof the following: **"Properties."**

2. In Section 1, line 5, strike **"per year"**.

Amendments agreed to.

Ord. No. 616-98.

By Councilmen Polensek, Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Salvation Army, for administrating and facilitating recreational services in Ward 11, for the Department of Parks, Recreation and Properties.

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

Ord. No. 617-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 1998 Summer Food Program; authorizing and directing the purchase by requirement contract of breakfasts, lunches and snacks for said Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes as part of said Program, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with not to exceed twelve non-profit organizations for the implementation of said Program.

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

1. Add new Section 6 to read as follows:

"Section 6. That the Director of Parks, Recreation and Properties shall provide a list of sites where the 1998 Summer Food Program will be implemented within thirty (30) days of the effective date of passage of this ordinance."

2. Renumber existing Sections 6, 7, 8, 9 and 10, respectively, to new "Section 7", "Section 8", "Section 9", "Section 10" and "Section 11".

Amendments agreed to.

LAI D ON THE TABLE**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.

Ord. No. 509-98.

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

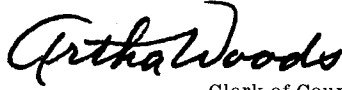
An emergency ordinance determining the method of making the public improvement of replacing the storm water sewers on East 123rd Street, and authorizing the Director of Water Pollution Control to enter into contract for the making of such improvement; and to repeal Ordinance No. 1273-91, passed August 21, 1991.

Without objection, Ordinance No. 1738-97 and Ordinance No. 509-98 were laid on the table pursuant to the rules of Council.

MOTION

By Councilman Gordon, seconded by Councilman Lewis and unanimously carried that the absence of Councilman Larry Moran, Councilman Bill Patmon and Councilman Edward Rybka be and is hereby authorized.

The Council adjourned at 8:55 p.m. to meet on Monday, April 27, 1998 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. 400-97.**

By Councilman Sweeney.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 676B.01 to 676B.05 and 676B.99 thereof, relating to garage and residential personal property sales.

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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 676B.01 to 676B.05 and 676B.99 thereof, to read, respectively, as follows:

**CHAPTER 676B
GARAGE AND RESIDENTIAL
PERSONAL PROPERTY SALES**

Section 676B.01 Definitions

(a) "Garage Sale or other Residential Personal Property Sale" shall mean all general sales, open to the public, conducted from or on a residential premises in any residential zone as defined by the Zoning Ordinance of the City, for the purpose of disposing of personal property, including, but not limited to, all sales commonly referred to as "garage", "lawn", "yard", "attic", "porch", "room", "backyard", "patio", "flea market", or "rummage sale."

(b) "Personal Property" shall mean property which is owned, utilized and maintained by an individual or members of his or her residence and which has been acquired in the normal course of living in or maintaining a residence.

Section 676B.02 Property Permitted to be Sold

No person, whether as owner, lessee, manager, occupant or any agent thereof, shall sell, offer for sale, conduct or permit a sale of property other than personal property at a garage sale or other residential personal property sale.

Section 676B.03 Exceptions

The provisions of this chapter shall not apply to an officer executing process or order of any court having jurisdiction within the State of Ohio for selling property, direct-

ed by law, court order or local process to be sold on the property where the same is located or to the sale or offering for sale of personal property as defined herein.

Section 676B.04 General Regulations

(a) No garage or other residential personal property sales shall be permitted except between the hours of 10:00 a.m. and 6:00 p.m., nor shall exceed more than four (4) consecutive days in duration.

(b) No more than three (3) garage or other residential personal property sales shall be conducted or permitted on or at a residential premises, as defined by Section 676B.01, during any year unless permitted by the Director of Public Safety or the Director's designee after obtaining the approval of the City Councilmember for that ward.

(c) A garage or other residential personal property sale conducted or managed on or at a residential premises, whether directly or indirectly, by any person other than the owner, lessee, manager, occupant or agent thereof, of the premises where said sale is conducted shall be included for purposes of calculation of the number of garage or other residential property sales permitted under this section.

Section 676B.05 Prohibitions

No person whether as owner, lessee, manager, occupant or any agent thereof, or any person other than the owner, lessee, manager, occupant or agent thereof, shall conduct, permit or manage whether, directly or indirectly, a garage sale, or other residential personal property sale in violation of Sections 676B.02 or divisions (a) or (b) of Section 676B.04.

Section 676B.99 Penalty

Whoever violates any of the provisions of this chapter shall be guilty of a minor misdemeanor, and shall be fined not less than one hundred dollars (\$100.00). The fine set forth herein is mandatory and shall not be suspended by the court in whole or in part. Each day upon which a violation occurs or continues shall constitute a separate offense and shall be punishable as such hereunder.

Section 2. That the Director of Public Safety shall report to the Public Safety Committee of Council one year after the passage of this legislation on the success and workability of this Codified Ordinance Chapter, which shall include recommendations as to amendments needed, if any.

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. 295-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of asphalt concrete material, for the Division of Streets, Department of Public Service.

Ord. No. 296-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the procurement by requirement contract of large capacity trucks and operators, for the Division of Streets, Department of Public Service.

Ord. No. 297-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of manhole risers, for the Division of Streets, Department of Public Service.

Ord. No. 299-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of gutter brooms and gutter broom sets, for the Division of Streets, Department of Public Service.

Ord. No. 302-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of emulsion and emulsion service management, for the Division of Streets, Department of Public Service.

Ord. No. 329-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 1998 Title III-B G.O.W., Supportive Services, Chore Worker Program.

Ord. No. 428-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Galion equipment parts, and the labor to install if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Ord. No. 431-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of hydraulic cylinders, pumps, motors, valves, fuel injectors, drive shafts, gear boxes and trailers, and labor and materials necessary to repair existing equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Ord. No. 433-98.

By Councilmen Cintron, Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor, materials and equipment to clean the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, for a period not to exceed eighteen months.

Ord. No. 507-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of unarmed

uniformed security guards, for the various divisions of City government, for a period not to exceed two years.

Ord. No. 606-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to enter into a license agreement without competitive bidding with International Business Machines Corporation for computer software, for the Division of Information System Services, Department of Finance, for a period of one year with a one year option to renew.

Ord. No. 615-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with City Year to perform community service work and to work in collaboration with area non-profit agencies, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into contract with City Year to perform community service work and to work in collaboration with area non-profit agencies, in the total sum of One Hundred Thousand Dollars (\$100,000), payable from Fund No. 01-70-04-0380, Request No. 21120, for the Department of Parks, Recreation and Properties.

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

Ord. No. 616-98.

By Councilmen Polensek, Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Salvation Army, for administrating and facilitating recreational services in Ward 11, for the Department of Parks, Recreation and Properties.

Ord. No. 617-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 1998 Summer Food Program; authorizing and directing the purchase by requirement contract of breakfasts, lunches and snacks for said Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes as part of said Program, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract

with not to exceed twelve non-profit organizations for the implementation of said Program.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to apply for and accept a grant in the amount of \$250,000.00, from the Ohio Department of Education, to conduct the 1998 Summer Food Program for the purposes set forth in the application and according thereto; that the Director of Parks, Recreation and Properties 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. 617-98-A, made a part hereof as if fully rewritten herein is hereby approved in all respects.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three months (June, July and August, 1998) for the breakfast, lunch and snack program to be served at not to exceed nineteen City recreation centers and not to exceed twelve non-profit agencies, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 4. 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 21427)

Section 5. That provided the agencies meet the eligibility requirements of the Ohio Department of Education, the Director of the Department of Parks, Recreation and Properties is hereby authorized to make written contracts with the following agencies and such additional agencies as determined by said Director for implementation of the 1998 Summer Food Program:

Broadway School of the Arts
Community Faith Non-Denominational
Greater Love Baptist Church
Our Lady of Mt. Carmel
Salvation Army
Second Calvary
St. Paul AME
Broken Pieces Fellowship Church
Christian Family Outreach
Youth Opportunities Unlimited
MLK Tot Lot
Mt. Sinai Baptist Church

Section 6. That the Director of Parks, Recreation and Properties shall provide a list of sites where the 1998 Summer Food Program will be implemented within thirty (30) days of the effective date of passage of this ordinance.

Section 7. That the cost of said contract hereby authorized shall be paid from the fund or funds to which are credited the proceeds of the grant accepted pursuant to Section 1 of this ordinance, Request No. 21427.

Section 8. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various natural foods, food products, beverages, condiments and paper products as set forth in detail on file in the Office of the Division of Purchases and Supplies and attached to Request No. 21425, to be served as part of the meal program at Camp George L. Forbes, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 9. 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 21425)

Section 10. That, notwithstanding the provisions of Section 181.24 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, bidders for the contracts authorized by Section 3 and 8 of this ordinance shall be required to submit a bid bond in the amount of five percent of the amount of the bid, as required by United States Treasury Circular 570.

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

BOARD OF CONTROL

April 13, 1998

The special meeting of the Board of Control convened in the Mayor's office on Monday, April 13, 1998, at 1:30 p.m., with Mayor White presiding.

