

The City Record

Official Publication of the City of Cleveland

September the Twenty-Third, 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	3053 West 12th Street	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	6110 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 — _____, 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 – Robert Dolan, Controller, Room 18			
Information Systems Services – Hamid Manteghi, Commissioner, 1404 E. 9th St.			
DEPT. OF PUBLIC UTILITIES – Michael Konicek, Director, 1201 Lakeside Avenue			
DIVISIONS – 1201 Lakeside Avenue			
Water – Julius Ciaccia, Jr., Commissioner			
Water Pollution Control – Darnell Brown, Commissioner			
Utilities Fiscal Control – Morry Blech, Commissioner			
Cleveland Public Power – James F. Majer, Commissioner			
Street Lighting Bureau – Frank Schilling, Acting Chief.			
DEPT. OF PORT CONTROL – Solomon F. Balraj, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive; Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner Burke Lakefront Airport – Michael C. Barth, Commissioner			
DEPT. OF PUBLIC SERVICE – Henry Guzmán, Director, Room 113			
DIVISIONS – Waste Collection and Disposal – Randell T. Scott, Acting 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			
DEPT. OF PUBLIC HEALTH – Robert O. Staib, Director, Mural Building 1925 St. Clair Avenue.			
DIVISIONS – Health – Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue			
Environment – 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 – Donald T. Moss, 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, 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. McBea, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

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

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

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

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

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

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

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

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

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

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

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519, _____, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibans, 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	Courtroom
Judge Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connally	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	14C
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Gerald F. Sweeney	13D
Judge Robert J. Triozzi	12A

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 85

WEDNESDAY, SEPTEMBER 23, 1998

No. 4424

CITY COUNCIL

MONDAY, SEPTEMBER 21, 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

9:00 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 September 21, 1998.

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

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

Also present were Chief of Staff Sheffield-McClain, and Directors Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren, Axelrod, Carter, Morrison and Acting Director Dove.

Absent: Mayor White and Director Summers.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Father Tom Hagedorn of St. Patrick's Church, located at 4427 Rocky River Drive located in Ward 21. 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. 1669-98.
From the Division of Purchases and Supplies re: Emergency Requisition (RE-51237). Received.

File No. 1670-98.
From the Division of Purchases and Supplies re: City of Cleveland, Requirement Contract/Monthly Report — September, 1998. Received.

File No. 1671-98.
From the West Tech Alumni Association, Inc. re: Resolution on the redevelopment of West Technical High School. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1672-98.
Re: New Application - 2400143 - East Blvd. Athletic Club, 2614 East 128th Street. (Ward 6). Received.

File No. 1673-98.

Re: New Application - 2600014 - F. E. Enterprises, Inc. dba Express Deli, 4217 Central Avenue. (Ward 5). Received.

File No. 1674-98.

Re: Transfer of Ownership Application - 0072409 - Afaf Muntaser, Inc. dba Williams Fish Market, 4055 East 93rd Street. (Ward 2). Received.

File No. 1675-98.

Re: Transfer of Ownership Application - 8470847 - St. Owen's Group, Inc. dba Lincoln Park Pub, 2609 West 14th Street, first floor and basement. (Ward 13). Received.

File No. 1676-98.

Re: Transfer of Ownership Application - 7220737 - Ray-Bons, Inc., 11730 Lorain Avenue. (Ward 19). Received.

File No. 1677-98.

Re: Transfer of Ownership and Location Application - 1884688 - D. E. Transportation Company, 1016 Main Avenue, second floor. (Ward 13). Received.

File No. 1678-98.

Re: Stock Transfer Application - 1882981 - D. N. A. Selestee, Inc., 1076 East 105th Street, first floor. (Ward 8). Received.

File No. 1679-98.

Re: Stock Transfer Application - 2421198 - Echos Pearl, Inc. dba Miller's Pub, 4920-22 Pearl Road, first floor and basement. (Ward 16). Received.

STATEMENT OF WORK ACCEPTED

File No. 1680-98.

From the Department of Parks, Recreation and Properties re: Contract No. 52796 for Mall B-Hanna Pavilion Tree Replacement/Irrigation. Received.

File No. 1681-98.

From the Department of Parks, Recreation and Properties re: Contract No. 52248 for Luke Easter Park Flag Football Site Improvements. Received.

File No. 1682-98.

From the Department of Parks, Recreation and Properties re: Contract No. 52770B for 1440 St. Clair Avenue Parking Lot. Received.

File No. 1683-98.

From the Department of Parks, Recreation and Properties re: Contract No. 47700 for Highland Cemetery Infill. Received.

OATH OF OFFICE

File No. 1684-98.

For Mark D. Vanloh, Commissioner for the Division of Cleveland Hopkins International Airport. Received.

PLAT

File No. 1707-98.
Councilman Britt (Ward 6).
Plat of Subdivision for Edgehill Townhomes Subdivision.
Approved by Committees on Public Service and City Planning. Without objection Plat approved. Yeas 19. Nays 0.

CONDOLENCE RESOLUTIONS

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

Res. No. 1708-98. Florence Griffith Joyner.

Res. No. 1709-98. Barbara Ann Miller.

CONGRATULATORY RESOLUTIONS

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

Res. No. 1710-98. Natalie Swintek.
Res. No. 1711-98. Eugene P. Krent.
Res. No. 1712-98. John J. Grabowski.
Res. No. 1713-98. Reverend John J. Bryk.

Res. No. 1714-98. Czech Catholic Union Fraternal Life Insurance Society.

RECOGNITION RESOLUTION

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

Res. No. 1715-98. Canaan Missionary Baptist Church.

WELCOME RESOLUTION

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

Res. No. 1716-98. Morava Dulcimer Band.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1686-98.
By Councilman Westbrook.
An emergency ordinance to amend Section 235.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 279-A-86, passed February 9, 1987 relating to exemptions from the Clean Indoor Air 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 Section 235.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 279-A-86, passed February 9, 1987, is hereby amended to read as follows:

Section 235.04 Exemptions

The restrictions in Sections 235.02 and 235.03 shall not apply to:

(a) an entire room or hall which is being used for a private social function, provided that the seating arrangements are under the control of the sponsor of the function and not of the proprietor or person in charge of the place;

(b) a limousine for hire, taxicab, or patrol car;

(c) retail tobacco stores;

(d) any private room in a health-care facility, or any semi-private room in a health-care facility if both occupants have requested in writing to be placed in a room where smoking is permitted;

(e) notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, bars, including those located within the Terminal Building of Cleveland Hopkins International Airport provided that the Airport bars are ventilated in accordance with Section 235.05(b);

(f) an eating establishment that seats fewer than thirty (30) people provided that a sign stating that a no-smoking area is not available is conspicuously posted on all public entrances or in a position clearly visible on entry into the establishment;

(g) private residences except those portions of a private residence used as a child care or health-care facility or serving as a place of employment;

(h) places owned or operated by governmental agencies not under the jurisdiction of the City of Cleveland;

(i) bowling centers;

(j) hotel and motel rooms needed for smoking guests during conventions while such conventions are in progress;

(k) a single room in a place within divisions (a)(4) and (a)(9) through (a)(11) of Section 235.02 provided that (1) such room is not normally used by members of the general public for the primary purpose of the establishment, (2) such room is enclosed by walls on all sides and openings adjacent to no-smoking areas are generally kept closed, and (3) such room occupies less than twenty (20) percent of the total floor space of the establishment;

(l) a restroom, where at least two (2) restrooms for use by the same gender are available on the same floor of the building;

(m) areas of public lobbies located on the ground floor of multi-tenant establishments where no seating is made available.

Section 2. That existing Section 235.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 279-A-86, passed February 9, 1987, is hereby repealed.

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

Referred to Directors of Public Health, Port Control, Law; Committees on Public Health, Aviation and Transportation, Legislation.

Ord. No. 1687-98.
By Councilmen Westbrook and Johnson (by departmental request).
An emergency ordinance authorizing the Director of Port Control to enter into a concession agreement for the operation of an advertising concession at Cleveland Hopkins International Airport, for a period not to exceed ten 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, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a concession agreement on the basis of competitive proposals, for the operation of an advertising concession at Cleveland Hopkins International Airport for a period not to exceed ten (10) years. The selection of said concessionaire shall be made by the Board of Control upon the nomination of the

Director of Port Control. The agreement authorized herein 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 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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1688-98.
By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an Assignment and Novation Agreement with Figgie International, Inc. and KeyCorp to release Figgie, International, Inc. from all duties and liabilities under City Contract No. 40878; to substitute KeyCorp under the contract for use and operation of a hangar facility at Cleveland Hopkins International Airport; and to enter into an amendment to Contract No. 40878 between the City and KeyCorp to modify the terms of the lease to allow the lessee to sublease an area or areas of the leased premises, upon concurrence of the Board of 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 Assignment and Novation Agreement with Figgie, International, Inc. ("Figgie") and KeyCorp to assign all of Figgie's rights, duties, privileges, liabilities and interests in the Lease By Way of Concession ("Lease") between the City and Figgie, City Contract No. 40878 to KeyCorp and to bind KeyCorp in the place of Figgie as if KeyCorp were named in the original Lease, and to release Figgie from any further duties or liabilities arising after the assignment of the Lease for use and operation of a hangar facility at Cleveland Hopkins International Airport (the "Airport").

Section 2. That the Director of Port Control is hereby authorized to enter into an amendment to Lease By Way of Concession No. 40878 with KeyCorp for use and operation of a hangar facility at the Airport to allow the lessee to sublease certain area or areas of the leased premises upon the concurrence of the Board of Control.

Section 3. That the amendment authorized above 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 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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 1689-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 48060 for the rehabilitation and expansion of Crown Waterworks Plant with National Engineering and Contracting Co., for the 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 to make the following alterations and modification in Contract No. 48060 with National Engineering and Contracting Co. for the rehabilitation and expansion of Crown Waterworks Plant, for the Department of Public Utilities:

**CROWN WATER REHABILITATION
NATIONAL SUBSIDIARY
PROJECT NO. 01111**

- | | |
|--|----------------------|
| 1. For additional demolition of items not indicated on the plans: | |
| a. Remove wall and door | |
| b. Remove door row E-10-12 | |
| c. Provide masonry opening to men's locker room | |
| d. Remove wall and window | Add \$ 18,000.00 |
| 2. Extra PCB removal for transformers | Add \$ 4,036.00 |
| 3. Additional fireproofing of exterior columns in the Rapid Mix Building | Add \$ 14,260.39 |
| 4. Remove and install GA limit switches | Add \$ 748.15 |
| 5. Change zero speed switches | Add \$ 3,259.00 |
| 6. Additions to Terrazzo flooring plus base and ceramic tile | Add \$ 13,282.50 |
| 7. Modify existing CO ² system | Add \$ 1,514.00 |
| 8. Administrative Building and Penthouse roof modification | Add \$ 9,187.85 |
| 9. Delete door at pump building | Credit (\$ 1,189.37) |
| 10. Delete Transdyne training | Credit (\$ 2,625.00) |
| 11. Remove additional lead paint on wash water piping | Add \$ 5,665.06 |
| 12. Changes in LCP modifications | Add \$ 11,166.75 |
| 13. Revise modifications to new thermostats at unit heaters | Add \$ 4,297.00 |
| 14. Adjustment for conduit/wiring at LCP's | Add \$ 13,800.00 |
| 15. Adjustment for asbestos gasket removal | Add \$ 2,465.97 |
| 16. Adjustment for temporary control modifications | Add \$ 1,794.00 |
| 17. Install 3 valve manifolds | Add \$ 627.05 |
| 18. Adjustment for revisions to HVAC smoke detectors | Add \$ 14,193.00 |

Total Subsidiary Additions \$114,482.35

Original Contract Amount	\$ 11,555,000.00
Total Subsidiary Amount	<u>+ 114,482.35</u>
REVISED CONTRACT AMOUNT	\$ 11,669,482.35

which alteration has been recommended in writing by the said Director of Public Utilities, 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 Utilities and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$114,482.35, to be paid from Fund Nos. 52 SF 215, 52 SF 217, 52 SF 219, 52 SF 233 and 52 SF 225.

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 Public Utilities, Finance, Law; Committees on Public Utilities, Finance.

Ord. No. 1690-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of not to exceed eight vehicles, 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 to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed four (4) mowers, one cushion truck with sprayer, one dump truck and not to exceed two utility vehicles, 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.

Section 2. That the cost of said contract hereby authorized shall be

paid from Fund No. 63 SF 001, Request No. 21107.

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

Ord. No. 1691-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance to amend Section 4 of Ordinance No. 1282-96, passed October 14, 1996, as amended by Ordinance No. 321-98, passed April 6, 1998, 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, as amended by Ordinance No. 321-98, passed April 6, 1998, 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, 20 SF 340, and 20 SF 351, Request No. 20559.

Section 2. That existing Section 4 of Ordinance No. 1282-96, passed October 14, 1996, as amended by Ordinance No. 321-98, passed April 6, 1998, is hereby repealed.