Present: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.
Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 248-98.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on April 3, 1998 for Signage and Graphics (Bid Package #14) for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, pursuant to the authority of Ordinance No. 304-96, passed by the Council of the City of Cleveland on March 8, 1996 be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 249-98.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Harrington Electric Company for the public improvement of the new Cleveland Browns NFL Stadium fire alarm and empty cable tray, Bid Package #8E, all items, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on March 27, 1998, pursuant to the authority of Ordinance No. 304-96, passed March 8, 1996, for a gross price for the improvement in the aggregate amount of Six Hundred Sixty-Eight Thousand Twenty-Nine and no/100 Dollars (\$668,029) is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors by Harrington Electric Company for the public improvement of the new Cleveland Browns Stadium fire alarm and empty cable tray work, hereby is approved:

Precious Communications
(MBE) \$42,000

Leader Electric Company
(FBE) \$45,000

Work Best Electric
(FBE) \$9,500

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Jackson, Sheffield-McClain, Directors Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren and Acting Director Alexander.

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

BOARD OF CONTROL

April 15, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 15, 1998, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.

Absent: None.

Others: William A. Moon, Commissioner, Purchases and Supplies, Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 250-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Reed City Power Line Supply, Ohio Division for an estimated quantity of meters and metering equipment, item nos. 7 thru 11, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on March 12, 1998, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Thirty Five Thousand Four Hundred Fifteen and no/00 Dollars (\$35,415.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 10244 which shall be certified against such contract in the sum of Two Thousand Eighty Five and no/100 Dollars (\$2,085.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 251-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of ABB Power T & D for an estimated quantity of meters and metering equipment, item nos. 1 thru 6, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on March 12, 1998, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to One Hundred Seventy Thousand Two Hundred Fifty and no/00 Dollars (\$170,250.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 10243

which shall be certified against such contract in the sum of Eight Thousand Nine Hundred Seventy-Five and no/100 Dollars (\$8,975.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 252-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of West Park Auto Parts for an estimated quantity of automotive and truck parts, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of three (3) years beginning with the date of execution of a contract, received on the 25th day of March 1998, pursuant to the authority of Ordinance No. 2146-97, passed February 2, 1998 on the basis of the estimated quantity would amount to Nine Hundred Ninety Thousand and no/100 Dollars (\$990,000.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 09872

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

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by West Park Auto Parts for automotive and truck parts for the above-mentioned requirement contract is hereby approved:

**SUBCONTRACTOR
MBE/FBE**

MJ Industrial Supply
5% (FBE)

Jordan Distributors
30% (MBE)

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 253-98.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland, that the bid of Sweepster, Inc. for an estimated quantity of runway broom heads

and additional equipment (all items) for various Divisions of City Government, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on March 13, 1998, pursuant to the authority of Ordinance No. 1113-97, passed July 16, 1997, which on the basis of the estimated quantity would amount to approximately One Hundred Thirty Five Thousand and no/100 Dollars (\$135,000.00), (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. 19565

which shall be certified against such contract in the sum of One Hundred Thirty Five Thousand and no/100 Dollars (\$135,000.00).

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 Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 254-98.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on March 13, 1998 for Blaw Knox parts and labor (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 72-98, passed by the Council of the City of Cleveland on February 9, 1998 be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 255-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland, that all bids received on February 19, 1998 for turnout uniform clothing, item no. 5 for the Division of Fire, Department of Public Safety, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 256-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Cairns & Brother, Inc., for an estimated quantity of turnout uniform

clothing, item no. 7, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1998, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Twenty-Five Thousand, Nine Hundred and no/100 Dollars (\$25,900.00), (NET), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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: 108444

Turnout Clothing

50 — Item #7 — Helmets, as specified such contract in the sum of Twelve Thousand, Nine Hundred Fifty and no/100 Dollars (\$12,950.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement 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 Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.

Absent: None.

Resolution No. 257-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Globe Manufacturing Company, for an estimated quantity of turnout uniform clothing, item nos. 1 and 2 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1998, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Two Hundred Twenty-Four Thousand, Three Hundred Fifty-Two and no/100 Dollars (\$224,352.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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: 108441

Turnout Gear

50 — Item #1 — Turnout Coats, as specified

50 — Item #2 — Turnout Pants, as specified

which shall be certified against such contract in the sum of Thirty-Seven Thousand, Three Hundred Ninety Two and no/100 Dollars (\$37,392.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement 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 Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.
Nays: None.
Absent: None.

Resolution No. 258-98.

By Director Denihan.
Resolved by the Board of Control of the City of Cleveland that the bid of Finley Fire Equipment Co., Inc., for an estimated quantity of turnout uniform clothing, item no. 8, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1998, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Twelve Thousand, Five Hundred and no/100 Dollars (\$12,500.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 108445

Turnout Clothing
50 — Item #8 — Firefighter Gloves, as specified
which shall be certified against such contract in the sum of One Thousand, Two Hundred Fifty and no/100 Dollars (\$1,250.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement 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 Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.
Nays: None.
Absent: None.

Resolution No. 259-98.

By Director Denihan.
Resolved by the Board of Control of the City of Cleveland that the bid of Dicar Corp., for an estimated quantity of turnout uniform clothing, item nos. 3, 4 and 6 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1998, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Thirty Two Thousand, One Hundred Twelve and 50/100 Dollars (\$32,112.50) (5% 31 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 108442

Turnout Gear
25 — Item #3 — Suspenders, as specified

50 — Item #6 — Firefighter Hoods, as specified
50 — Item #4 — Bunker Boots, as specified

which shall be certified against such contract in the sum of Five Thousand, Two Hundred Fifty and 00/100 Dollars (\$5,250.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement 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 Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.
Nays: None.
Absent: None.

Resolution No. 260-98.

By Director Denihan.
Resolved by the Board of Control of the City of Cleveland that the bid of Fox International Ltd., Inc. for an estimated quantity of Life Safety Rope Upgrade, items 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, and 18 for the various divisions of the Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on February 19, 1998, pursuant to the authority of Ordinance No. 1167-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to Twenty-Four Thousand, Nine Hundred Eleven and 98/100 Dollars (\$24,911.98), Net 30 days, is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 108420

Rope rescue equipment — various items, complete as specified, which shall be certified against such contract in the sum of Twenty-Four Thousand, Nine Hundred Eleven and 98/100 Dollars (\$24,911.98).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement 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 Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.
Nays: None.
Absent: None.

Resolution No. 261-98.

By Director Denihan.
Resolved by the Board of Control of the City of Cleveland, that all bids received on February 19, 1998 for Life Safety Rope Upgrade, items 9 and 19, for the Division of Fire, Department of Public Safety, pursuant to the authority of Ordinance No. 1167-97, passed August 13, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors

Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.
Nays: None.
Absent: None.

Resolution No. 262-98.

By Director Denihan.
Resolved by the Board of Control of the City of Cleveland that the bid of FAJ, Inc., dba Inland Waters of Ohio, for an estimated quantity of labor and materials to remove barrels containing toxic traffic paint materials and other services, (all items), for the Division of Traffic Engineering/Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on December 18, 1997, pursuant to the authority of Ordinance No. 620-97, passed May 19, 1997, which on the basis of the estimated quantity would amount to Thirty-One Thousand, Two Hundred Sixty and no/100 Dollars (\$31,260.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 86957

Various amounts of items 1, 2, 3, and 4 which shall be certified against such contract in the sum of Seven Thousand, Two Hundred Thirty-Six and 63/100 Dollars (\$7,236.63).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement 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 Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.
Nays: None.
Absent: None.

Resolution No. 263-98.

By Director Guzman.
Resolved, by the Board of Control of the City of Cleveland that the bid of Norton Construction Co. dba Norton Environmental for an estimated quantity of solid waste disposal and recyclables for processing items: 1 and 2 (including two (2) one (1) year options for renewal) for the Division of Waste Collection and Disposal, Department of Public Service for the period of two (2) years beginning with the date of execution of a contract received on April 8, 1998, pursuant to the authority of Ordinance No. 256-97, passed May 5, 1997, which on the basis of the estimated quantity would amount to approximately Two Million Nine Hundred Seventy Two Thousand Eight Hundred Forty and no/100 Dollars (\$2,972,840.00), (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. 51234 \$ 30,000.
51235 \$200,000.

which shall be certified against such contract in the sum of Two Hundred Thirty Thousand and no/100 Dollars (\$230,000.00).

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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor Norton Environmental, for the purchase of solid waste disposal and recyclables for processing, items: 1 and 2 (including two (2) one (1) year options for renewal), is hereby approved:

Thompson Ground Dev.
MBE — \$171,600.00

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

Resolution No. 264-98.

By Director Jackson.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cyclone, Inc. for an estimated quantity of Fence Repair (All Items) for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties Properties, for the period of one (1) year beginning with the date of execution of a contract received on the 27th day of March 1998, pursuant to the authority of Ordinance No. 1777-97, passed October 13, 1997, which on the basis of the estimated quantity would amount to Seventy-Four Thousand, Seventy-six and 00/100 (\$74,076.00) Dollars, (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 requirement contract for such commodities which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 16025 which shall be certified against such contract in the sum of Seventy-Four Thousand, Seventy-six and 00/100 (\$74,076.00) Dollars.

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

Yeas: Mayor White, Directors Summers, Carmody, Acting Directors Ciaccia, Sheffield-McClain, Directors Guzman, Staib, Acting Director Terry, Directors Jackson, Hamilton, Nolan, Warren and Axelrod.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lake-side 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, MAY 4, 1998

9:30 A.M.

Calendar No. 98-31: 4901 Fleet Avenue.

BP Oil Company, Owner, c/o A.L. Schneider, appeals to erect a gasoline service station with a 38' x 21' one-story car wash building and a 43' x 79' pump island canopy all to be erected on a 115' x 226' corner lot located in a Local Retail District and bounded by Fleet Ave., East 49th Street and East 50th Street at 4901 Fleet Ave.; said uses being contrary to the Local Retail Business District requirements of Section 343.01 and the car wash premises to be 0' from the Residence District to the North instead of the 100' as required by Section 343.11 and contrary to the driveway regulations in Local and General Retail Business District requirements of Section 343.18(1)(b) and the canopy being contrary to the front yard regulations of Section 357.04(a), of the Codified Ordinance.

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

Robert/Margaret/Frank Cigoy, owners, and Dennis Hokavar, prospective purchaser, appeals under Section 329.01(e) and 329.02(d) from the violation notice dated February 20th, 1998 and issued by the Division of Building and Housing relative to the use as an adult cabaret of the premises on the Southwest corner of East 200th Street and Cherokee Ave. and located in a General Retail District at 800 East 200th Street and not in conformance with the provisions of Section 347.07 of the Codified Ordinances.

Calendar No. 98-54: 4537 West 146th Street

Janet and Arnold Jedlicka, owners, appeal to erect a 24' x 7'-6" one-story front enclosed porch and a

5' x 8' open deck on an existing 24' x 28' 1-1/2-story single-family dwelling house all located on a 40' x 128' lot and located in a Two-Family District at 4537 West 146th Street; said use being contrary to the Yard Encroachments Permitted Regulations of Section 357.13(B)(4) of the Codified Ordinances.

Calendar No. 98-55: 2443 West 7th Street

Brian McCreary, owner appeals to erect a 20' x 44' 2-Story Frame Two-Family Dwelling house on a 30' x 110' lot located in a Two-Family District at 2443 West 7th Street; said lot not being 40' in width and said lot size at 3300 sq. ft. instead of the required 4800 sq. ft. as required by Section 355.05(b) and the Front Yard Regulations of Section 357.04(a) where the proposed line of existing building is 16'-6" instead of the 22' required and where the proposed aggregate interior side yard is 0' instead of the 3' required by the Required Interior Side yards of Section 357.09(b)(2)A&B and the total floor area to be in excess of 50% of the lot area as limited by Section 355.04 and contrary to the parking location of space required by Section 349.05 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, APRIL 20, 1998

At the Meeting of the Board of Zoning Appeals on Monday, April 13, 1998, the following appeals were heard by the Board, and, on Monday, April 20, 1998 were decided by the Board.

The following appeals were **Granted**:

Calendar No. 98-4: 8606 Denison Avenue

Dennis Clanton, owner, appealed, to change use to motor vehicle repair. (Conditional grant).

Calendar No. 98-34: 15828 Industrial Parkway

Industrial Energy System, owner, c/o Michael Dragics, appealed, to resurface an existing 16,428 sq. ft. parking lot. (Conditional grant).

Calendar No. 98-49: 3238 West 41st Street

Paula and John Clark, owners, appealed to erect approximately 50 linear feet of 6' high wood privacy fence. (Conditional grant).

Calendar No. 98-50: 1258 East 124th Street

Northeast Neighborhood Development Corporation, owner c/o Emery Gibson, Project Manager, appealed to erect a 30' x 36' one-family two-story dwelling house. (Conditional grant).

Calendar No. 98-51: 9401 Denison Avenue

Michael J. Comella dba: Bonkers, appealed under Section 76-6 of the Charter of the City of Cleveland and Section 688.06 of the Codified Ordinances.

Calendar No. 98-52: 5209 Detroit Avenue

West Side Ecumenical Ministry, owner, c/o Elving Otero and Positive Education Program c/o There-

sa Johnson, tenant appealed to change the use of an existing 60' x 296' irregular shaped two-story and basement masonry warehouse building. (Conditional grant).

The following appeal was **Dismissed**:

Calendar No. 98-48: 4381-4383 West 140th Street.

The following appeal was **Refused**:

Calendar No. 98-27: 3400 Vega Avenue
Cleveland Paper Stock, owner, and Richard Ryan, appealed, under authority of Section 203.07 and the Charter of the City of Cleveland from the issuance of the violation notice on July 21, 1997.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
April 15, 1998

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action the subject meeting is given for publication in the City Record:

* * *

Docket L-3-98.

RE: Appeal of Cleo Basinger, from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LICENSE of the Commissioner of the Division of Assessments & Licenses dated March 3, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's request for renewal of his ELECTRICAL CONTRACTOR LICENSE, and to require that Mr. Basinger be retested to reestablish his license. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Dockets L-4-98.

RE: Appeal of Larry J. Meyers from a LETTER OF DENIAL FOR RENEWAL OF MASTER PLUMBER LICENSE of the Commissioner of the Division of Assessments & Licenses dated April 5, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Meyers to renew his MASTER PLUMBER LICENSE without retaking the test, but with payment of the late filing fees. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

Docket A-9-98.

RE: Appeal of Associated Estates, Owner of the Property located on the premises known as 9001 Hough Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated December 12, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that if the bars are to remain on the bedroom windows, they are to be releasable in a manner satisfactory to the City to present no safety hazard as an emergency means of egress and to REMAND the completion of the violations to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-10-98.

RE: Appeal of Associated Estates, Owner of the Property located on the premises known as 9110 Hough Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated December 12, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that if the bars are to remain on the bedroom windows, they are to be releasable in a manner satisfactory to the City to present no safety hazard as an emergency means of egress and to REMAND the completion of the violations to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-11-98.

RE: Appeal of Associated Estates, Owner of the Property located on the premises known as 9220 Hough Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated December 12, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that if the bars are to remain on the bedroom windows, they are to be releasable in a manner satisfactory to the City to present no safety hazard as an emergency means of egress and to REMAND the completion of the violations to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

Docket A-12-98.

RE: Appeal of Associated Estates, Owner of the Property located on the premises known as 9201 Hough Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated December 12, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that if the bars are to remain on the bedroom windows, they are to be releasable in a manner satisfactory to the City to present no safety hazard as an emergency means of egress and to REMAND the completion of the violations to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-13-98.

RE: Appeal of Associated Estates, Owner of the Property located on the premises known as 9231 Hough Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated December 12, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that if the bars are to remain on the bedroom windows, they are to be releasable in a manner satisfactory to the City to present no safety hazard as an emergency means of egress and to REMAND the completion of the violations to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-14-98.

RE: Appeal of Associated Estates, Owner of the Property located on the premises known as 9241 Hough Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated December 12, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that if the bars are to remain on the bedroom windows, they are to be releasable in a manner satisfactory to the City to present no safety hazard as an emergency means of egress and to REMAND the completion of the violations to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

Docket A-15-98.

RE: Appeal of Associated Estates, Owner of the Property located on the premises known as 9251 Hough Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated December 12, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that if the bars are to remain on the bedroom windows, they are to be releasable in a manner satisfactory to the City to present no safety hazard as an emergency means of egress and to REMAND the completion of the violations to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-16-98.

RE: Appeal of Associated Estates, Owner of the Property located on the premises known as 9211 Hough Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated December 12, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that if the bars are to remain on the bedroom windows, they are to be releasable in a manner satisfactory to the City to present no safety hazard as an emergency means of egress and to REMAND the completion of the violations to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-22-98.

RE: Appeal of Puritas Place Apartments, Inc., Owner of the Property located on the premises known as 19350 Puritas Avenue from a NOTICE OF VIOLATION — RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated December 23, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action this date, Docket A-22-98 has been POSTPONED; to be rescheduled for April 29, 1998.

* * *

Docket A-29-98.

RE: Appeal of John W. Hickey, Owner of the Property located on the premises known as 3792-94 West 25th Street from NOTICES OF VIOLATION of the Commissioner of the Division of Building and Housing dated January 12, 16, and 23, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-29-98 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-33-98.