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

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

Ord. No. 1692-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts with Medical Mutual of Ohio, Medical Life Insurance Company, Personal Physician Care, HMO Health Ohio, Kaiser Permanente, Aetna Health Plans of Northern Ohio and Personal Physician Care, Inc. to provide medical and life insurance coverage for City employees; and to enter into contract with a joint venture to provide dental insurance for City Employees.

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

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

Section 1. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Medical Mutual of Ohio to provide SuperMed Plus group preferred provider medical insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1998, on the basis of its proposal dated November 5, 1997.

Section 2. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Medical Mutual of Ohio to provide SuperMed

Select point of service-style health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1998, on the basis of its proposal dated November 5, 1997.

Section 3. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Medical Life Insurance Company to provide group life insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1998, and to provide Section 125 Premium Pass Through services, on the basis of its proposal dated October 17, 1997.

Section 4. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with HMO Health Ohio to provide health maintenance organization-style health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1998, on the basis of its proposal dated November 5, 1997.

Section 5. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Kaiser Permanente to provide health maintenance organization-style health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1998, on the basis of its proposal dated December 18, 1997.

Section 6. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Aetna US Healthcare, Inc. to provide health maintenance organization-style health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1998, on the basis of its proposal dated January 23, 1998.

Section 7. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to enter into a contract with Personal Physician Care, Inc., to provide health maintenance organization-style health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1998, on the basis of its proposal dated January 6, 1998.

Section 8. That notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Personnel and Human Resources is hereby authorized to contract for the issuance of a policy or policies of dental insurance, on a joint venture basis, which joint venture shall include at least one minority insurance agency, to provide group dental insurance coverage for eligible City of Cleveland employees and officers for a one year term commencing April 1, 1998. The selection of the contractor for such services shall be made by the Director of Personnel and Human Resources after a full and complete canvass.

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.

Referred to Directors of Personnel and Human Resources, Finance, Law; Committee on Finance.

Ord. No. 1699-98.
By Councilmen Cimperman, Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract amendment with Renaissance Center Limited Partnership to accept a discount prepayment of the UDAG loan regarding an office tower and parking garage located at East 14th Street and Huron Road in the Playhouse Square District.

Whereas, pursuant to Ordinance No. 2628-87, Council authorized the Director of Economic Development to accept an Urban Development Action Grant ("UDAG") from the United States Department of Housing and Urban Development ("HUD") and to enter into a contract with a limited partnership formed by Ross C. Farro and Phoenix Mutual Life Insurance Company (the "Contract"), or its designee, for construction of an office tower and parking garage located at East 14th Street and Huron Road in the Playhouse Square District; and

Whereas, Renaissance Center Limited Partnership was the authorized designee under the Contract; and

Whereas, Renaissance Center Limited Partnership has requested the opportunity to prepay the \$7,729,398.00 zero interest loan at its net present value determined by discounting by 8.5% per year the balloon principal payment due October 31, 2009, which net present value as of November 30, 1998 will be \$3,001,794.00; and

Whereas, this ordinance allows the Department of Economic Development to secure financial assistance funds for the fourth quarter 1998 and 1999 City-wide projects; and

Whereas, this ordinance constitutes an emergency measure that the same provides for the immediate preservation of the public peace, safety, property and welfare, in that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland; now, therefore

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

Section 1. That the Director of Economic Development is authorized to accept on behalf of the City, a discounted prepayment from Renaissance Center Limited Partnership in the amount of \$3,001,794.00 in full satisfaction of its loan of \$7,729,398.00 due in a balloon payment October 31, 2009 which loan was made to partially finance the construction of an office tower and parking garage on the southwest corner of East 14th Street and Huron Road in the Playhouse Square District. That the Director of Economic Development is authorized to file all papers and execute all documents necessary to receive the funds under said prepayment.

Section 2. That the UDAG Development contract amendment authorized herein shall be prepared by the Director of Law and shall contain such terms and conditions as

shall be deemed necessary or appropriate to protect the interests of the City.

Section 3. That the Director of Economic Development is hereby authorized to release any and all collateral taken to secure repayment of said loan and to execute all documents necessary to release said collateral. Any release of security instruments shall be prepared and approved by the Director of Law.

Section 4. That the Director of Economic Development is hereby authorized to deposit the prepayment into Fund No. 17 SF 006.

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

**Ord. No. 1700-98.
By Councilmen Jones, Patmon and Johnson (by departmental request).
An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding of the Kerruish Park Stormwater Project.**

Whereas, pursuant to Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, pursuant to Section 164.03 of the Revised Code, the District One Public Works Integrating Committee has been created to evaluate applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

Whereas, pursuant to Section 164.05 of the Ohio Revised Code, the Ohio Public Works Commission has been created to accept and approve applications for state financing of capital infrastructure improvement

projects of political subdivisions in Cuyahoga County; 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 to the District One Public Works Integrated Committee for Ohio Public Works Commission grant and loan funds to finance the following infrastructure capital improvement project: Kerruish Park Stormwater Project.

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 Public Utilities, Finance, Law; Committees on Public Utilities, Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1693-98.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Theatrical Stage Employees, Local 27; and amending Section 40 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 1997, relating to compensation for various classifications.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with the Theatrical Stage Employees, Local 27 which contains the terms set forth in File No. 1693-98-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 40 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 1997, is hereby amended to read as follows:

Section 40. Part-Time/Seasonal Group

That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Box Office Cashier	\$ 10.30 per hour	\$ 12.66 per hour
2. Chaplain	\$ 6.74 per hour	\$ 10.01 per hour
3. Checker	\$ 5.15 per hour	\$ 6.48 per hour
4. Conservation Aide	\$ 5.15 per hour	\$ 5.26 per hour
5. Dentist	\$ 13.38 per hour	\$ 24.91 per hour
6. Head Usher	\$ 5.15 per hour	\$ 10.18 per hour
7. Medical Examiner	\$ 21.40 per hour	\$ 37.70 per hour
8. Organ Tuner	\$ 9.63 per hour	\$ 21.85 per hour
9. Park Maintenance Aide	\$ 5.15 per hour	\$ 7.70 per hour
10. Ranger	\$ 5.15 per hour	\$ 9.77 per hour
11. School Crossing Guard	\$ 16.50 per day	\$ 18.94 per day
12. Section Supervisor.....	\$ 5.50 per hour	\$ 6.18 per hour
13. Snow Removal Vehicle Operator	\$ 10.40 per hour	\$ 12.29 per hour
14. Stage Hand	\$ 18.55 per hour	\$ 23.02 per hour
15. Stage Hand Casual	\$ 20.00 per hour	\$ 23.20 per hour
16. Stage Hand - Show Rate	\$ 63.00 per show	\$ 75.63 per show
17. Student Aide	\$ 5.15 per hour	\$ 7.56 per hour
18. Student Assistant	\$ 5.15 per hour	\$ 6.66 per hour
19. Usher	\$ 5.15 per hour	\$ 5.76 per hour
20. Usher Captain	\$ 5.89 per hour	\$ 6.97 per hour

Section 3. That existing Section 40 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1694-98.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the International Brotherhood of Electrical Workers Local #38, AFL-CIO; and amending Section 18 of Ordinance No. 436-97, passed April 14, 1997, relating to compensation for various classifications.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with the International Brotherhood of Electrical Workers Local #38, AFL-CIO, which contains the terms set forth in File No. 1694-98-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 18 of Ordinance No. 436-97, passed April 14, 1997, is hereby amended to read as follows:

Section 18. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Chief Electrical Inspector	\$30,822.89	\$38,261.90
2. Community Development Code Enforcement Inspector/Electrical I	\$14.40 per hour	\$18.39 per hour
3. Community Development Code Enforcement Inspector/Electrical II	\$15.20 per hour	\$19.44 per hour
4. Community Development Code Enforcement Inspector/Electrical III	\$16.01 per hour	\$20.47 per hour
5. Electrical Inspector	\$29,217.91	\$36,269.59

Section 3. That existing Section 18 of Ordinance No. 436-97, passed April 14, 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1695-98.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Plumbers Workers, Local 55; and amending Section 19 of Ordinance No. 436-97, passed April 14, 1997, relating to compensation for various classifications.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with the Plumbers Workers, Local 55, which contains the terms set forth in File No. 1695-98-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 19 of Ordinance No. 436-97, passed April 14, 1997, is hereby amended to read as follows:

Section 19. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Chief Plumbing Inspector	\$30,822.89	\$38,261.90
2. Assistant Plumbing Inspector	\$18,839.70	\$31,407.20
3. Community Development Code Enforcement Inspector/Plumbing I	\$14.40 per hour	\$18.39 per hour
4. Community Development Code Enforcement Inspector/Plumbing II	\$15.20 per hour	\$19.44 per hour
5. Community Development Code Enforcement Inspector/Plumbing III	\$16.01 per hour	\$20.47 per hour
6. Plumbing Inspector	\$29,217.91	\$36,269.59

Section 3. That existing Section 19 of Ordinance No. 436-97, passed April 14, 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1696-98.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Sign Display and Allied Trades Local Union 639 of Ohio of the International Brotherhood of Painters and Allied Trades; and amending Section 12 of Ordinance No. 436-97, passed April 14, 1997, relating to compensation for various classifications.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with the Sign Display and Allied Trades Local Union 639 of Ohio of the International Brotherhood of Painters and Allied Trades, which contains the terms set forth in File No. 1696-98-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 12 of Ordinance No. 436-97, passed April 14, 1997, is hereby amended to read as follows:

Section 12. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Traffic Sign and Marking Supervisor	\$12.89 per hour	\$19.13 per hour
2. Traffic Sign Process Operator	\$12.89 per hour	\$19.13 per hour

Section 3. That existing Section 12 of Ordinance No. 436-97, passed April 14, 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1697-98.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Municipal Foreman and Laborers Union, Local 1099; and amending Section 23 of Ordinance No. 436-97, passed April 14, 1997, relating to compensation for various classifications.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with the Municipal Foreman and Laborers Union, Local 1099, which contains the terms set forth in File No. 1697-98-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 23 of Ordinance No. 436-97, passed April 14, 1997, is hereby amended to read as follows:

Section 23. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Accident and Safety Inspector	\$14.70 per hour	\$16.70 per hour
2. Airport Field Foreman	\$14.60 per hour	\$16.60 per hour
3. Arborist I	\$12.79 per hour	\$14.79 per hour
4. Arborist II	\$14.86 per hour	\$16.86 per hour
5. Arborist III	\$16.80 per hour	\$18.80 per hour
6. Assistant Gardener	\$10.00 per hour	\$12.00 per hour
7. Assistant Manager of Parks and Urban Forestry	\$16.35 per hour	\$18.35 per hour
8. Assistant Superintendent of Waste Collection	\$16.80 per hour	\$18.80 per hour
9. Cemetery Foreman	\$14.60 per hour	\$16.60 per hour
10. Cemeteries Maintenance Man I	\$11.43 per hour	\$13.43 per hour
11. Cemeteries Maintenance Man II	\$17.93 per hour	\$19.93 per hour
12. Cemetery Supervisor	\$16.80 per hour	\$18.80 per hour
13. Chief Engineering and Construction Inspector	\$18.48 per hour	\$20.48 per hour
14. Chief Horticulturist	\$22.11 per hour	\$24.11 per hour
15. Cold Patch and Cracksealing Foreman	\$16.90 per hour	\$18.90 per hour
16. Cold Patch and Crack Sealing Worker	\$12.58 per hour	\$14.58 per hour
17. Crematory and Mausoleum Operator	\$12.79 per hour	\$14.79 per hour
18. District Paving Repair Foreman	\$22.99 per hour	\$24.99 per hour
19. Engineering and Construction Inspector	\$13.73 per hour	\$15.73 per hour
20. Gardener	\$10.96 per hour	\$12.96 per hour
21. General Construction Foreman	\$23.21 per hour	\$25.21 per hour
22. General Shop Foreman	\$16.80 per hour	\$18.80 per hour
23. Greenskeeper	\$15.19 per hour	\$17.19 per hour
24. Ground Maintenance Crew Foreman	\$12.36 per hour	\$14.36 per hour
25. Ground Maintenance Foreman	\$14.61 per hour	\$16.61 per hour
26. Ground Maintenance Man	\$11.43 per hour	\$13.43 per hour
27. Horticulturist	\$19.34 per hour	\$21.34 per hour
28. Horticulturist Maintenance Foreman	\$14.61 per hour	\$16.61 per hour
29. Labor Foreman	\$14.60 per hour	\$16.60 per hour
30. Lead Program Assistant	\$12.42 per hour	\$14.42 per hour
31. Mechanical Handyman	\$11.92 per hour	\$13.92 per hour
32. Maintenance Foreman	\$13.95 per hour	\$15.95 per hour
33. Municipal Service Laborer	\$11.43 per hour	\$13.43 per hour
34. Parking Coordinator	\$15.44 per hour	\$17.44 per hour
35. Practical Nurse	\$11.37 per hour	\$13.37 per hour
36. Radio Operator	\$13.14 per hour	\$15.14 per hour
37. Real Estate Maintenance Man	\$12.12 per hour	\$14.12 per hour
38. Set-Up Foreman	\$12.18 per hour	\$14.18 per hour
39. Shop Foreman	\$14.60 per hour	\$16.60 per hour
40. Sidewalk Inspector	\$12.53 per hour	\$14.53 per hour
41. Street Cleaning District Foreman	\$14.60 per hour	\$16.60 per hour
42. Street Maintenance Foreman	\$14.60 per hour	\$16.60 per hour
43. Street Maintenance General Foreman	\$16.80 per hour	\$18.80 per hour
44. Street Permit Supervisor	\$11.39 per hour	\$13.39 per hour
45. Street Sweeper-Waste Collection	\$11.10 per hour	\$13.10 per hour
46. Tire Shredder	\$12.01 per hour	\$14.01 per hour
47. Transfer Station Attendant.....	\$15.44 per hour	\$17.44 per hour
48. Waste Collection Foreman	\$14.60 per hour	\$16.60 per hour
49. Waste Collection Foreman I	\$16.06 per hour	\$18.06 per hour
50. Waste Collection Transfer Foreman	\$16.67 per hour	\$18.67 per hour
51. Waste Collector	\$11.43 per hour	\$13.43 per hour
52. Waste Collector — Cushman Operator	\$11.75 per hour	\$13.75 per hour
53. Watchman	\$ 9.56 per hour	\$11.56 per hour
54. Watchman Supervisor	\$12.07 per hour	\$14.07 per hour

Section 3. That existing Section 23 of Ordinance No. 436-97, passed April 14, 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1698-98.

By Councilman Johnson (by departmental request).

An emergency ordinance to amend Sections 7 and 27 of Ordinance No. 436-97, passed April 14, 1997, as amended and enacted by various ordinances, relating to compensation for various classifications.

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 7 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1447-98, passed August 19, 1998 and Section 27 of Ordinance No. 436-97, passed April 14, 1997, are hereby amended to read, respectively, as follows:

Section 7. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Custodial Worker.....	\$ 7.57 per hour	\$11.40 per hour
2. Window Washer.....	\$11.36 per hour	\$15.47 per hour
3. Bridge Oiler	\$ 8.13 per hour	\$13.76 per hour

Section 27. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Maintenance Supervisor	\$21,019.66	\$39,238.80
2. Airport Safety Supervisor	21,019.66	39,753.83
3. Assistant Chief Building Inspector	17,705.24	39,237.70
4. Assistant Chief Housing Inspector	17,705.24	39,237.70
5. Assistant Custodian	16,559.28	37,149.88
6. Assistant Superintendent of Electrical Generation	21,019.66	43,482.01
7. Bridge Inspector	13,958.10	31,969.87
8. Bureau Manager - Housing	26,797.11	49,894.48
9. Bureau Manager - Demolition	26,797.11	49,894.48
10. Bureau Manager - Building	26,797.11	49,894.48
11. Cable Production Manager	20,410.00	56,524.47
12. Chief Bridge Operator	16,559.28	37,149.88
13. Chief of Electric Meter Bureau	26,274.57	54,277.99
14. Chief Guard	15,764.74	31,794.00
15. Chief Safety Signal System	\$18.60 per hour	\$28.22 per hour
16. Chief Sidewalk Inspector	15,641.78	35,219.46
17. Chief Street Permit Inspector	14,790.48	33,498.48
18. Chief of Traffic Signal Unit	\$18.60 per hour	\$28.22 per hour
19. Community Development Code Enforcement Inspector Supervisor	34,464.91	43,576.71
20. Coordinator of Parking Enforcement	18,627.62	40,137.12
21. Correctional Supervisor	17,543.01	39,238.78
22. District Forester	31,043.38	44,724.18
23. Electric Bridge Operator Leader	\$ 8.55 per hour	\$13.92 per hour
24. Environmental Assistant	17,705.24	39,238.78
25. Field Operations Forester	32,445.00	46,413.58
26. General Superintendent Waste Collection	30,473.96	48,881.43
27. House Sergeant	13,137.29	28,086.32
28. Instrumentation Supervisor	29,200.50	39,426.60
29. Parking Meter Foreman	24,679.38	30,535.93
30. Printing Foreman	28,404.92	39,932.49
31. Supervisor of Landscape Construction	17,078.47	35,784.71
32. Supervisor of Parking Enforcement Unit	18,262.21	30,119.34
33. Supervisor of Markets	14,790.48	33,498.48
34. Supervisor of Weights and Measures	14,790.48	33,498.48
35. Survey Party Chief	18,099.87	41,715.48
36. Tunnel Maintenance Foreman	17,078.47	29,276.93
37. Tunnel Maintenance Man	15,764.72	26,730.72

Section 2. That existing Section 7 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1447-98, passed August 19, 1998 and Section 27 of Ordinance No. 436-97, passed April 14, 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.

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1701-98.
By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the American Heart Walk on October 8, 1998, sponsored by Caritas Healthcare Partnership.

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 American Heart Walk sponsored by the Caritas Healthcare Partnership on October 4, 1998, beginning with the 3.5 mile walk starting at E. 9th St., make a right at "Rock and Roll Hall of Fame" onto Erieside Avenue, continue on Erieside until it becomes W. 3rd, continue on W. 3rd St. to St. Clair, make a right at St. Clair and go past W. 6th St. and W. 9th St. to W. 10th, make a right at W. 10th St. and continue to Front Ave., make a left at Front Ave and continue to Old River Rd., make a left at Old River Rd. and continue to St. Clair, make a left at St. Clair and continue briefly to W. 10th, make a right at W. 10th and continue to West Huron, make a left at West Huron and continue uphill to W. 9th St., make a left at W. 9th and continue to Lakeside Ave., make a right at Lakeside Ave. and continue past W. 6th, W. 3rd until reaching E. 9th St., make a left at W. 9th and continue to end by Rock and Roll Hall of Fame and the 6 mile walk is as follows; begin on E. 9th St., make a right at "Rock and Roll Hall of Fame" onto Erieside Ave., continue on Erieside until it becomes W. 3rd, continue on W. 3rd St. to St. Clair and make a right onto St. Clair, continue on St. Clair past W. 6th and W. 9th St. W. 10th and make right onto W. 10th St., continue on W. 10th to Front Avenue and make left onto Front Ave., continue on Front Ave. to Old River Rd. and make a left onto Old River Rd., continue on Old River Rd. until it ends. Make a right and continue past James Street traveling in a semi-circle until arriving at Canal Rd. Make a right onto Canal Rd., continue on Canal Road past Columbus Rd. until it becomes Center Street, continue on Center St., across the Bridge, until Main Ave. Make a left onto Main Ave., continue on Main Ave. to W. 25th St. Make a left onto W. 25th, continue on W. 25th St. to Superior make a left at Superior onto Detroit/Superior Bridge, continue across Detroit/Superior Bridge and continue on Superior past W. 10th, W. 9th and W. 6th St until Public Square and make a right at Public Square by the Renaissance Hotel, continue around Public Square, making a left where Euclid Avenue intersects with Public Square, passing in front of the B.P. Building, continue around Public Square to Superior make a right onto Superior, continue on Superior to E. 9th St. and make a left onto E. 9th St., continue on E. 9th St. past Rockwell, St. Clair and Lakeside until you arrive back at the Rock and Roll Hall of Fame, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1702-98.
By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the 21st Annual Walk A Thon in support of persons with disabilities on October 10, 1998, sponsored by Disability Services and Disability Ministries of Catholic Charities Services.

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 21st Annual Walk A Thon in support of persons with disabilities, sponsored by Disability Services and Disability Ministries of Catholic Charities Services, on October 10, 1998, leave OLA/St. Joseph Center Parking lot on Kenilworth, head (east) on Kenilworth to W. 11th St., turn right circle Lincoln Park 2 times, return to W. 11th St./Kenilworth intersection, turn left onto W. 11th Ave. walk to University Rd., turn right onto University Rd. walk to W. 10th St., turn right onto W. 10th St. walk to stop sign, veer left onto Professor Ave. (stay on right side of street) walk to Jefferson, turn right onto Jefferson walk to Starkweather (cross W. 14th St. to west side of W. 14th St.), turn left on W. 14th St. walk (south) to Clark Ave., turn right onto Clark Ave. & walk across bridge (over highway) to Scranton Rd., turn right onto Scranton Rd. walk to Kenilworth, turn right onto Kenilworth, return to OLA/St. Joseph Center (on your left on other side of highway overpass), 5K Walkers Stop Here!, 10K Walkers continue walking on Kenilworth to W. 11th St., turn left onto W. 11th St. walk to Abbey Rd., turn left onto Abbey Ave. (cross street to North side of Abbey), cross Abbey Ave. bridge to W. 20th St. (enjoy the view of downtown), cross street to south side of Abbey Ave., turn left and return across the Abbey Ave. bridge (enjoy the view of the industrial side of the flats), walk to W. 11th St., turn left to University Rd., walk to W. 10th St., turn right onto W. 10th St. walk to Literary (right side of street), turn right onto Literary walk to Kenilworth (veer left and cross street), turn right onto Kenilworth,

return to OLA/St. Joseph Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1703-98.
By Councilman Moran.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Leo the Great Church to stretch a banner across Broadview Rd. at 4940 Broadview Road for the period of September 28, 1998 to October 28, 1998, publicizing their Octoberfest.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to St. Leo the Great to install, maintain and remove a banner across Broadview Road at 4940 Broadview Road for the period from September 28, 1998 to October 28, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law of ordinance. The permission of the owner of any pole from which a banner will be hung must obtain prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 1704-98,
By Councilman Cimperman
An emergency ordinance consent-
ing and approving the issuance of a
permit for the 5K Walk/Run and
15K Run on October 25, 1998, spon-
sored by the Catholic Charities 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 the 5K Walk/Run and 15K Run ("Run for Kids"), sponsored by the Catholic Charities and Hermes Race Systems, on October 25, 1998 with the 5K Walk/Run route as follows; start at St. John at E. 9th, proceed down E. 9th St. to Erieside (Cleveland Browns Stadium site), Erieside to Lakeside, to Front to Old River Road to St. Clair to E. 6th and finish at E. 6th St. and Rockwell at the Marriott, the route for the 15K Race is start at St. John and E. 9th, proceed down E. 9th turn left on North Marginal proceed past Burke Lakefront Airport down to Cleveland Public Power, turn around going back west on North Marginal around Erieside (Cleveland Browns Stadium site) to W. 3rd to Lakeside to Front to Old River to St. Clair to E. 6th to finish at Rockwell and E. 6th St. at the Marriott, 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

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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**FIRST READING EMERGENCY
RESOLUTIONS READ IN FULL
AND ADOPTED**

Res. No. 1705-98.

By Councilmen Jackson, Cimperman, Gordon, Polensek, Westbrook, White, Sweeney, Dolan, Rybka, Lewis, Zone, Cintron, Britt, Patmon, Jones, Willis, Robinson and Melena.

An emergency resolution supporting the Platform developed by the tenants of public and subsidized housing on August 29, 1998 and urging HUD to reconsider its policy that will result in the displacement of 1800 families.

Whereas, the Department of Housing and Urban Development (HUD)

is charged with the responsibility of providing safe, sanitary and decent housing for residents throughout the country and in Cleveland; and

Whereas, there are over 11,000 project-based subsidized housing units in Cleveland; and

Whereas, there are over 12,000 public housing units in Cuyahoga County; and

Whereas, approximately 90% of the project-based subsidized contracts will expire in the next five years; and

Whereas, HUD's policy will extend the project-based contracts for only one year at a time once the project-based subsidy contracts expire; and

Whereas, HUD's policy is to use Section 8 vouchers or certificates to house low-income people rather than to subsidize a unit; and

Whereas, HUD is now taking enforcement action against project-based properties that are below housing quality standards (HQS); and

Whereas, it is long overdue that HUD take enforcement action against private owners that have not maintained their property to HQS; and

Whereas, while enforcement actions should be taken, they should not, however, result in displacement of residents; and

Whereas, over 1800 families in Cleveland are threatened with being displaced from their homes through HUD's use of Section 8 vouchers and certificates and through the initiation of enforcement action; and

Whereas, the use of Section 8 vouchers and certificates and the enforcement actions is not solely for the well-being of the housing residents; and

Whereas, the use of Section 8 vouchers and certificates and the enforcement actions are also for political and budgetary reasons; and

Whereas, the Cuyahoga Metropolitan Housing Authority (CMHA) Section 8 department is in disarray; and

Whereas, HUD has sanctioned CMHA's Section 8 department for its inability to process vouchers and its inability to ensure quality housing; and

Whereas, there is not enough quality rental and affordable housing in the Cleveland area to accommodate 1800 families; and

Whereas, neighborhoods and suburban communities are unable or unwilling to absorb the 1800 families; and

Whereas, HUD's policy of using Section 8 vouchers and certificates and its enforcement policy will result in new ghettos, substandard housing, and homelessness; and

Whereas, public housing is a significant portion of available housing for low income people; and

Whereas, public housing is also subject to HUD policy that has budgetary and political motives that are not in the best interest of low income people; and

Whereas, HUD's desire to abandon low income housing programs will result in the dismantling of public housing; and

Whereas, the long range effect of HUD's policy toward public housing is the displacement of thousands of people from their neighborhoods and communities; and

Whereas, the result of HUD's policy toward public housing will pro-

duce the same results associated with project-based subsidized housing, namely the creation of ghettos, substandard housing and homelessness; and

Whereas, in response to HUD's policy and its effects to undermine public and subsidized housing, a Town Hall Meeting was held on August 29, 1998; and

Whereas, the purpose of the Town Hall Meeting was to develop a "Platform" for the tenants of public and subsidized housing and to oppose the immediate displacement of 1800 families; and

Whereas, over 670 people attended the meeting and participated in creating a Platform for public and subsidized housing; and

Whereas, the people that attended the meeting and developed the Platform were from all neighborhoods of Cleveland and from some suburban communities; and

Whereas, the attendees of the Town Hall Meeting were unified in their sincere concern for the 1800 families that are threatened with immediate displacement; and

Whereas, the attendees of the Town Hall Meeting were unified in their strong support of the Platform that was developed; now, therefore,

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

Section 1. That the Council of the City of Cleveland supports the objectives of the Platform developed at the Town Hall Meeting on August 29, 1998, as found in File No. 1705-98-A.