RE: Appeal of Ann Shotwell, Owner of the Property located on the premises known as 9601-09 St. Clair Avenue from a VACATE/CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated January 15, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's VACATE/CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to complete abatement of the violations with an additional three months (3 mos.) to be granted if satisfactory progress is being made, and to grant permission to occupy the units, stores, and/or the dwelling units as they are approved by the inspector. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the VACATE/CONDEMNATION ORDER and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by July 29, 1998. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

Docket A-44-98.

RE: Appeal of Dennis Hokavar, Owner of the Property located on the premises known as 800 East 200th Street from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated February 20, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action this date; Docket A-44-98 to be rescheduled for May 13, 1998.

* * *

Docket A-56-98.

RE: Appeal of Emerald Homes, Inc., Owner of the Residential Property located on the premises known as 1762 East 63rd Street from a NOTICE OF VIOLATION — GENERAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated January 16, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action; Docket A-56-98 has been POSTPONED; to be rescheduled for April 29, 1998.

Docket A-57-98.

RE: Appeal of Robert T. Gielski, Owner of the Property located on the premises known as 8748 Broadway Avenue from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated November 24, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time, the Docket will be rescheduled for April 29, 1998.

* * *

OTHER BOARD BUSINESS:

Docket A-347-97.

RE: Appeal of Acappella (Karen Helderfer), Owner of the Property located on the premises known as 1625 Euclid Avenue from a NOTICE OF VIOLATION — HVAC of the Commissioner of the Division of Building and Housing dated August 25, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the exhaust system to remain as it is with the requirement that it be cleaned twice a year with signage affixed to the hood, and that the fire suppression system remain operable at all times, noting the impossibility of rerouting the existing system. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Saunders and seconded by Mr. Bowes for Approval and Adoption of the Resolution as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

- A-21-98—Willie Conway
- A-36-98—Anthony A. King
- A-37-98—Collins Gordon Bostwick Architects
- A-41-98—Cleveland Restoration Society
- A-43-98—Drew Carey
- A-46-98—Schilling Square Development, Ltd.
- A-47-98—City of Cleveland
- A-54-98—Henry & Helen Lucas

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Bowes and seconded by Mr. Saunders for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

April 1, 1998

Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, APRIL 30, 1998

Service Yard Pump Station, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1036-92, 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 (15) DAYS AFTER THE BID OPENING DATE.

Turnout Clothing — Items 5 — Leather Bunker Booths, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

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

April 15, 1998 and April 22, 1998

WEDNESDAY, MAY 6, 1998

New Cleveland Browns NFL Football Stadium Bid Package No. 14 — Signage and Graphics, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96.

BID DOCUMENTS CAN BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, FOR THE **NON-REFUNDABLE** COST OF FIFTY DOLLARS (\$50.00) CERTIFIED OR CASHIER'S CHECKS ONLY. THIS CHARGE WILL BE WAIVED FOR THOSE HOLDERS OF PLANS PREVIOUSLY PURCHASED FOR BID PACKAGE NO. 14. PROSPECTIVE BIDDERS WILL BE GIVEN A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO OBTAIN PLANS AND SPECIFICATIONS.

A **MANDATORY** PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 23, 1998, 10:00 A.M. IN ROOM 211 OF THE CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO.

Uniform Clothing, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

April 15, 1998 and April 22, 1998

THURSDAY, MAY 7, 1998

Five (5) Heated Food Carts, for the Division of Correction, Department of Public Health, as authorized by Ordinance No. 2042-97, passed by the Council of the City of Cleveland, December 15, 1997.

Lease Of One (1) Digital Medium Size Copier, for the Department of Personnel and Human Resources, as authorized by Ordinance No. 1984-96, passed by the Council of the City of Cleveland, November 25, 1996.

April 22, 1998 and April 29, 1998

FRIDAY, MAY 8, 1998

Ford Truck Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 151-98, passed by the Council of the City of Cleveland, March 9, 1998.

Blaw Knox Paver Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Pub-

lic Service, as authorized by Ordinance 72-98, passed by the Council of the City of Cleveland, February 9, 1998.

April 22, 1998 and April 29, 1998

THURSDAY, MAY 21, 1998

Phase 2 Residential Sound Insulation Program '97 - Group J, for the Department of Port Control, as authorized by Ordinance No. 930-95, passed by the Council of the City of Cleveland, June 19, 1995.

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 (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 7, 1998, 10:00 A.M. LOCAL TIME IN THE TOWER CONFERENCE ROOM, 2ND FLOOR ADMINISTRATION, CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

Phase 2 Residential Sound Insulation Program '97 - Group K, Phase 2, for the Department of Port Control, as authorized by Ordinance No. 930-95, passed by the Council of the City of Cleveland, June 19, 1995.

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 (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 7, 1998, 10:00 A.M. LOCAL TIME IN THE TOWER CONFERENCE ROOM, 2ND FLOOR ADMINISTRATION, CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

Phase 2 Residential Sound Insulation Program '97 - Group L, Phase 2, for the Department of Port Control, as authorized by Ordinance No. 930-95, passed by the Council of the City of Cleveland, June 19, 1995.

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 (15) DAYS AFTER THE BID OPENING DATE.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 7, 1998, 10:00 A.M. LOCAL TIME IN THE TOWER CONFERENCE ROOM, 2ND FLOOR ADMINISTRATION, CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

April 22, 1998 and April 29, 1998

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 2155-97.

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

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

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

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

Section 1. That it hereby declares its intention to vacate the following described real property, located in Cleveland, Cuyahoga County, Ohio and known as being all that portion of:

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

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

Adopted April 6, 1998.

Effective April 15, 1998.

Res. No. 88-98.

By Councilman Moran (by request).

An emergency resolution declaring the intention to vacate a portion of West 52nd Place.

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

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

Section 1. That it hereby declares its intention to vacate a portion of the following described real property:

WEST 52ND PLACE (15.00 feet wide) extending Northerly from the Northerly line of Vandalia Avenue S.W. (50.00 feet wide) to its Northerly terminus.

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 April 6, 1998.

Effective April 15, 1998.

Res. No. 162-98.

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

An emergency resolution declaring the necessity and intention to appropriate property for public use to relocate Oman Park, located at East 81st Street and Mansfield Avenue.

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

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

Section 1. That for the public purpose of relocating Oman Park to the northwest corner of East 81st Street and Mansfield Avenue, it is necessary to appropriate in fee simple interest and this Council hereby declares its intent to appropriate the fee simple interest in and to the following described property:

Permanent Parcel Number 133-06-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Northerly 85 feet of Sublot No. 3 and the Easterly 10 feet of the Northerly 85 feet of Sublot No. 2 in E. S. Gillette's Allotment 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 together forming a parcel of land 50 feet front on the Southerly side of Union Avenue, S.E. and extending back of equal width 85 feet to the Northerly line of Mansfield Avenue, S.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to easement for Union Avenue slope rights recorded in Volume 1710, Page 268-70 of Cuyahoga County Deed Records.

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

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

Adopted April 6, 1998.

Effective April 15, 1998.

Res. No. 626-98.

By Councilmen Patmon, Coats, Lewis, Polensek, Melena, Robinson, Sweeney, Westbrook and Zone.

An emergency resolution objecting to the current planned site for the construction of a new juvenile detention center and urging the Cuyahoga County Commissioners to find sufficient land for the construction of this new facility.

Whereas, the Cuyahoga County Juvenile Detention Center is overcrowded and is inadequate thus creating a potential threat to the

safety of both residents and staff; and

Whereas, the National Juvenile Detention Association criticized the present facility for being one of the most adult-oriented, bleak, depressing, unsafe and psychologically harmful facilities ever reviewed; and

Whereas, a juvenile detention facility should provide rehabilitation for juvenile offenders under conditions that are conducive for such activities, thus enabling juveniles to become productive members of society instead of being continually involved in criminal activity which can result in a young offender progressing through the criminal justice system; and

Whereas, the planned site for the new juvenile detention center is considered to be inadequate because the tract of land that the facility will be built on is too small; and

Whereas, the planned tower design for the juvenile detention center according to experts can result in a potential safety hazard thus placing the juveniles and staff at tremendous risk and danger; and

Whereas, the City and County can find suitable land for major downtown economic development projects such as Gateway, Rock and Roll Hall of Fame Museum, Great Lakes Science Center, Wyndham Hotel, the Federal Courthouse project, and the New Football Stadium, but have failed to put forth that same effort on finding a suitable site to build a new juvenile detention center; now, therefore,

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

Section 1. That this Council does hereby object to the Cuyahoga County Commissioners plan to construct a new juvenile detention center on a tract of land that is inadequate for juvenile offenders.

Section 2. That this Council objects to the design of any juvenile detention facility that threatens the health and safety of juveniles and staff.

Section 3. That this Council strongly urges the Cuyahoga County Commissioners to find a suitable site for the new juvenile detention.

Section 4. That this Council pledges to cooperate with the County Commissioners and the Juvenile Court judges in finding a site whereby the most appropriate juvenile detention facility can be built that offers safety, protection and rehabilitation to juveniles in the area.