Section 2. That this Council strongly requests that HUD reassess its policy and mission in order that 1800 families within the City of Cleveland are not displaced from their homes.

Section 3. That this Council urges HUD and the owners of project-based housing to make all necessary repairs so that the units are safe and up to housing quality standards, and to do so promptly and without displacing any tenants.

Section 4. That this Council is willing to work with HUD on a policy and plan for replacement units before displacement occurs.

Section 5. That the Council of the City of Cleveland believes that public and subsidized housing should be made available to those individuals and families that are in need of federal assistance to ensure safe, sanitary and decent housing for all residents of the City of Cleveland and the surrounding communities.

Section 6. That the Clerk of Council is requested to transmit a copy of this Resolution to Andrew Cuomo, Secretary of Housing and Urban Development and to the Director and Board of the Cuyahoga Metropolitan Housing Authority.

Section 7. 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1706-98.
By Councilmen Cimperman, Lewis and Westbrook.

An emergency resolution expressing Council's intent to honor Robert Lockwood, Jr. by naming the roadway between Carter Road and Old River Bend Road "Robert Lockwood, Jr. Way."

Whereas, Robert Lockwood, Jr. is a prominent citizen of Cleveland and is one of the preeminent blues musicians in the country; and

Whereas, Mr. Lockwood is the stepson of blues legend Robert Johnson; and

Whereas, Mr. Lockwood has been inducted into the Blues Hall of Fame; and

Whereas, the Council of the City of Cleveland would like to recognize and honor Mr. Lockwood for his contribution to the music industry and for the entertainment that he has provided for the citizens of Cleveland; and

Whereas, this Council intends to name the roadway between Carter Road and Old River Bend Road "Robert Lockwood, Jr. Way" once it becomes a dedicated street; now, therefore,

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

Section 1. That the Council of the City of Cleveland recognizes and salutes Robert Lockwood, Jr. for his contribution to the field of blues music and for the entertainment that he has provided for the citizens of the City of Cleveland, and intends to honor Mr. Lockwood by naming the roadway between Carter Road and Old River Bend Road to "Robert Lockwood, Jr. Way."

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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**SECOND READING
 EMERGENCY ORDINANCES**

Ord. No. 1229-98.
 By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain various types of heavy duty construction equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

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

Ord. No. 1230-98.
 By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of tire repair road service, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

Ord. No. 1231-98.
 By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one alignment machine for passenger cars and light-duty trucks and vans, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

Ord. No. 1235-98.
 By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of cold mix material, for the Division of Streets, Department of Public Service.

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

Ord. No. 1236-98.
 By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of diesel fuel, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

Ord. No. 1237-98.
 By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and material to refurbish various sizes of front-end loaders and roll-off dumpsters, for the Division of Waste Collection and Disposal, Department of Public Service.

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

1. In the title, line 5, and in Section 1, line 6, strike "loaders" and insert in lieu thereof, "loader boxes". Amendment agreed to.

Ord. No. 1238-98.
 By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of SSI tack coat, for the Division of Streets, Department of Public Service.

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

Ord. No. 1245-98.
 By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into one or more contracts with various agencies to implement the 1999 Recycle Ohio! Program; and for the purchase of equipment and supplies for the program.

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

Ord. No. 1254-98.
 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 Cavaliers Charities for the 1998 Cavaliers Charities-Recreation Program; and to enter into contract to implement the program.

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

Ord. No. 1596-98.
 By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of window washing services, 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. 1597-98.
 By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter an amendment to license agreement with International Business Machines Corporation, Contract No. 53044, to correctly state the software licensed and the charges therefor.

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

Ord. No. 1604-98.
 By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a Lease by Way of Concession with United West Side Market Tenants Association for operation of a City owned off-street parking facility, for a period of up to ten years, with a five-year option to renew.

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

**SECOND READING EMERGENCY
 ORDINANCES PASSED**

Ord. No. 1257-98.
 By Councilmen Patmon, Jackson, Rybka and Johnson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located in Ward 8 to Glenville Development Corporation or designee.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of City Planning; Recommended by Committees on Public Service, Finance.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1260-98.
 By Councilmen White, Jackson, Rybka and Johnson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at scattered sites to Union-Miles Development Corporation or designee.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of City Planning; Recommended by Committees on Public Service, Finance.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. Nays 0.

SECOND READING EMERGENCY RESOLUTION ADOPTED**Res. No. 1612-98.**

By Councilman Johnson (by departmental request).

An emergency resolution to adopt and declare a Tax Budget for the year 1999, as required by State law, Chapter 5705 of the Revised Code.

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

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Adopted. Yeas 19. Nays 0.

MOTION

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

The Council adjourned at 8:40 p.m. to meet at 7:00 p.m. on Monday, September 30, 1998.



Clerk of Council

THE CALENDAR

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

ORDINANCES**Ord. No. 1229-98.**

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain various types of heavy duty construction equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service, for a period not to exceed two years.

Ord. No. 1230-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of tire repair road service, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Ord. No. 1231-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one alignment machine for passenger cars and light-duty trucks and vans, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Ord. No. 1235-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of cold mix material, for the Division of Streets, Department of Public Service.

Ord. No. 1236-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement

contract of diesel fuel, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Ord. No. 1237-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and material to refurbish various sizes of front-end loader boxes and roll-off dumpsters, for the Division of Waste Collection and Disposal, 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 to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and material to refurbish various sizes of front-end loader boxes and roll-off dumpsters 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 Waste Collection and Disposal, 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 23180)

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. 1238-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of SSI tack coat, for the Division of Streets, Department of Public Service.

Ord. No. 1245-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into one or more contracts with various agencies to implement the 1999 Recycle Ohio! Program; and for the purchase of equipment and supplies for the program.

Ord. No. 1254-98.

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 Cavaliers Charities for the 1998 Cavaliers Charities-Recreation Program; and to enter into contract to implement the program.

Ord. No. 1596-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of window washing services, for the various divisions of City government, for a period not to exceed two years.

Ord. No. 1597-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter an amendment to license agreement with International Business Machines Corporation, Contract No. 53044, to correctly state the software licensed and the charges therefor.

Ord. No. 1604-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a Lease by Way of Concession with United West Side Market Tenants Association for operation of a City owned off-street parking facility, for a period of up to ten years, with a five-year option to renew.

BOARD OF CONTROL

September 16, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 16, 1998, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Absent: None.

Others: Myrna Branch, Acting Commissioner, Purchases and Supplies. Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 635-98.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952 the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of July, 1998 in the amount of \$9,283.60.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.

Absent: None.

Resolution No. 636-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of McStay Engineered Products

Co. for the following: repair of valves at Morgan Water Plant, (items 1 and 2) for the Division of Water, Department of Public Utilities, received on the 10th day of July, 1998, pursuant to the authority of Ordinance No. 67-98, passed April 6, 1998 which on the basis of the order quantities would amount to Thirty Two Thousand Three Hundred Twenty Eight Dollars (\$32,328.00), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.

Absent: None.

Resolution No. 637-98.

By Director Staib.

Resolved by the Board of Control of the City of Cleveland that the bid of Cooks Correctional Kitchen Equipment Company for the following: Five (5) Insulated Food-Distribution Carts (all items) for the Division of Correction, Department of Public Health, received on the 18th day of June 1998, pursuant to the authority of Ordinance No. 2042-97, passed December 15, 1997 which on the basis of the order quantity would amount to \$26,245.63 is hereby approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.

Absent: None.

Resolution No. 638-98.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No 004-03-055 located at 2221 West 20th Street in Ward 14; and

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

Whereas, Ely and Raul Torres, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

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

directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Ely and Raul Torres for the sale and development of Permanent Parcel No. 004-03-055 located at 2221 West 20th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.

Absent: None.

Resolution No. 639-98.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 008-07-093 located at 3112 West 16th Street in Ward 14; and

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

Whereas, Tony Simiele and John Simiele, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Tony Simiele and John Simiele for the sale and development of Permanent Parcel No. 008-07-093 located at 3112 West 16th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.

Absent: None.

Resolution No. 640-98.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 002-14-041 under said Land Reutilization Program; and

Whereas, Ordinance No. 1083-98 passed July 29, 1998, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Kenneth F. Brichacek has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1083-98 passed July 29, 1998, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Kenneth F. Brichacek for the sale and development of Permanent Parcel No. 002-14-041, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$520.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.

Absent: None.

Resolution No. 641-98.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 121-18-148 under said Land Reutilization Program; and

Whereas, Ordinance No. 1427-98 passed August 19, 1998, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Fairfax Renaissance Development Corporation or designee has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1427-98 passed August 19, 1998, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Fairfax Renaissance Development Corporation or designee for the sale and development of Permanent Parcel No. 121-18-148, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the

fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 642-98.

By Director Hamilton.

Whereas, pursuant to the Land Reutilization Program the City has acquired Permanent Parcel No. 007-28-094 located at 3241 West 43rd Street in Ward 14; and

Whereas, pursuant to Ordinance No. 1547-90, passed by the Council of the City of Cleveland on April 8, 1991, this Board of Control adopted Resolution No. 575-98 authorizing the sale of Permanent Parcel No. 007-28-095 to Ronald Drabiak; and

Whereas, said Resolution had an incorrect Parcel Number for the land to be sold; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Resolution No. 575-98, adopted by this Board of Control on August 12, 1998, is hereby amended by changing the Permanent Parcel No. 007-28-095 to 007-28-094.

Be it further resolved that all other provisions of said Resolution No. 575-98 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 643-98.

By Director Warren.

Whereas, pursuant to the authority of Ordinance No. 1003-98, passed June 15, 1998 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to sell certain City owned property, no longer needed for public use, described therein and known as P.P. Nos. 116-18-010, 116-18-011, 116-18-012, and 116-18-013 to Collinwood Nottingham Villages Development Corporation; and

Whereas, said Ordinance No. 1003-98 provided that the consideration to be paid for the property shall be at a price of One Dollar (\$1.00); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1003-98, passed by the Council of the City of Cleveland on June 15, 1998, the Commissioner of Purchases and Supplies is hereby directed to sell certain City owned property, no longer needed for public use, described therein and known as P.P. Nos. 116-18-010, 116-18-011, 116-18-012, and 116-18-013 to Collinwood Nottingham Villages Development Corporation, for a price of One Dollar (\$1.00).

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 644-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor under City Contract No. 51159 entered into with Harlan Electric Company pursuant to Ordinance No. 1071-93, passed June 7, 1993, and Board of Control Resolution No. 94-97, adopted on February 12, 1997 for the public improvement by requirement contract of the System Expansion Program, commercial connections and distribution materials C-14, (all items), for the Division of Cleveland Public Power, Department of Public Utilities, be and the same hereby is approved:

SUBCONTRACTOR WORK

Lott Construction Company
(MBE)

Excavation Construction

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 645-98.

By Director Konicek.

Resolved by the Board of Control of the City of Cleveland, that all bids received on July 30, 1998, for Emergency sewer repairs and installation of new sewers for the Division of Water Pollution Control, Department of Public Utilities, pursuant to the authority of Ordinance No. 353-98, passed by the Council of the City of Cleveland on June 15, 1998 be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 646-98.

By Director Jackson.

Whereas, in Resolution No. 287-98, adopted by this Board of Control April 22, 1998, approving a first modification to Contract No. 51957 with Dodson-Stilson, Inc. for the professional engineering and design services necessary for the repair and rehabilitation of the existing culvert and related underground structures in conjunction with the new Cleveland Browns Stadium, the dollar amount was incorrectly stated; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 287-98, adopted on April 22, 1998 is hereby amended by changing the dollar amount of the modification appearing in figures to "\$232,508.00".

Be it further resolved that all other terms and provisions of City Contract No. 51957 not expressly modified hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 647-98.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Lake Erie Electric, Inc. (Bid Package 8F), contractor for the sports lighting for the new Cleveland Browns Stadium, pursuant to Ordinance No. 304-96 passed on March 8, 1996, and Board of Control Resolution No. 207-98, adopted March 25, 1998, for the Department of Parks, Recreation & Properties, is hereby approved:

Burkshire Construction
(FBE) \$1,259.18

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 648-98.

By Director Jackson.

Resolved by the Board of Control of the City of Cleveland, that all bids received on July 8, 1998 for the scoreboard (Bid Package #12) for the new Cleveland Browns Stadium, 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, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Acting Director Huth and Director 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 Lakeside Avenue.

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 5, 1998

9:30 A.M.

Calendar No. 98-194: 3123 East 65th Street

Vivian E. Dawson, owner, and Michael Coleman, prospective purchaser, appeal to change the use of an existing 26' x 35' northwesterly section of a 100' x 48' one-story masonry building and basement into a delicatessen, situated in a Two-Family District and located on the northeasterly corner of Hoppensack Avenue and East 65th Street at 3123 East 65th Street; said use being contrary to Section 337.03 where a delicatessen is not permitted and contrary to the Off-Street Parking and Loading Regulations where 10 customer parking spaces and 3 employee parking spaces are required and there are 0 parking spaces proposed, pursuant to Section 349.04 of the Codified Ordinances.

Calendar No. 98-196: 1370 West 89th Street

Algart Health Care Realty, owner c/o Gary Klein, appeal to construct a 107' x 40' asphalt accessory parking lot for 9 parking spaces situated in a Two-Family District on an existing 107' x 40' parcel and located on the west side of West 89th Street at 1370 West 89th Street; said use being contrary to Section 337.03 where a parking lot is not permitted in a Two-Family District and Section 349.05 of the Off-Street Parking Regulations where no parking space shall be within 10' of a residential building and the Landscaping and Screening Regulations where a 10' landscaping strip is required and 0' are proposed along the north and south sides of the lot as required in Section 352.10 of the Codified Ordinances.

Calendar No. 98-197: 4204 East 188th Street

Virginia Davis, owner, appeals to convert an existing 30' x 22'-3" one-story wood frame private garage into a single-family handicap accessible dwelling unit, located on the south half of a 107' x 112' lot with an existing 43' x 37' one-story residence and an existing 20' x 20' one-story, wood frame garage and located in a Single-Family District on the west side of East 188th Street at 4204 East 188th Street; said conversion being contrary to the provisions of Sections 337.02, where only a one family dwelling unit is permitted, and 355.04(b) where the minimum floor area required is 1,250 sq. ft and 660 sq. ft. is proposed, and that only 14' is provided instead of a 40' distance between buildings as required by Section 357.17(a) of the Codified Ordinances.

Calendar No. 98-198: 11212 Miles Avenue

Robert and Diane Turner, owners, and Phyllis Scott, prospective purchaser, appeal to change the use of an existing 45' x 44' two-story masonry building into a Child Care Center located on a 115' x 135' lot situated in a Two-Family District at 11212 Miles Avenue; said change of use is subject to review and approval of the Board of Zoning Appeals as required by Sections 337.02 and 337.03 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, SEPTEMBER 21, 1998

At the Meeting of the Board of Zoning Appeals on Monday, September 14, 1998, the following appeals were heard by the Board, and, on Monday, September 21, 1998 were decided by the Board.

The following appeals were **Granted:**

Calendar No. 98-178: 4430 Storer Avenue

Orindo Ventura, owner, to erect a 21' x 8'6" open wood deck to the front of an existing 21' x 50' two-story frame single-family dwelling house on a 33' x 100' irregular shaped lot located in a General Retail District.

Calendar No. 98-180: 3106 Woodbridge Avenue, a.k.a. 3104-3112 Woodbridge Avenue

Circle of Faith Ministries, owner, c/o Carliastro Jones, Pastor, to change portions of the basement and first floor of an existing 65' x 90' irregular shaped two-story-and-basement masonry church building into a day care center for fifteen to twenty children from the ages of three to five years old; renovations to occur on the west portion of a 132' x 138' corner parcel located in a Two-Family District on the northeasterly corner of West 32nd Street and Woodbridge Avenue.

The following appeals were **Conditionally Granted:**

Calendar No. 98-139: 1190 East 105th Street

St. Luke's Missionary Baptist Church, c/o Reverend Benny Goggins, to construct a nine-car accessory off-street parking lot on a 100' x 66' irregular shaped corner lot located in a Local Retail Business District on the southwest corner of East 105th Street and Westchester Avenue.

Calendar No. 98-156: 6400 Memphis Avenue

Cleveland Child Care, Inc., owner, c/o Gil Janke, President, to change the use of an existing 135' x 80' one-story masonry day care and church building into a complete day care center, where the existing 45' x 78' sanctuary will be converted into day care use, all located on a 168' x 167' irregular shaped corner lot in a One-Family District at the northwesterly corner of West 63rd Street and Memphis Avenue.

The following appeals were **Refused:**

Calendar No. 98-179: 3257-59 West Boulevard

Gail E. Reeder, owner, to change the use of an existing 26' x 44' 2-1/2-story frame nonconforming two-family dwelling house into three dwelling units, all located on a 60' x 197' irregular shaped lot in a One-Family District.

Calendar No. 98-181: 5500 Walworth Avenue

Pleasant Valley Associates (An Ohio Partnership), owner, c/o Ron-

ald Soberay, and Mark Soberay, tenant, appeal, under Section 76-6 of the Charter of the City of Cleveland and Sections 329.01(e) and 329.02(d) of the Codified Ordinances from the Notice of Violation of Building Ordinances dated July 16, 1998, issued by the Division of Building and Housing with respect to the subject property located in a General Industry District at the northwest corner of West 55th Street and Walworth Avenue.

The following appeals were **Dismissed:**

Calendar No. 97-145: 3870 West 14th Street

Robert M. Lustig, Trustee, Independence Excavating, appeals, under Section 329.02(c) from the Notice of Violation of Building Ordinances dated May 6, 1997, issued by the Division of Building relative to unauthorized uses.

Calendar No. 98-182: 6422 Detroit Avenue, a.k.a. 6424 Detroit Avenue

6501 Detroit Corporation, owner, c/o Thano Pasolis, and Gordon Square Restaurant Inc., tenant, c/o Doug Berg, to change the use of the existing westerly storeroom of an existing masonry store-and-suites building on a 35' x 100' irregular shaped corner lot located in a General Retail District on the northeast corner of West 65th Street and Detroit Avenue into a café/bar.

The following appeal was heard by the Board of Zoning Appeals on Monday, August 10, 1998; said decision to **Conditionally Grant** the appeal approved and adopted on September 21, 1998:

Calendar No. 98-152: 3804-06 Franklin Boulevard.

HBD Limited, owner, c/o Richard Turnbull and James Hauer, to change the use of an existing 54' 7" x 61' three-story masonry apartment building and basement located in a Two-Family District on a 113' x 65' irregular shaped corner parcel into a mixed use facility to include four apartment units and five guest rooms for a Bed and Breakfast.

At the Meeting of the Board of Zoning Appeals on Monday, September 21, 1998, the following appeal was **Postponed** by the Board of Zoning Appeals:

Calendar No. 98-169: 6605 Clark Avenue to October 12, 1998.

The following appeal was **Withdrawn:**

Calendar No. 98-175: 8323-8329 Quincy Avenue

Burton Enterprises Inc., owner, c/o Diane L. Burton, appeals, under Section 329.02 of the Codified Ordinances from the Notice of Violation dated July 10, 1998, issued by the Division of Building and Housing for a violation which prohibits use of an existing two-story masonry structure located in a Local Retail District as an Adult Cabaret.

EUGENE CRANFORD, JR.,
Secretary

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

Re: Report of the Meeting of
September 16, 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 of the subject meeting is given for publication in The City Record:

* * *

Docket A-139-96.

RE: Appeal of Alan Landy, Owner of the Property located on the premises known as 4000 East 71st Street from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated April 18, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).
No action.

* * *

Docket L-8-98.

RE: Appeal of William Kirschner, from a LETTER OF DENIAL FOR RENEWAL OF MASTER PLUMBER LICENSE of the Commissioner of the Division of Assessments and Licenses dated August 24, 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. Kirschner 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. Williams and seconded by Mr. Bowes.

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

* * *

Docket A-115-98.

RE: Appeal of Patrick P. Leneghan, Owner of the Property located on the premises known as 9400-9491 Maywood Avenue from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated May 21, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action this date; the docket will be rescheduled in two months (2 mos.).

* * *

Docket A-121-98.

RE: Appeal of Emile & Hayat Daher, Owners of the Property located on the premises known as 3230-34 Euclid Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated June 17, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-121-98 has been POSTPONED; to be rescheduled for December 9, 1998.

Docket A-123-98.

RE: Appeal of C.S.H. Hough Inc., Owner of the Residential Property located on the premises known as 4537 Bader Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated June 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 DENY the Appellant's appeal request and to REMAND the property at 4537 Bader Avenue to the Division of Building and Housing for 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-131-98.

RE: Appeal of Steve Zeidner, Owner of the Property located on the premises known as 4145 East 79th Street from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated June 26, 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 REMAND the property at 4145 East 79th Street to the Division of Fire for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-134-98.

RE: Appeal of Weston Properties Investments III, Ltd., Owner of the Property located on the premises known as 15625 Industrial Parkway from a NOTICE OF VIOLATION — HVAC of the Commissioner of the Division of Building and Housing dated July 29, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-134-98 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-136-98.

RE: Appeal of Federal National Mortgage Association, Mortgagee of the Residential Property located on the premises known as 9626 Thorn Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated June 12, 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 CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to obtain permits and abate the violations; the property is to remain boarded and secured and the grounds debris free during that period of time. 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 CONDEMNATION ORDER and LETTER OF INTENTION 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 December 30, 1998. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-137-98.

RE: Appeal of Perry & Joan Kendall Sr., Owners of the Property located on the premises known as 17415 Miles Avenue from a 72 HR. EMG. FIRE CONDEMNATION ORDER/MS of the Commissioner of the Division of Building and Housing dated August 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 modify the Commissioner's 72 HR. EMG. FIRE CONDEMNATION ORDER/MS and LETTER OF INTENTION TO DEMOLISH by granting the Appellant two months (2 mos.) in which to prepare a plan and to obtain permits for reconstruction of the property; the property is to remain boarded and secured and the grounds debris free during that period of time. 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 72 HR. EMG. FIRE CONDEMNATION ORDER/MS and LETTER OF INTENTION 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 November 30, 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-139-98.

RE: Appeal of A-Brite Plating, Owner of the Property located on the premises known as 3000 West 121st Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated July 23, 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 grant the variance to 10,000 square feet and permit the building area to be increased as proposed, and allow storage of use of 15,000 pounds of corrosive, noting that the Appellant

will have a F-1 for the sprinkler system and that the system will meet F-1 requirements. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

Docket A-149-98.

RE: Appeal of Cleveland Clinic Foundation, Owner of the Property located on the premises known as 9620 Carnegie Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated September 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 grant the variance to OBBC 510.7 and permit the paint spray booth to be installed and be used without the two-hour duct shaft within the shaft, noting that the Clinic has agreed to prohibit the use of flammable materials in the paint spray booths and to require that a sign be posted at the hood prohibiting the use of flammable materials in the spray paint booth. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

Docket A-152-98.

RE: Appeal of Fanta Equipment Co., Owner of the Property located on the premises known as 6601 Storer Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated August 26, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action, the docket will be continued at the request of the Appellant or Bob Vilkas, Deputy Commissioner — Division of Building and Housing.

* * *

Docket A-157-98.

RE: Appeal of V.G.U. Industries, Owner of the Property located on the premises known as 4747 Manufacturing Avenue (a.k.a. 4735-51 Manufacturing Avenue) from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated September 9, 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 grant the variance and permit the building to be occupied for a period of up to twenty-four months within installation of a fire suppression system, noting that a "Certificate of Occupancy" should be issued with the conditions that the fire suppression system installation should begin within twenty-four months (24 mos.). Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Williams and seconded by Mr. Saunders 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-304-97—Chase Manhattan Mortgage Corp.
A-127-98—Emerald Homes, Inc.
A-129-98—Anton Brandsperger.

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

* * *

APPROVAL OF AMENDED RESOLUTIONS FROM SEPTEMBER 2, 1998:

Separate motions were entered by Mr. Saunders and seconded by Mr. Sullivan for Approval and Adoption of the Amended Resolutions 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):

Docket A-118-98 — Donald J. Ernst Sr. — 7602 Aetna Road:

FROM: to REMAND the property at 7602 Aetna Road to the Division of Building and Housing for further action....