Section 5. That the Clerk of Council be and she hereby be directed to transmit a certified copy of this resolution to the Cuyahoga County Commissioners and Juvenile Court Administrative Judge.

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

Adopted April 6, 1998.

Effective April 15, 1998 without the signature of the Mayor.

Res. No. 631-98.
By Councilmen Lewis, Robinson,
Gordon, Melena and White.

An emergency resolution supporting House Bill 404 which clarifies services under the Department of Children Services to provide for care, protection, and mental and physical development of children.

Whereas, House Bill 404 has been introduced in the Ohio Assembly; and

Whereas, it is the purpose of House Bill 404 to provide a program of supervision, care and rehabilitation required to prevent the removal of a child from, and to make it possible to return a child to the child's home; and

Whereas, it is the purpose of House Bill 404 to clarify criminal prohibitions against endangering children and make other substantive changes to the law governing child welfare and anti-stalking protection orders; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that proper care and supervision is essential to the healthy mental and physical development and welfare of the children of this country; now, therefore,

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

Section 1. That this Council supports House Bill 404.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to State Representative Barbara C. Pringle.

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

Adopted April 6, 1998.

Effective April 15, 1998 without the signature of the Mayor.

Res. No. 632-98.
By Councilman Melena.
An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. & Bsmt., and repealing Res. No. 1549-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. & Bsmt., by Res. No. 1549-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; 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 renewal of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1549-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

Section 2. That this resolution is hereby declared to be an emergency

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

Adopted April 6, 1998.

Effective April 15, 1998.

Res. No. 633-98.
By Councilman Cimperman.
An emergency resolution objecting to the stock of a D2, D2X, D3, D3A and D6 Liquor Permit to 4301 Payne Ave., 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock of a D2, D2X, D3, D3A and D6 Liquor Permit to Permit No. 7672461, Sahara Corp., DBA Sahara Club, 4301 Payne Ave. 1st Fl. & Bsmt., Cleveland, Ohio 44103; 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 D2, D2X, D3, D3A and D6 Liquor Permit to Permit No. 7672461, Sahara Corp., DBA Sahara Club, 4301 Payne Ave. 1st Fl. & Bsmt., Cleveland, Ohio 44103 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 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 April 6, 1998.

Effective April 15, 1998.

Res. No. 634-98.
By Councilman Coats.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 14805 St. Clair Unit A.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 11272080010, Ronald M. Burrell, DBA Burrells Beverage, 14805 St. Clair Unit A, Cleveland, Ohio 44110, to Permit No. 1127298, Willette J. Burrell, DBA Burrell Beverage, 14805 St. Clair Unit A, Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 11272080010, Ronald M. Burrell, DBA Burrells Beverage, 14805 St. Clair Unit A, Cleveland, Ohio 44110, to Permit No. 1127298, Willette J. Burrell, DBA Burrell Beverage, 14805 St. Clair Unit A, Cleveland, Ohio 44110 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 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 April 6, 1998.
Effective April 15, 1998.

Res. No. 635-98.
By Councilman Zone.
An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 10202 Lorain Avenue, and repealing Res. No. 95-98, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 10202 Lorain Avenue, by Res. No. 95-98, adopted January 12, 1998; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 Liquor Permit to 10202 Lorain Avenue, be and the same is hereby withdrawn and Res. No. 95-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all 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 April 6, 1998.
Effective April 15, 1998.

Res. No. 636-98.
By Councilman Patmon.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 10206 St. Clair Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 1927204, Danzey Development Co. Inc., DBA Danzeys, 10206 St. Clair Ave., Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 1927204, Danzey Development Co. Inc., DBA Danzeys, 10206 St. Clair Ave., Cleveland, Ohio 44108 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 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 April 6, 1998.
Effective April 15, 1998.

Res. No. 637-98.
By Councilman Rybka.
An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 6400 Fleet Avenue, 1st Fl. only, and repealing Res. No. 1519-97, objecting to said renewal.

Whereas, this Council objected to the renewal of D1, D2, D3 and D3 Liquor Permit to 6400 Fleet Avenue, 1st Fl. only, by Res. No. 1519-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; 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 renewal of a D1, D2, D3 and D3A Liquor Permit to 6400 Fleet Avenue,

1st Fl. only, be and the same is hereby withdrawn and Res. No. 1519-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.
Effective April 15, 1998.

Res. No. 638-98.
By Councilman Rybka.
An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 6224 Broadway Ave., and repealing Res. No. 1517-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 6224 Broadway Ave., by Res. No. 1517-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; 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 renewal of a D5 Liquor Permit to 6224 Broadway Ave., be and the same is hereby withdrawn and Res. No. 1517-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.
Effective April 15, 1998.

Res. No. 639-98.
By Councilman Rybka.
An emergency resolution withdrawing objection to the renewal of a C1 Liquor Permit to 5200 Hamm Avenue, and repealing Res. No. 1514-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 Liquor Permit to 5200 Hamm Avenue, by Res. No. 1514-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; 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 renewal of a C1 Liquor Permit to 5200 Hamm Avenue, be and the same is hereby withdrawn and Res. No. 1514-97, containing said objec-

tion, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.

Effective April 15, 1998.

Res. No. 640-98.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 6206 Broadway Ave., and repealing Res. No. 1532-96, objecting to said renewal.

Whereas, this Council objected to the renewal of a Liquor Permit to 6206 Broadway Avenue, by Res. No. 1532-96, adopted August 14, 1996; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; 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 renewal of a Liquor Permit to 6206 Broadway Avenue, be and the same is hereby withdrawn and Res. No. 1532-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.

Effective April 15, 1998.

Res. No. 641-98.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 3664 E. 65th St., 1st Fl. & Bsmt., and repealing Res. No. 1982-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 3664 E. 65th St. 1st Fl. & Bsmt., by Res. No. 1982-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; 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 renewal of a D5 Liquor Permit to 3664 E. 65th St., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1982-97, containing said objection, be and the same is here-

by repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.

Effective April 15, 1998.

Res. No. 643-98.

By Councilman Moran.

An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 2011 Broadview Rd., 1st Fl. and Bsmt., and repealing Res. No. 1527-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 2011 Broadview Rd., 1st Fl. and Bsmt., by Res. No. 1527-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; 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 renewal of a D2, D2X, D3 and D3A Liquor Permit to 2011 Broadview Rd., 1st Fl. and Bsmt., be and the same is hereby withdrawn and Res. No. 1527-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.

Effective April 15, 1998.

Ord. No. 1003-97.

By Councilmen Polensek, 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 16326 St. Clair Avenue to Michael Ely.

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. 116-20-005, as more fully described in Section 2 below, to Michael Ely.

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. 116-20-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 6 in the Gund Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 27 of Maps, Page 3 of Cuyahoga County Records and bounded and described as follows: Beginning on the Southeasterly line of St. Clair Avenue N.E., a point 2 feet Northeasterly from the most Westerly corner of said Sublot No. 6; thence Northeasterly along said Southeasterly line, 38 feet to the most Northerly corner of said Sublot No. 6; thence Southeasterly along the Northeasterly line of said Sublot No. 6, 140.70 feet to the Southeasterly corner thereof; thence Southwesterly along the Southeasterly line of said Sublot No. 6 to the Southeasterly corner of land conveyed to Max P. Goodman, Trustee by deed dated January 13, 1911 and recorded in Volume 1315, Page 493 of Cuyahoga County Records; thence Northwesterly about 125 feet to the place of beginning, be the same more or less, but subject to all 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 April 6, 1998.

Effective April 15, 1998.

Ord. No. 1268-97.
By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing a redundant electrical source and associated appurtenances, and authorizing the Director of Port Control to enter into contract for the making of such improvement; authorizing said director to employ one or more design engineers or one or more firms of design engineers to provide professional services necessary to design the improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing a redundant electrical source and associated appurtenances, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the Director of Port Control is hereby authorized and directed to employ by contract one or more design engineers or one or more firms of design engineers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the public improvement authorized above.

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

Section 4. That the costs for such public improvement and professional services herein contemplated shall be paid from the proceeds of the sale of the general airport revenue bonds of the City of Cleveland authorized by Ordinance No. 923-97, passed June 9, 1997, and from any fund or sub-funds to which any federal grants for said improvement and services are credited, Request No. 22513.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed April 6, 1998.
 Effective April 15, 1998.

Ord. No. 2031-97.
By Councilman Cintron.
An emergency ordinance to vacate a portion of Moore Avenue N.W., hereinafter described.

Whereas, on the 9th day of January 1995 the Council of the City of Cleveland adopted Resolution No. 1490-94 declaring its intention to vacate a portion of Moore Avenue N.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1490-94 has been served upon the owners of all the property abutting Moore Avenue N.W., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of August, 1997, the Board of Revision of Assessments approved the vacation of Moore Avenue N.W., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Moore Avenue N.W., hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of Moore Avenue N.W. (66.00 feet wide), extending Easterly from the Easterly line of Columbus Road N.W. (80.00 feet wide), 70.25 feet to Southerly prolongation of the Westerly line of an un-named alley, is hereby vacated.