TO: modify the Commissioner's GARAGE CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to obtain permits and abate the violations; the property is to remain secured and the grounds debris free during that period of time, and to require that all hazardous materials be removed from the exterior of the property and the interior of the building. 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 GARAGE CONDEMNATION ORDER and LETTER OF INTENTION 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 March 16, 1999....

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

* * *

Docket A-142-98 — Case Western Reserve University — 2074 Adelbert Road:

FROM: grant the following variances:

Section 404:

To permit the construction to proceed with the atrium, with the conditions that the atrium steel may be not fire-proof steel, noting the occupancy of the atrium and that "NO EXIT" signs be posted;

Table 602:

To grant the variance and permit the exterior perimeter of the Biology Building to be sprinklered on the atrium side, and to allow the Biology Building to remain unsprinklered until it's renovation;

To permit the trusses in the Schmitt Building to remain as it is within, noting that they are a minimum of 15' from the floor....

TO: grant the following variances:

Section 404:

To permit the construction to proceed with the atrium, with the conditions that the atrium steel may be not fire-proof steel, noting the occupancy of the atrium and that "NO EXIT" signs be posted;

Table 602:

To grant the variance and permit the building to remain unsprinklered for approximately one year (1 yr.) after occupancy, at which time the sprinkler system will be installed from the inside of the Biology Building with vents at each window under Table 602;

To permit the trusses in the Schmitt Building to remain as it is within, noting that they are a minimum of 15' from the floor....

* * *

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:

September 16, 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."

WEDNESDAY, SEPTEMBER 30, 1998

Famis Software Package Replacement Servers and Peripherals, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1471-97, passed by the Council of the City of Cleveland, October 13, 1997.

September 16, 1998 and September 23, 1998

THURSDAY, OCTOBER 1, 1998

Interim Resurfacing of West 140th Street (Puritas Avenue — Lakewood Heights Boulevard), for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 363-98, passed by the Council of the City of Cleveland, May 18, 1998.

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

Gym Floor Refinishing, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 162-97, passed by the Council of the City of Cleveland, April 14, 1997.

September 16, 1998 and September 23, 1998

WEDNESDAY, OCTOBER 14, 1998

New Cleveland Browns NFL Football Stadium, Bid Package No. 12 — Scoreboard, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96, passed by the Council of the City of Cleveland.

PLANS AND SPECIFICATIONS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CITY HALL, CLEVELAND, OHIO 44114 FOR THE **NON-REFUNDABLE FEE** OF ONE HUNDRED FIFTY DOLLARS (\$150.00) CERTIFIED OR CASHIER'S CHECK **ONLY**. THE CHARGE IS WAIVED FOR THOSE HOLDERS OF PLANS PREVIOUSLY PURCHASED FOR BID PACKAGE NO. 12. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO OBTAIN DOCUMENTS.

A **MANDATORY** PRE-BID MEETING WILL BE HELD ON THURSDAY, OCTOBER 1, 1998, 10:00 A.M. AT THE HUBER, HUNT AND NICHOLS JOB SITE TRAILER OFF WEST THIRD OPPOSITE THE STADIUM CONSTRUCTION SITE.

September 16, 1998 and September 23, 1998

THURSDAY, OCTOBER 8, 1998

Cleveland Hopkins International Airport Visitors Information Center, for the Department of Port Control, as authorized by Ordinance No. 1289-98, passed by the Council of the City of Cleveland.

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

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, SEPTEMBER 30, 1998, 10:00 A.M. AT THE AIRPORT ENGINEER'S OFFICE, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

September 23, 1998 and September 30, 1998

FRIDAY, OCTOBER 9, 1998

Labor and Materials to Repair the Music Hall Entrance Doors, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 761-98, passed by the Council of the City of Cleveland, May 18, 1998.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, OCTOBER 1, 1998, AT THE MUSIC HALL ENTRANCE, 6TH AND ST. CLAIR AVENUE.

Commercial Gases, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 290-96, passed by the Council of the City of Cleveland, March 30, 1998.

Standard Wire, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 291-98, passed by the Council of the City of Cleveland, March 23, 1998.

September 23, 1998 and September 30, 1998

THURSDAY, OCTOBER 15, 1998

Labor and Materials to Paint Center and Lane Lines on City Streets, for the Division of Traffic Engineering, Department of Public Safety, as authorized by Ordinance No. 758-98, passed by the Council of the City of Cleveland, June 1, 1998.

Aluminum Sign Blanks and Refurbishing of Aluminum Sign Blanks, for the Division of Traffic Engineering, Department of Public Safety, as authorized by Ordinance No. 683-98, passed by the Council of the City of Cleveland, June 1, 1998.

Reflective Sheeting and Sign Posts, for the Division of Traffic Engineering, Department of Public Safety, as authorized by Ordinance No. 759-98, passed by the Council of the City of Cleveland, June 1, 1998.

Traffic Paint, Thermoplastic Material and Reflective Glass Beads, for the Division of Traffic Engineering, Department of Public Safety, as authorized by Ordinance No. 760-98, passed by the Council of the City of Cleveland, June 1, 1998.

September 23, 1998 and September 30, 1998

FRIDAY, OCTOBER 16, 1998

One (1) Cab/Chassis with 10-Cubic Yard Side-Loading Compactor Body, for the various divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

September 23, 1998 and September 30, 1998

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1633-98.
By Councilman Britt.

An emergency resolution objecting to the transfer of ownership and location of a C1 and C2 Liquor Permit to 8624 Cedar Rd.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C1 and C2 Liquor Permit from Permit No. 2957796, Patria Fuentes, DBA Pats Delicatessen, 2076 W. 28th St., 1st Fl. Only, Cleveland, Ohio 44113, 3144 Woodbine Ave., to Permit No. 0299723, Asma Inc., 8624 Cedar Rd., Cleveland, Ohio 44106; 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 C1 and C2 Liquor Permit from Permit No. 2957796, Patria Fuentes, DBA Pats Delicatessen, 2076 W. 28th St., 1st Fl. Only, Cleveland, Ohio 44113, 3144 Woodbine Ave., to Permit No. 0299723, Asma Inc., 8624 Cedar Rd., Cleveland, Ohio 44106 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 14, 1998.
Effective September 17, 1998.

Res. No. 1634-98.
By Councilman Cimperman.
An emergency resolution objecting to the issuance of a D3A Liquor Permit to 2000 Lakeside Ave., 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a D3A Liquor Permit to Permit No. 8765646, TA Dillinger Inc., 2000 Lakeside Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44114; 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 D3A Liquor Permit to Permit No. 8765646, TA Dillinger Inc., 2000 Lakeside Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44114 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 14, 1998.
Effective September 17, 1998.

Res. No. 1635-98.
By Councilman Cintron.
An emergency resolution expressing disappointment in the Mayor's failure to appoint a Hispanic representative to the Cleveland School Board and to request that he reconsider his appointments.

Whereas, there are over 8,000 Hispanic students in the Cleveland Public Schools, comprising the third largest concentration of students after African Americans and Caucasians, and

Whereas, the Ohio Department of Education statistics show the Hispanic dropout rate in the Cleveland School District was 28% in 1996 and 17% in 1997; and

Whereas, Hispanic children require and deserve a representative on the Cleveland Board of Education that has the ability to understand and convey their special needs related to language, culture and economic status and to give a public voice to those special needs, and

Whereas, Mayor Michael R. White recently assumed administrative control of and responsibility for the Cleveland Public Schools and conducted a search to appoint representatives to the Cleveland Board of Education; and

Whereas, the Mayor appointed nine representatives to the Cleveland Board of Education and failed to appoint a representative of His-

panic origin, now, therefore,

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

Section 1. That the Council of the City of Cleveland believes that it is important that Hispanic children are represented on the Cleveland Board of Education by a member of the Hispanic community.

Section 2. That this Council expresses its sincere disappointment with the failure of Mayor Michael R. White to appoint a Hispanic representative to the newly appointed Cleveland Board of Education.

Section 3. That this Council respectfully requests that Mayor White reconsider his appointments to the Cleveland School Board in order that a representative of the Hispanic community can be seated thereon.

Section 4. That the Clerk of Council is requested to transmit a copy of this Resolution to Mayor White and to the President of the Cleveland Board of Education.

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

Adopted September 14, 1998.

Effective September 17, 1998 without the signature of the Mayor.

Res. No. 1636-98.

By Councilman Coats.
An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 16420 Euclid Ave., 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 9636979, Jeanette Williams, 16420 Euclid Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44112, to Permit No. 9624545, Williams & Williams Enterprises Inc., DBA Williams & Williams Enterprises Inc., 16420 Euclid Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44112; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation

of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 9636979, Jeanette Williams, 16420 Euclid Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44112, to Permit No. 9624545, Williams & Williams Enterprises Inc., DBA Williams & Williams Enterprises Inc., 16420 Euclid Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44112 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 14, 1998.
Effective September 17, 1998.

Res. No. 1637-98.

By Councilman Patmon.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 10103 Elk Ave., 1st Fl. & Bsmt.

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. 4374581, William T. Jones, 10130 Elk Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44108, to Permit No. 7224598, Melvin B Ray, DBA Elk Avenue Grocery, 10103 Elk Ave., 1st Fl. & Bsmt., 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 transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 4374581, William T. Jones, 10130 Elk Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44108, to Permit No. 7224598, Melvin B Ray, DBA Elk Avenue Grocery, 10103 Elk Ave., 1st Fl. & Bsmt., 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 the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted September 14, 1998.
Effective September 17, 1998.

Res. No. 1638-98.

By Councilman Sweeney.

An emergency resolution withdrawing objection to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 4625-29 W. 130th St., and repealing Res. No. 1325-98, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D2, D2X, D3 and D3A Liquor Permit to 4625-29 W. 130th St., by Res. No. 1325-98, adopted July 29, 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 D2, D2X, D3 and D3A Liquor Permit to 4625-29 W. 130th St., be and the same is hereby withdrawn and Res. No. 1325-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted September 14, 1998.
Effective September 17, 1998.

Res. No. 1639-98.

By Councilman Willis.

An emergency resolution withdrawing objection to the transfer of ownership and location of a C2 and C2X Liquor Permit to 11003 Superior Ave., and repealing Res. No. 912-97, objecting to said transfer of ownership and location.

Whereas, this Council objected to the transfer of ownership and location of a C2 and C2X Liquor Permit to 11003 Superior Ave., by Res. No. 912-97, adopted May 19, 1997; and

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

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

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

Section 1. That objection to the transfer of ownership and location of a C2 and C2X Liquor Permit to 11003 Superior Ave., be and the same is hereby withdrawn and Res. No. 912-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

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

Adopted September 14, 1998.
Effective September 17, 1998.

Ord. No. 1607-98.

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

An emergency ordinance authorizing the Director of Community Development to enter into contract with Famicos Scattered Site Homes II, Ltd. to provide financial assistance in the form of a Community Development Float Loan to partially finance the construction of not to exceed twenty-five lease-purchase housing units in various areas of the City.

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 a Community Development Float Loan Agreement with Famicos Scattered Site Homes II, Ltd. to provide financial assistance to partially finance the construction of not to exceed twenty-five lease-purchase housing units in various areas of the City.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1607-98-A.

Section 3. That the costs of said contract shall not exceed Two Million Five Hundred Thousand Dollars (\$2,500,000.00), and shall be paid from Fund No. 14 SF 810, Request No. 23116.

Section 4. That the Director of Community Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in

the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 14 SF 810.

Section 6. That the Director of Community 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.

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

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

Passed September 14, 1998.

Effective September 17, 1998.

Ord. No. 1617-98.

By Councilman Britt.

An emergency ordinance consenting and approving the issuance of a permit for the Juno Jog on October 3, 1998, sponsored by the Health Museum and HMS Sports.

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 Juno Jog sponsored by the Health Museum and HMS Sports on October 3, 1998, beginning at the Health Museum left on E. 90th St., left on Chester, left on E. 89th St., right on Cedar, left on 87th St., left on Quincy, left on E. 89th St., right on Cedar, left on E. 93rd St., left on Carnegie, right on E. 82nd, right on Chester Pkwy., right on E. 83rd St., left on Beacon Place, left on E. 84th St., right on Chester, right on E. 89th to finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 14, 1998.

Effective September 17, 1998.

Ord. No. 1618-98.

By Councilman Cimperman.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the American Heart Association of Cleveland, Ohio to stretch two (2) banners on utility poles (by separate permission), on Euclid Avenue at East 9th Street for the period of September 15, 1998 to October 5, 1998, inclusive, publicizing the need to find a cure for heart disease.

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 American Heart Association of Cleveland, Ohio to install, maintain and remove two (2) banners on utility poles (by separate permission); on Euclid Avenue the third pole east of East 9th Street, Pole Number B61-10; and the fourth pole on Euclid Avenue, east of East 9th Street, Pole Number B60-10, for the period from September 15, 1998 to October 5, 1998, inclusive, publicizing the need to find a cure for heart disease. Said banners shall be approved by the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner 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 September 14, 1998.