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

That portion of Moore Avenue N.W. (66.00 feet wide), extending Easterly from the Easterly line of Columbus Road N.W. (80.00 feet wide), 70.25 feet, from the Southerly prolongation of the Westerly line of an un-named alley.

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

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Moore Avenue N.W., herein provided by sending him a copy of this Ordinance.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Passed April 6, 1998.
 Effective April 15, 1998.

Ord. No. 2153-97.
By Councilmen Cimperman, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4493 Douse Avenue to Lucille Liuzzo, Ronald Liuzzo, Richard Liuzzo and Dennis Liuzzo.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 123-19-117, as more fully described in Section 2 below, to Lucille Liuzzo, Ronald Liuzzo, Richard Liuzzo and Dennis Liuzzo.

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

P.P. No. 123-19-117
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in Thomas S. and Mary L. Douse's Subdivision of part of Original One Hundred Acre Lot No. 282, as shown by the recorded plat in Volume 8 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Northerly side of Souse Avenue, S.E., 123 feet 10-1/2 inches deep on the Easterly line, which is also the Westerly line of Track Road, S.E. (40 feet wide), 123 feet 4 inches deep on the Westerly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed April 6, 1998.
Effective April 15, 1998.

**Ord. No. 2186-97.
By Councilmen Robinson and Westbrook (by departmental request).**

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with various entities to implement the City's Lead Program by operating various lead abatement programs.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to enter into contract with the entities specified herein for the purpose of providing various lead abatement and education programs; the cost of each contract hereby authorized shall be paid from Fund No. 13 SF 456, Request Nos. 24501, 24502, 24503 and 24504; the cost of each contract is listed beside the name of the specified entity:

NAME	AMOUNT
Detroit-Shoreway Community Development Organization	\$250,000.00
University Settlement	\$205,000.00
Association of Parents to Prevent Lead Exposure	\$40,000.00
Cleveland Housing Network	\$2,004,400.00

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 April 6, 1998.
Effective April 15, 1998.

**Ord. No. 2187-97.
By Councilmen Robinson and Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to employ one or more professional consultants to provide evaluations of the City's Lead Program subgrantees' effectiveness and its longevity.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to employ by contract one or more 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 provide evaluations of the City's Lead Program subgrantees' effectiveness and its longevity.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 13 SF 456, Request No. 24505.

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 April 6, 1998.
Effective April 15, 1998.

**Ord. No. 2199-97.
By Councilmen Jackson and Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Cleveland Neighborhood Development Corporation to administer an industrial retention and expansion program.

Whereas, the City of Cleveland has determined that a citywide industrial retention and expansion initiative program (the "Program") will create jobs and employment opportunities for City residents, alleviate physical and economic deterioration, elimination and/or prevent the recurrence of blight, stimulate economic revitalization and improve the tax base, all of which are positive factors and in the best interest of the City and its residents; and

Whereas, the City desires to enter into a contract with Cleveland Neighborhood Development Corporation ("CNDC") to administer the Program; and

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into contract with CNDC to provide professional services necessary to administer the Program for the Program participants, in the total sum of Eighty Four Thousand Dollars (\$84,000.00), payable from Fund No. 17 SF 008, Request No. 24259.

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 April 6, 1998.
Effective April 15, 1998.

**Ord. No. 67-98.
By Councilmen Patmon and Johnson (by departmental request).**

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to repair not to exceed three valves, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to repair not to exceed two (2) cone valves for the First High Service Pump Numbers 16 and 33 and one (1) gate valve at Morgan Waterworks Facility, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 23425.

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 April 6, 1998.
Effective April 15, 1998.

**Ord. No. 86-98.
By Councilman Rybka (by request).
An emergency ordinance designating Harvard School as a Cleveland landmark.**

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleve-

land, Ohio, 1976, has proposed the designation of Harvard School as a landmark; and

Whereas, the owner of Harvard School has been properly notified of the proposed designation and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of Harvard School as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That Harvard School, whose street address in the City of Cleveland is 6900 Harvard Avenue, S.E., also known as Cuyahoga County Auditor's permanent parcel number 132-25-006 and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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 April 6, 1998.
Effective April 15, 1998.

Ord. No. 157-98.

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

An emergency ordinance establishing a Community Reinvestment Area in the area of the KARE Building located at 13010-16 Kinsman Road, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

Whereas, Section 3735.65 et seq. of the Ohio Revised Code authorizes municipalities to designate Community Reinvestment Areas where certain criteria have been met; and

Whereas, the area located at the KARE Building located at 13010-16 Kinsman Road is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

Whereas, the City desires to encourage new housing construction and the repair of existing housing facilities to eliminate blight and prevent the recurrence of blight by granting tax exemptions; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safe-

ty, in that creating said Community Reinvestment Area will encourage development in the area of the KARE Building located at 13010-16 Kinsman Road and will, furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore,

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

Section 1. That based upon the information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area known as the KARE Building located at 13010-16 Kinsman Road, (Permanent Parcel No. 130-24-021) is blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

Section 2. That the area hereinabove described is hereby designated a Community Reinvestment Area pursuant to Section 3735.65 et seq. of the Ohio Revised Code.

Section 3. That the renovation of the KARE Building located at 13010-16 Kinsman Road will create eighteen units of affordable housing in the Community Reinvestment Area is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 100% of the assessed taxes for the construction activities described above.

Section 4. That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 et seq. of the Ohio Revised Code and this ordinance. That this exemption from real property taxation is contingent upon all applicable requirements of Section 3735.65 et seq. of the Ohio Revised Code and this ordinance having been met.

Section 5. That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

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 April 6, 1998.
Effective April 15, 1998.

Ord. No. 158-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Tom Loves to Cook to provide economic development assistance to partially finance interior, exterior and parking lot renovations of property at 8208 Carnegie Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone Business Opportunity contract with Tom Loves to Cook to provide economic development assistance to partially finance interior, exterior and parking lot renovations of property at 8208 Carnegie Avenue, Cleveland, Ohio.

Section 2. That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 158-98-A.

Section 3. That the Director of Economic Development shall, pursuant to the authority of Ordinance No. 82-96, passed April 1, 1996, put Economic Development Initiative Grant funds in an amount equal to the Loan Amount in the Empowerment Zone debt Service Reserve account created by that ordinance. Said grant funds shall be paid from Fund No. 18 SF 003.

Section 4. That the costs of said contract shall not exceed a Loan Amount of \$90,450 and a Rebate Amount of \$60,300. The Loan shall be paid from Fund Nos. 18 SF 001 and 18 SF 003 and the Rebate Amount shall be paid from Fund No. 18 SF 003, Request No. 23876.

Section 5. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 6. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 7. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

Section 8. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 9. 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 April 6, 1998.
Effective April 15, 1998.

Ord. No. 198-98.
By Councilman Jackson.
An emergency ordinance designating the Esmond Manor Apartments as a Cleveland Landmark.

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of the Esmond Manor Apartments as a landmark; and

Whereas, the owner of the Esmond Manor Apartments has been properly notified of the proposed designation and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Esmond Manor Apartments as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That the Esmond Manor Apartments, whose street address in the City of Cleveland is 4806 Euclid Avenue, S.E., also known as Cuyahoga County Auditor's Permanent Parcel Number 103-09-019 and the

land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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 April 6, 1998.
Effective April 15, 1998.

Ord. No. 239-98.
By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to remove rubber and paint from paved surfaces, for the various divisions of the Department of Port Control, for period not to exceed two years.

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

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

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

Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials needed to remove rubber and paint from paved surfaces in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22610)

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 April 6, 1998.
Effective April 15, 1998.

Ord. No. 242-98.
By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to make alterations and modifications in Contract No. 51412, for the rehabilitation of East 9th Street Pier, Phase II with S.E. Johnson Companies, Inc., for the Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make the following alterations and modifications in Contract No. 51412 with S.E. Johnson Companies, Inc. for the rehabilitation of East 9th Street Pier, Phase II for the Department of Public Service:

Subsidiary Additions

No.	Description	Unit	Price	Total Amount
CO-5	Sheet Pile AZ18	33,350 sq. ft.	\$ 25.00	\$ 833,750.00
	Concrete Fill	1,700 cu. yds.	78.38	133,246.00
	MC15 x 33.9 Channel	667 lin. ft.	37.29	24,872.43
Subsidiary Additions				\$ 991,868.43
			Original Contract Price	\$ 2,988,890.37
			Subsidiary Additions	+ 991,868.43
			REVISED CONTRACT AMOUNT	\$ 3,980,758.80

which alteration has been recommended in writing by the said Director of Public Service, 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 Public Service and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$991,868.43 to be paid from Fund Nos. 20 SF 334 and 20 SF 293.

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 April 6, 1998.
Effective April 15, 1998.