Effective September 17, 1998.

Ord. No. 1619-98.

By Councilman Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Brown's Run on September 20, 1998, sponsored by the Cleveland JC's.

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 Brown's Run, sponsored by the Cleveland JC's, on September 20, 1998, beginning at the site of the new Brown's stadium on West 3rd and Erieside, right on Erieside, around the Great Lakes Science Center down Erieside past the Rock and Roll Hall of Fame, cross over East Ninth Street, continue onto North Marginal Road past Burke Lakefront Airport to East 26th Street turn around and follow same route back, provided that the applicant sponsor shall meet all the

requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 14, 1998.

Effective September 17, 1998.

Ord. No. 1620-98.

By Councilman Cintron.

An emergency ordinance consenting and approving the issuance of a permit for the St. Ignatius Run on September 13, 1998, sponsored by St. Ignatius High 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 a Run sponsored by St. Ignatius High School, on September 13, 1998 beginning at St. Ignatius High School W. 32nd and Lorain, Lorain to Abbey, Abbey to Columbus, Columbus to Riverbed, Riverbed to Carter, Carter to Scranton, Scranton to Train, Train to Wiley and return the same route, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 14, 1998.

Effective September 17, 1998.

Ord. No. 1621-98.

By Councilman Cintron.

An emergency ordinance to vacate a portion of Titus Avenue, S.W., Ketteringham Road S.W. (formerly View Road), and Evelyn Avenue, S.W. hereinafter described.

Whereas, on the 9th day of February, 1998 the Council of the City of Cleveland adopted Resolution No. 2156-97 declaring its intention to vacate a portion of Titus Avenue S.W., Ketteringham Road S.W. (formerly View Road), and Evelyn Avenue S.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2156-97 has been served upon the owners of all the property abutting Titus Avenue S.W., Ketteringham Road S.W. (formerly View Road), and Evelyn Avenue S.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 3rd day of September, 1998, the Board of Revision of Assessments approved the vacation of Titus Avenue S.W., Ketteringham Road S.W. (formerly View Road), Evelyn Avenue S.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 Titus Avenue S.W., Ketteringham Road S.W. (formerly View Road), and Evelyn Avenue S.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 the following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being that portion of: Titus Avenue S.W.: (50.00 feet wide), extending Easterly from the Easterly line of Scranton Road S.W. (60.00 feet wide) to the Westerly line of Ketteringham Road S.W. (width varies), Ketteringham Road S.W. (formerly View Road) width varies, extending Southwesterly and Westerly from the Southerly line of Engldale Avenue (50.00 feet wide) to the Easterly line of Scranton Road S.W. (60.00 feet wide), and Evelyn Avenue S.W.: (35.00 feet wide), extending Easterly from the Easterly line of Scranton Road S.W. (60.00 feet wide) to the Westerly right-of-way of Interstate Route 71, so called, be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing East Ohio Gas Company, Cleveland Public Power, and the Division of Water equipment.

The description of easement is as follows:

All that portion of the following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being that portion of: Titus Avenue S.W.: (50.00 feet wide), extending Easterly from the Easterly line of Scranton Road S.W. (60.00 feet wide) to the Westerly line of Ketteringham Road S.W. (width varies), Ketteringham Road S.W. (formerly View Road) width varies, extending Southwesterly and Westerly from the Southerly line of Engldale Avenue (50.00 feet wide) to the Easterly line of Scranton Road S.W. (60.00 feet wide), and Evelyn Avenue S.W.: (35.00 feet wide), extending Easterly from the Easterly line of Scranton Road S.W. (60.00 feet wide) to the Westerly right-of-way of Interstate Route 71.

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 East Ohio Gas Company, Cleveland Public Power, and the Division of Water of the City of Cleveland.

Section 3. That there and hereby be paid to the City of Cleveland Department of Public Utilities, Division of Water, and Cleveland Public Power, and East Ohio Gas Company, all pending charges and/or granting of easements as specified.

Section 4. 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 Titus Avenue S.W., Ketteringham Road S.W. (formerly View Road), and Evelyn Avenue S.W., herein provided by sending him a copy of this Ordinance.

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

Passed September 14, 1998.

Effective September 17, 1998.

Ord. No. 1622-98.

By Councilman Cintron.

An emergency ordinance to vacate a portion of West 30th Street, and Keene Court S.W. hereinafter described.

Whereas, on the 1st day of June, 1998 the Council of the City of Cleveland adopted Resolution No. 625-98 declaring its intention to vacate a portion of West 30th Street, and Keene Court S.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 625-98 has been served upon the owners of all the property abutting West 30th Street, and Keene Court S.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 3rd day of September, 1998, the Board of Revision of Assessments approved the vacation of West 30th Street, and Keene Court S.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 West 30th Street, and Keene Court S.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 situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of West 30th Street (originally known as Jersey Street) in the Barber and Lord Subdivision, of part of Original Brooklyn Township Lots Nos. 51 and 52, as shown by the Plat Recorded in Volume 11 of Maps, Pages 26 and 27 of Cuyahoga County Records and further bounded and described as follows:

Beginning in the Northwesterly line of Chatham Avenue S.W., 66 feet wide, at its intersection with the Southwesterly line of said West 30th Street, 66 feet wide;

Thence North 58°-39'-01" East along said Northwesterly line a distance of 66.00 feet to the Northeast-erly line of said West 30th Street;

Thence North 31°-10'-06" West along said Northeast-erly line of

West 30th Street a distance of 227.21 feet to a drill hole set at the most Southerly corner of a parcel of land conveyed to The Trinity Evangelical Lutheran Church of Cleveland by Deed Recorded in Volume 9419 of Deeds, Page 406 of Cuyahoga County Records;

Thence South 58°-49'-54" West a distance of 40.00 feet to a point of curvature;

Thence Southwesterly, along the arc of a curve deflecting to the right, a distance of 28.30 feet; said curve having a radius of 40.00 feet, a central angle of 40°-32'-30" and a chord which bears South 79°-06'-09" West a distance of 79.72 feet to the aforesaid Southwesterly line of West 30th Street;

Thence South 31°-10'-06" East along the aforesaid Southwesterly line of West 30th Street a distance of 237.03 feet to the Place of Beginning and containing about 15,065 Square Feet or about 0.3458 Acres of Land, according to a survey by John R. Hoy and Associates, Inc., Professional Land Surveyors, dated August, 1993. The bearings used hereon are on the Cleveland Regional Geodetic Survey Datum Per Original Monuments Nos. 263 and 271 which are in the vicinity of this survey.

AND

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of Keene Court S.W. in the Barber and Lord Subdivision, of part of Original Brooklyn Township Lots Nos. 51 and 52, as shown by the Plat Recorded in Volume 11 of Maps, Pages 26 and 27 of Cuyahoga County Records and further bounded and described as follows:

Beginning in the Southeasterly line of Keene Court S.W., 16 feet wide, at its intersection with the Northeast-erly line of West 31st Place, 16 feet wide;

Thence North 31°-07'-19" West along the Northwesterly prolongation of said Southwesterly line of West 31st Place a distance of 16.07 feet to the Northwesterly line of said Keene Court S.W.;

Thence North 64°-18'-48" East along said Northwesterly line a distance of 216.40 feet to the Southwesterly line of West 30th Street (formerly known as Jersey Street) 66 feet wide;

Thence South 31°-10'-06" East along said Southwesterly line of West 30th Street a distance of 5.65 feet to a point of curvature;

Thence Southeasterly along the arc of a curve deflecting to the right, a distance of 10.46 feet; said curve having a radius of 30.00 feet, a central angle of 19°-58'-33" and a chord which bears South 21°-10'-49" East a distance of 10.41 feet to the aforesaid Southeasterly line of Keene Court S.W.;

Thence South 64°-18'-48" West along the aforesaid Southeasterly line of Keene Court S.W. a distance of 214.60 feet to the Place of Beginning and containing about 3,457 Square feet or about 0.0793 Acres of land, according to a survey by John R. Hoy and Associates, Inc., Professional Land Surveyors, dated August, 1993. The bearings used hereon are on the Cleveland Regional Geodetic Survey Datum Per Original Monuments Nos. 263 and 271 which are in the vicinity of this Survey, be and the same is hereby vacated.

Section 2. That there and hereby be paid to the City of Cleveland Department of Park Maintenance and Properties, Urban Forestry Section all pending charges as specified.

Section 3. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Water Pollution Control, Division of Water, Cleveland Public Power, Division of Fire, East Ohio Gas, and Ameritech equipment.

The description of easement is as follows:

Section 1. That all that portion situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of West 30th Street (originally known as Jersey Street) in the Barber and Lord Subdivision, of part of Original Brooklyn Township Lots Nos. 51 and 52, as shown by the Plat Recorded in Volume 11 of Maps, Pages 26 and 27 of Cuyahoga County Records and further bounded and described as follows:

Beginning in the Northwesterly line of Chatham Avenue S.W., 66 feet wide, at its intersection with the Southwesterly line of said West 30th Street, 66 feet wide;

Thence North 58°-39'-01" East along said Northwesterly line a distance of 66.00 feet to the Northeastly line of said West 30th Street;

Thence North 31°-10'-06" West along said Northeastly line of West 30th Street a distance of 227.21 feet to a drill hole set at the most Southerly corner of a parcel of land conveyed to The Trinity Evangelical Lutheran Church of Cleveland by Deed Recorded in Volume 9419 of Deeds, Page 406 of Cuyahoga County Records;

Thence South 58°-49'-54" West a distance of 40.00 feet to a point of curvature;

Thence Southwesterly, along the arc of a curve deflecting to the right, a distance of 28.30 feet; said curve having a radius of 40.00 feet, a central angle of 40°-32'-30" and a chord which bears South 79°-06'-09" West a distance of 27.72 feet to the aforesaid Southwesterly line of West 30th Street;

Thence South 31°-10'-06" East along the aforesaid Southwesterly line of West 30th Street a distance of 237.03 feet to the Place of Beginning and containing about 15,065 Square Feet or about 0.3458 Acres of Land, according to a survey by John R. Hoy and Associates, Inc., Professional Land Surveyors, dated August, 1993. The bearings used hereon are on the Cleveland Regional Geodetic Survey Datum Per Original Monuments Nos. 263 and 271 which are in the vicinity of this survey, AND

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of Keene Court S.W. in the Barber and Lord Subdivision, of part of Original Brooklyn Township Lots Nos. 51 and 52, as shown by the Plat Recorded in Volume 11 of Maps, Pages 26 and 27 of Cuyahoga County Records and further bounded and described as follows:

Beginning in the Southeasterly line of Keene Court S.W., 16 feet wide, at its intersection with the Northeastly line of West 31st Place, 16 feet wide;

Thence North 31°-07'-19" West along the Northwesterly prolongation of said Southwesterly line of West 31st Place a distance of 16.07 feet to the Northwesterly line of said Keene Court S.W.;

Thence North 64°-18'-48" East along said Northwesterly line a distance of 216.40 feet to the Southwesterly line of West 30th Street (formerly known as Jersey Street) 66 feet wide;

Thence South 31°-10'-06" East along said Southwesterly line of

West 30th Street a distance of 5.65 feet to a point of curvature;

Thence Southeasterly along the arc of a curve deflecting to the right, a distance of 10.46 feet; said curve having a radius of 30.00 feet, a central angle of 19°-58'-33" and a chord which bears South 21°-10'-49" East a distance of 10.41 feet to the aforesaid Southeasterly line of Keene Court S.W.;

Thence South 64°-18'-48" West along the aforesaid Southeasterly line of Keene Court S.W. a distance of 214.60 feet to the Place of Beginning and containing about 3,457 Square feet or about 0.0793 Acres of Land, according to a survey by John R. Hoy and Associates, Inc., Professional Land Surveyors, dated August, 1993. The bearings used hereon are on the Cleveland Regional Geodetic Survey Datum Per Original Monuments Nos. 263 and 271 which are in the vicinity of this Survey.

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 Water Pollution Control, the Division of Water, Cleveland Public Power, the Division of Fire, East Ohio Gas, and Ameritech, of the City of Cleveland.

Section 4. 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 West 30th Street, and Keene Court S.W., herein provided by sending him a copy of this Ordinance.

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

Passed September 14, 1998.
Effective September 17, 1998.

Ord. No. 1623-98.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Maria K. Dimarhos at the Southeast corner of East 19th Street and Carnegie 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; (Maria K. Dimarhos at the southeast corner of East 19th Street and Carnegie 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 September 14, 1998.

Effective September 17, 1998 without the signature of the Mayor.

Ord. No. 1624-98.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Robert Shepherd at the corner of East 55th Street and Woodland 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; (Robert Shepherd at the corner of East 55th Street and Woodland 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 September 14, 1998.

Effective September 17, 1998 without the signature of the Mayor.

Ord. No. 1625-98.

By Councilman Jones.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 1. (Augustine Madukkie at Lee Road and South Miles 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 1; 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 1: (Augustine Madukkie at Lee Road and South Miles 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 September 14, 1998.
Effective September 17, 1998 with-
out the signature of the Mayor.