**Ord. No. 243-98.
By Councilmen Sweeney and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of American-made steel for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of American-made steel in the estimated sum of \$75,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21348)

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 April 6, 1998.
Effective April 15, 1998.

**Ord. No. 244-98.
By Councilmen Coats and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair and maintain overhead doors, for the Division of Fire, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio 1976 for the requirements for the period of one (1) year for the necessary

items of labor and materials needed to repair and maintain overhead doors in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Fire, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one (1) year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder which purchase together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20616)

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 April 6, 1998.
Effective April 15, 1998.

**Ord. No. 245-98.
By Councilmen Coats and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the Director of Public Safety to enter into contract without competitive bidding with North American Morpho Systems, Inc. for the purchase of a license for an automated fingerprint system interface, for the Division of Police, Department of Public Safety.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than North American Morpho Systems, Inc. Therefore, the Director of Public Safety is hereby authorized and directed to make a written contract with said North American Morpho Systems, Inc. upon the basis of its proposal dated December 17, 1997, for the purchase of a license for an AFIS/Identix LiveScan Interface, to include customization, installation, training, one year of maintenance, shipping and handling, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis, for the Division of Police, Department of Public Safety.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-60-02-0415, Request No. 24377.

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 April 6, 1998.
Effective April 15, 1998.

**Ord. No. 246-98.
By Councilmen Coats and Johnson
(by departmental request).**

An emergency ordinance authorizing the Director of Public Safety to accept a gift of saddles, tack and one horse trailer for the Division of Police, Department of Public Safety.

Whereas, the Cleveland Mounted Police Charitable Trust has indicated a desire to make a gift of fifteen Collegiate Marathon saddles, tack and one Sundowner 4-horse trailer, valued at \$30,007.00, to the Division of Police, Department of Public Safety; and

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

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

Section 1. That the Director of Public Safety is hereby authorized to accept on behalf of the Division of Police, fifteen Collegiate Marathon saddles, tack and one Sundowner 4-horse trailer, valued at \$30,007.00, from the Cleveland Mounted Police Charitable Trust.

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 April 6, 1998.
Effective April 15, 1998.

**Ord. No. 247-98.
By Councilmen Willis and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of various heating, ventilating and air conditioning equipment, controls and related supplies necessary to repair and maintain equipment, for the Division of Property Management, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various heating, ventilating and air conditioning equipment, controls and related supplies necessary to repair and maintain equipment in the approximate amount as purchased during the preceding term, to

be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21706)

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 April 6, 1998.

Effective April 15, 1998.

Ord. No. 294-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the repair and resurfacing of Ridge Road from Brookpark Road to Denison Avenue to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the County of Cuyahoga (the "County") to construct the following improvements in accordance with plans, specifications and estimates approved by the County: The repair and resurfacing of Ridge Road from Brookpark Road to Denison Avenue (the "Improvement").

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

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

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

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

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

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

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

e) Prohibit all parking within the limits of the roadway which is a part of the Improvement in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by City ordinance or resolution.

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

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

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

d) That the street within the limits of the Improvement is hereby designated a through highway within the meaning of Section 4511.07(F) of the Ohio Revised Code.

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

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

g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of ODOT Directive No. 28-A to the same extent that it participates

in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

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

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

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

k) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is hereby rescinded.

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

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

a) That the County will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, under current County Engineer standards for construction of County roads and bridges.

b) That the County will arrange for the supervision and administration of the construction contract for the Improvement, and will review the construction plans for conformance with division a) of this section and make an inspection of the completed project.

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

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

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

f) That within the corporate limits of the City, the City hereby agrees to contribute fifty percent (50%) of the cost of construction, construction supervision, right-of-way, and incidentals and forty percent (40%) of the cost of preparation of plans and specifications. That the City hereby agrees to deposit with the Treasurer of Cuyahoga County the City's share of the estimated cost of the project or the Director of Public Service is hereby authorized to enter into escrow agreement with the Board of County Commissioners prior to an award of a contract for the improvement.

Section 8. That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

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

Section 10. That the Clerk of Council is hereby authorized and directed to transmit to the Director of ODOT and to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

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

Passed April 6, 1998.

Effective April 15, 1998.

Ord. No. 300-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance to amend Sections 3 and 4 of Ordinance No. 1256-97, passed July 16, 1997, relating to the Ridge Road Transfer Station Rehabilitation 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 Sections 3 and 4 of Ordinance No. 1256-97, passed July 16, 1997, are hereby amended to read, respectively, as follows:

Section 3. That, it is hereby determined to make the public improvement of rehabilitating the

Ridge Road Transfer Station, including, paving, grading, drainage, curbing, sidewalks, lighting, street-scaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the Improvement.

Section 4. That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 2. That existing Sections 3 and 4 of Ordinance No. 1256-97, passed July 16, 1997, are hereby repealed.

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

Passed April 6, 1998.

Effective April 15, 1998.

Ord. No. 303-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the County of Cuyahoga for the cost of rehabilitating Lakewood Heights Boulevard from Alger Road to Berea Road.

Whereas, in Ordinance No. 2039-91, passed December 9, 1991, this Council gave consent to the Board of County Commissioners of Cuyahoga County, for the rehabilitation of Lakewood Heights Boulevard from Alger Road to Berea Road; and

Whereas, this Council authorized the City to cooperate with the County of Cuyahoga in the cost of the above-referenced improvement; and

Whereas, the City's share of the cost of said improvement is currently estimated as \$180,000.00; and

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

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

Section 1. That this Council hereby authorizes payment to the County of Cuyahoga of the City's share of the rehabilitation of Lakewood Heights Boulevard from Alger Road to Berea Road, from Fund Nos. 20 SF 342, 20 SF 322 and 20 SF 334, Request No. 21976.

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 April 6, 1998.

Effective April 15, 1998.

Ord. No. 308-98.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with the International Women's Air & Space Museum for operation of a women's air and space museum and to operate a gift cart concession, and to enter into permits for operation of fund raisers by the International Women's Air & Space Museum, at Burke Lakefront Airport; and to repeal Ordinance No. 1088-97, passed July 16, 1997.

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

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

Section 1. That the Director of Port Control ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with the International Women's Air & Space Museum (the "Lessee") for use and occupancy of (i) approximately 1,000 square feet of office space at Burke Lakefront Airport for operation of a women's air and space museum; (ii) certain space for operation of a gift cart concession; and (iii) certain wall and floor space in the main lobby and west concourse of the terminal building for museum exhibits. The term of the Lease shall be seven (7) years. Rent shall be as follows: \$8.50 per square foot for office space; 4% of gross revenues from gift cart concession for each year for years one through three of the term; the annual percentage rent for years four through seven shall be negotiated prior to the end of the third year of the term; provided that, if no agreement as to percentage rent is reached, Lessee shall cease operations of gift cart concession until such time as agreement is reached. Lessee shall pay no rent for use of exhibit space. Lessee shall provide all maintenance, security and janitorial services related to the office space, gift cart and displays, and shall pay the cost of electricity used in the office space.

The Director is hereby further authorized to execute permits, as needed, authorizing Lessee to use the terminal building to raise funds for the museum. Lessee shall obtain such permits from the City authorizing such use prior to each fund raiser. The term of the permit shall not exceed twenty-four (24) consecutive hours.

Section 2. That the Lease and permits herein authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said Director deems necessary to protect and benefit the public interest.

Section 3. That Ordinance No. 1088-97, passed by City Council on July 16, 1997, is hereby repealed.

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

Passed April 6, 1998.
Effective April 15, 1998.

Ord. No. 309-98.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Lease No. 31263 with Northwest Airlines, Inc. to provide for the deletion of certain space from the Lease, effective January 31, 1998, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an amendment to Lease No. 31263 between the City and Northwest Airlines, Inc. ("Lessee"), to delete from Lessee's right and obligation under the lease 1,600 square feet, used for operation of the Northwest Airlines' WorldClub, effective January 31, 1998.

All other terms and conditions contained in the original lease shall remain the same.

Section 2. That the Amendment to the Lease herein authorized shall be prepared by the Director of Law and shall contain such terms and conditions as said Director deems necessary to protect and benefit the public interest.

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

Passed April 6, 1998.
Effective April 15, 1998.

Ord. No. 310-98.
By Councilmen Gordon and Johnson (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of computer hardware, software, supplies, employee training, data programming and data conversion; and authorizing the Directors of Finance and Public Health to employ one or more computer consultants and data processors to provide professional services in conjunction with upgrading the Vital Statistics Computer system.

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

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

Section 1. That the Directors of Finance and Public Health are hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: computer hardware, software, supplies, employee training, data programming and data conversion, in conjunction with upgrading the Vital Statistics Computer system, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Health.

Section 2. That the Directors of Finance and Public Health are 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 developing software and supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to assist in upgrading the Vital Statistics Computer system.

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

Section 4. That the cost of said purchases and professional services hereby authorized shall be paid from Fund No. 10 SF 001, Request No. 23239.

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

Passed April 6, 1998.
Effective April 15, 1998.

Ord. No. 320-98.
By Councilmen Coats and Johnson (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of various items necessary to conduct the D.A.R.E. program, for the Division of Police, Department of Public Safety.

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

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

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

of one year for the necessary items of various items necessary to conduct the D.A.R.E. program in city schools in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20114)

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 April 6, 1998.
Effective April 15, 1998.

Ord. No. 321-98.
By Councilmen Willis and Johnson (by departmental request).
An emergency ordinance to amend Section 4 of Ordinance No. 1282-96, passed October 14, 1996, relating to rehabilitating, renovating or otherwise improving City Hall and for the professional services necessary therefor.

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 4 of Ordinance No. 1282-96, passed October 14, 1996, is hereby amended to read as follows:

Section 4. That the cost of said improvement and professional services hereby authorized shall be paid from Fund Nos. 10 SF 006, 20 SF 300, 20 SF 310, 20 SF 320, 20 SF 331 and 20 SF 340, Request No. 20559.

Section 2. That existing Section 4 of Ordinance No. 1282-96, passed October 14, 1996, is hereby repealed.

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

Passed April 6, 1998.
Effective April 15, 1998.

Ord. No. 354-98.
By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of landfill sites for dumping excavation debris, for the Divisions of Cleveland Public Power, Water and Water Pollution Control, Department of Public Utilities, for a period of two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of landfill sites for dumping excavation debris, 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 Divisions of Cleveland Public Power, Water and Water Pollution Control, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24004)

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 April 6, 1998.
 Effective April 15, 1998.

Ord. No. 355-98.
By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of keycards and accessories, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written

requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of keycards and accessories in the estimated sum of \$50,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22526)

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 April 6, 1998.
 Effective April 15, 1998.

Ord. No. 362-98.
By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of tire recapping, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22924)

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 April 6, 1998.
 Effective April 15, 1998.

Ord. No. 366-98.
By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to accept a cash gift for completion of the Cleveland Police Patrolmen's Tactical Training Center.

Whereas, the State Attorney General's Office has indicated a desire to make a cash gift of Twenty-Five Thousand Dollars for completion of the Cleveland Police Patrolmen's Tactical Training Center, to the Department of Public Safety; and

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

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

Section 1. That the Director of Public Safety is hereby authorized to accept on behalf of the Division of Police a cash donation in the amount of Twenty-Five Thousand Dollars (\$25,000), from the Office of Betty D. Montgomery, State Attorney General.

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 April 6, 1998.
 Effective April 15, 1998.

Ord. No. 425-98.
By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of confined space entry equipment, including training if necessary, for the Divisions of Water Pollution Control, Water and Cleveland Public Power, Department of Public Utilities for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of confined space entry equipment, including training if necessary, in the estimated sum of \$305,600, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Water Pollution Control, Water and Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period of less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22194)

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 April 6, 1998.
Effective April 15, 1998.

Ord. No. 511-98.
By Councilmen White, Willis and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a thirteenth amendment to Lease Agreement No. 35620 to extend the term of the existing Lease Agreement for the rental of Broadway YMCA facilities at 11300 Miles Avenue.

Whereas, pursuant to Ordinance No. 1759-85, passed June 24, 1985, the Director of Parks, Recreation and Properties entered into Lease Agreement No. 35620 with the Young Men's Christian Association for the rental of the Broadway YMCA facilities located at 11300 Miles Avenue for the purpose of providing recreational facilities and activities for the City's youth; and

Whereas, pursuant to Ordinance No. 1165-86, passed June 16, 1986, Ordinance No. 1255-87, passed June 8, 1987, Ordinance No. 1052-88, passed June 6, 1988, Ordinance No. 1037-89, passed September 11, 1989, Ordinance No. 1112-90, passed June 18, 1990, Ordinance No. 1368-91, passed June 17, 1991, Ordinance No. 1657-92, passed November 9, 1992, Ordinance No. 1309-93, passed June 14, 1993, Ordinance No. 373-94, passed April 18, 1994, Ordinance No.

260-95, passed March 27, 1995, Ordinance No. 490-96, passed May 6, 1996, and 813-97, passed June 7, 1997, the term of said agreement was extended for respective one-year periods; and

Whereas, the City wishes to further extend said agreement until December 31, 1998, for an additional fee of \$55,000.00; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into a thirteenth amendment to Lease Agreement No. 35620 with the Young Men's Christian Association ("YMCA") for the continued rental of the Broadway YMCA facilities located at 11300 Miles Avenue, Cleveland, Ohio 44105 for the purpose of providing recreational facilities and activities for the City's youth.

Section 2. That said thirteenth amendment shall extend the term of the agreement for one year to December 31, 1998, and shall increase the rent due under the Lease Agreement by \$55,000, for a total rental for the term, as extended, of \$730,000. Said extension shall be paid from Fund No. 01-70-04-0380, Request No. 21421.

Section 3. That said thirteenth amendment shall be prepared and approved by the Director of Law and shall contain such provisions as the Director of Law shall deem necessary to protect the public interest.

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

Passed April 6, 1998.
Effective April 15, 1998.

Ord. No. 512-98.
By Councilmen Willis and Johnson (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of signs and banners for the West Side Market, including installation if necessary, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: signs and banners for the West Side Market, including installation if necessary, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Conven-

tion Center and Stadium, Department of Parks, Recreation and Properties.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 20 SF 191, Request No. 20566.

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 April 6, 1998.
Effective April 15, 1998.

Ord. No. 513-98.
By Councilmen Willis and Johnson (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of swimming pool chemicals, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21124)

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 April 6, 1998.
Effective April 15, 1998.

Ord. No. 514-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football program.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football program, in an amount not to exceed \$43,000, payable from Fund No. 01-70-04-0380, Request No. 21429.

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 April 6, 1998.
 Effective April 15, 1998.

Ord. No. 515-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a contract with the National Junior Tennis League of Cleveland to provide a summer tennis program.

Whereas, the City does not provide a summer tennis program at its summer recreational centers, but desires to support such a program; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into a contract during June through August, 1998 with the National Junior Tennis League of Cleveland to provide youth tennis services.

Section 2. That the cost of such contract, not to exceed \$25,000, shall be paid from Fund No. 01-70-04-0380, Request No. 21422.

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 April 6, 1998.
 Effective April 15, 1998.

Ord. No. 558-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the procurement by requirement contract of the lease of golf carts at Seneca Golf Course and Highland Golf Course, including maintenance and repair, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of the lease of golf carts at Seneca Golf Course and Highland Golf Course, including maintenance and repair, for a period commencing upon execution of a contract and ending on December 31, 1998, in the approximate amount as procured during the preceding year, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, together with all subsequent procurements, 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 21125)

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 April 6, 1998.
 Effective April 15, 1998.

Ord. No. 559-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of small equipment for grounds maintenance, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, 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 Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of various types of small equipment needed for grounds maintenance, including but not limited to chain saws, pole runners, leaf blowers, edgers, outside vacuums, drills, lawn mowers, and spraying equipment, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 22437)

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 April 6, 1998.
 Effective April 15, 1998.

Ord. No. 627-98.
By Councilman Cimperman.

An emergency ordinance authorizing and directing the the Director of Public Service to issue a permit to the Cleveland Community Relations Board to stretch a banner on Euclid Ave. and E. 9th St.; from April 9th, 1998 to May 1st, 1998, inclusive; publicizing Cleveland Unity 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 Public Service is hereby authorized and directed to issue a permit to the Cleveland Community Relations Board to install, maintain and remove banners on Euclid Avenue, and East 9th Street, (Pole Numbers B-60-10 and B-61-10) for the period from April 9th, 1998 to May 1st, 1998, inclusive. Said banners shall be approved by the Director of Pub-

lic 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 banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners 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 April 6, 1998.
Effective April 15, 1998.

Ord. No. 628-98.
By Councilman White.
An emergency ordinance authorizing certain persons to engage in peddling in Ward 2. (Cyndia D. Harroway).

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 2; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 2, at the locations specified: Cyndia D. Harroway at East 131st Street and Harvard Avenue.

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

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

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

Passed April 6, 1998.
Effective April 15, 1998 without the signature of the Mayor.

Ord. No. 629-98.
By Councilman Jackson.
An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Anderson Williams — East 63rd Street and Quincy Avenue).

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

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

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5, at the locations specified: Anderson Williams at the northwest corner of East 63rd Street and Quincy Avenue.

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

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

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

shall take effect and be in force from and after the earliest period allowed by law.

Passed April 6, 1998.

Effective April 15, 1998 without the signature of the Mayor.

Ord. No. 630-98.
By Councilman Moran.
An emergency ordinance authorizing certain persons to engage in peddling in Ward 16. (Douglas W. Davis — 4633 State Road).

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 16; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 16, at the locations specified: Douglas W. Davis at 4633 State Road.

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

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

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

Passed April 6, 1998.

Effective April 15, 1998 without the signature of the Mayor.

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