Ord. No. 1626-98.

By Councilmen Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1723 and 1727 East 81st Street to Elizabeth A. Davis.

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), 106-20-088 and 106-20-089, as more fully described in Section 2 below, to Elizabeth A. Davis.

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

P.P. No. 106-20-088

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 1 and 2 in Mary E. and S.K. Davis Subdivision of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 5 of Maps, Page 39 of Cuyahoga County Records and

together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 81st Street (formerly Park Avenue) at the Northwest corner of said Sublot 1; thence Southerly along said Easterly line of East 81st Street 33-1/3 feet; thence Easterly parallel with the Northerly line of said Sublots 1 and 2, 100 feet to the Easterly line of said Sublot 2; thence Northerly along said Easterly line of Sublot 2, 33-1/3 feet to the North-easterly corner of said Sublot 2; thence Westerly along the Northerly line of said Sublots 1 and 2, (which is also the Southerly line of a 13 foot alley), 100 feet to the place of beginning, be the same more or less, but subject to all legal high-ways.

Subject to Zoning Ordinances, if any.

P.P. No. 106-20-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots 1 and 2 in M.E. and S.K. Davis Re-Allotment of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 5 of Maps, Page 39 of Cuyahoga County Records and bounded and described as follows:

Beginning at a point in the Easterly line of East 81st Street (formerly Princeton Street) 133-1/3 feet Northerly from the Northerly line of Hough Avenue; thence Easterly parallel with Hough Avenue, 100 feet to the Easterly line of Sublot 2; thence Northerly parallel with East 81st Street (formerly Princeton Street) 33-1/3 feet; thence Westerly parallel with the Southerly line 100 feet to the Easterly line of East 81st Street (formerly Princeton Street); thence Southerly along the Easterly line of East 81st Street (formerly Princeton Street) 33-1/3 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed September 14, 1998.
Effective September 17, 1998.

Ord. No. 1627-98.

By Councilmen Lewis and Patmon.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Cleveland Cultural Garden Federation to stretch eight (8) banners on utility poles (by separate permission), on Dr. Martin Luther King, Jr. Boulevard, Parkgate Avenue, and Ansel Road, for the period of September 1, 1998 to September 14, 1998, inclusive, publicizing coming events.

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 Cultural Garden Federation to install, maintain and remove eight (8) banners on utility poles (by separate permission); Pole #1 — on Dr. Martin Luther King, Jr. Boulevard ("MLK") Boulevard, Westside, North of Parkgate Avenue, Pole #2 — on MLK Boulevard, Eastside, North of Parkgate Avenue; Pole #3 — on MLK Boulevard, Westside, South of Parkgate Avenue; Pole #4 — on MLK Boulevard, Eastside, South of Parkgate Avenue; Pole #5 — MLK Boulevard, Eastside, South of Parkgate Avenue; Pole #6 — MLK Boulevard, Eastside, North of Ansel Road; Pole #7 — MLK Boulevard, Eastside, South of Ansel Road; Pole #8 — MLK Boulevard, at the Triangle, South of Ansel Road; for the period from September 1, 1998 to September 14, 1998, inclusive, publicizing coming events. Said banners shall be approved by the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner 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 September 14, 1998.
Effective September 17, 1998.

Ord. No. 1628-98.

By Councilmen Melena and Cinton.

An emergency ordinance consenting and approving the issuance of a permit for a walk (Kilometers for Kids) on September 20, 1998, sponsored by the West Side Ecumenical Ministry.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a walk (Kilometers

for Kids), sponsored by the West Side Ecumenical Ministry, on September 20, 1998, beginning at the West Side Market lot, west on Lorain across West 25th, north on West 25th to Market Square, west on Market Square to West 28th, north on West 28th to Fulton, south on Fulton to Bridge, west on Bridge to West 38th, north on West 38th to Franklin, west on Franklin to West 65th, north on West 65th to West Clinton, east on West Clinton to West 58th, north on West 58th to Detroit, east on Detroit to 5209 Detroit, the new WSEM Administrative Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 14, 1998.
Effective September 17, 1998.

Ord. No. 1629-98.

By Councilman Patmon.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Famicos Foundation, Incorporated or designee.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, 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. 105-30-150 as more fully described in Section 2 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 105-30-150

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 20 feet of Sublot No. 11 and the Northerly 10 feet of Sublot

No. 12 in Peter Higgins' Subdivision of part of Original One Hundred Acre Lot No. 348, as shown by the recorded plat in Volume 22 of Maps, Page 5 of Cuyahoga County Records together forming a parcel of land 30 feet front on the Westerly side of East 76th Street, and extending back of equal width 75 feet, be the same more or less, but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 105-30-151 as more fully described in Section 4 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 105-30-151

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 30 feet of Sublot No. 12 in Peter Higgins' Subdivision of part of Original One Hundred Acre Lot No. 348, as shown by the recorded plat of said Subdivision in Volume 22 of Maps, Page 5 of Cuyahoga County Records. Said part of Sublot No. 12 has a frontage of 30 feet on the Westerly side of East 76th Street (formerly Chandler Avenue), and extends back between parallel lines 75 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 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 105-31-165 as more fully described in Section 6 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 105-31-165

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 46 in John T. Avery's Subdivision Original One Hundred Acre Lots Nos. 348 and 350 as shown by the recorded plat in Volume 17 of Maps, Page 26 of Cuyahoga County Records. Said Sublot No. 46 has a frontage of 35 feet on the Westerly side of East 79th Street and extending back between parallel lines 130 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions recorded in Volume 540, Page 266 of Cuyahoga County Records.

Also subject to restrictions recorded in Volume 659, Page 633 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 105-31-166 as more fully described in Section 8 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 105-31-166

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 45 in J.T. Avery's Subdivision of part of Original One Hundred Acre Lots Nos. 348 and 350 as shown by the recorded plat in Volume 17 of Maps, Page 26 of Cuyahoga County Records, and being 35 feet front on the Westerly side of East 79th Street and extending back between parallel lines 130 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Restrictions recorded in Volume 691, Page 95 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 105-32-002 as more fully described in Section 10 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 105-32-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 72 in Glenn, Hodge and Taylor's Allotment of part of Original One Hundred Acre Lot No. 348 as shown by the recorded plat in Volume 4 of Maps, Page 55 of Cuyahoga County Records, and being 46 feet front on the Easterly side of East 74th Street and extending back between parallel lines 175 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-02-062 as more fully described in Section 12 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 107-02-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 25 feet of Sublot No. 108 and the Northerly 10 feet of Sublot No. 109 in the W.H. Lawrence Allotment of part of Original One Hundred Acre Lots Nos. 367 and 375 as shown by the recorded plat in Volume 15 of Maps, Page 2 of Cuyahoga County Records, and together being 35 feet front on the Easterly side of Ida Street, N.E., and extending back between parallel lines 110 feet, as appears by said plat.

Also subject to all zoning ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-03-078 as more fully described in Section 14 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 107-03-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 88 in the W.H. Lawrence's Subdivision of part of Original One Hundred Acre Lot Nos. 367 and 375, as shown by the recorded plat in Volume 15 of Maps, Page 2 of Cuyahoga County Records, and being 30 feet front on the Western side of Ida Avenue, N.E., (formerly Ida Street) and extending back between parallel lines 110 feet deep, as appears by said plat.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 107-03-079 and 107-03-080 as more fully described in Section 16 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 107-03-079 and 107-03-080

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublots Nos. 89 and 90 in W.J. Lawrence's Allotment of part of Original One Hundred Acre Lots Nos. 367 and 375 as shown by the recorded plat in Volume 15 of Maps, Page 2 of Cuyahoga County Records and together forming a parcel of land 77.98 feet front on the Southwesterly side of Ida Street, N.E., and extending back 110 feet over the Northerly line, 116.25 feet over the Southerly line and being 40.39 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-03-106 as more fully described in Section 18 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 107-03-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 28 in Washington H. Lawrence Subdivision of part of Original One Hundred Acre Lots Nos. 367, 375 as shown by the recorded plat in Volume 15 of Maps, Page 2 of Cuyahoga County Records, and being 30 feet front on the Northerly side of Crumb Street, (now known as Crumb Avenue, N.E.) and extending back 109.19 feet on the Westerly line, 109.01 on the Easterly line, and having a rear line of 30 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-05-025 as more fully described in Section 20 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 107-05-025

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 1 in Simon Bauer's Subdivision of part of Original One Hundred Acre Lot No. 375, as shown by the recorded plat of said Subdivision in Volume 19 of Maps, Page 18 of Cuyahoga County Records, and being 36.92 feet front on the Easterly side of East 79th Street and extending back between parallel lines, 115 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-05-027 as more fully described in Section 22 below, to Famicos Foundation, Incorporated or designee.

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

P.P. No. 107-05-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 3 in the Simon Bauer's Subdivision of part of Original One Hundred Acre Lot No. 375, as shown by the recorded plat of said Subdivision in Volume 19 of Maps, Page 18 of Cuyahoga County Records. Said Sublot No. 3 has a frontage of 37 feet on the Easterly side of East 79th Street (formerly Woolsey Street), and extends back between parallel lines 115 feet, along the Northerly line of Simon Avenue, N.E., as appears by said plat.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-13-011 as more fully described in Section 24 below, to Famicos Foundation, Incorporated or designee.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P.P. No. 107-13-011

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublots Nos. 1, 2, 3 and part of Sublot No. 5 in Halle and Walworth's Re-Subdivision of part of Original One Hundred Acre Lots Nos. 385 and 393, as shown by the recorded plat in Volume 13 of Maps, Page 45 of Cuyahoga County Records and bounded and described as follows:

Beginning at the intersection of the Southeasterly line of Crawford Road, N.E., with the Westerly line of Ansel Road, N.E.; thence Southerly along the Westerly line of Ansel Road, N.E., 144 feet to the Northerly line of land conveyed to Agnes McDonnell by deed dated April 17, 1894 and recorded in Volume 5784, Page 217 of Cuyahoga County Records; thence Westerly at right angles with the Westerly line of Ansel Road, N.E., and along the Northerly line of land so conveyed to Agnes McDonnell about 36 feet to a point in the prolongation of the Southwesterly line of Sublot No. 3 in said Re-Subdivision; thence Northwesterly along said prolongation and along said Southwesterly line of said Sublot No. 3 to the Southeasterly line of Crawford Road, N.E.; thence Northeasterly along the

Southeasterly line of Crawford, N.E., 134 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 4 and parts of Sublots Nos. 5 and 6 in Halle and Walworth's Re-Subdivision of Sublots Nos. 1 and 14 inclusive of Judson and Halle's Allotment of part of Original One Hundred Acre Lots Nos. 385 and 393 as shown by the recorded plat in Volume 13 of Maps, Page 45 of Cuyahoga County Records and together forming a parcel of land, bounded and described as follows:

Beginning in the Southeasterly line of Crawford Road, N.E., (60 feet wide) at the most Northerly corner of said Sublot No. 4; thence Southeasterly along the Northeasterly line of said Sublot No. 4 and along the Southeasterly prolongation thereof, 70 feet; thence Southwesterly on a line parallel to the Southeasterly line of Crawford Road, N.E., 40 feet to a point in the Southeasterly prolongation of the Southwesterly line of said Sublot No. 4; thence Northwesterly along said prolongation and along said Southwesterly line of said Sublot No. 4, 70 feet to the Southeasterly line of Crawford Road, N.E.; thence Northeasterly along said Southeasterly line of Crawford Road, N.E., 40 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Restrictions, terms and conditions recorded in Miscellaneous Volume 111, Page 9 and in Miscellaneous Volume 111, Page 43 of Cuyahoga County Records.

Covenants and restrictions recorded in Volume 574, Page 217 of Cuyahoga County Records

Subject to Zoning Ordinances, if any.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-13-012 as more fully described in Section 26 below, to Famicos Foundation, Incorporated or designee.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P.P. No. 107-13-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 5, 6 and 9 in Halle and Walworth's Re-Subdivision of part of Original One Hundred Acre Lots Nos. 385 and 393, as shown by the recorded plat in Volume 13 of Maps, Page 45 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at a point in the Westerly line of Ansel Road, N.E., distant 144 feet Southerly, measured along said Westerly line, from its intersection with the Southeasterly line of Crawford Road, N.E., at the Southeasterly corner of the first parcel of land conveyed to Nathan Deemer by deed dated May 1, 1922, and recorded in Volume 2681, Page 146 of Cuyahoga County Records; thence Westerly in a line at right angles with the Westerly line of Ansel Road, N.E., and along the Southerly line of the first parcel of land so conveyed to Nathan Deemer about 36 feet to its intersection with

the Southeasterly prolongation of the Northeasterly line of Sublot No. 4 in said Subdivision; thence Southeasterly along the said Southeasterly prolongation to the most Easterly corner of the second parcel of land conveyed to Nathan Deemer by deed aforesaid; thence Southwesterly along the Southeasterly line of the second parcel of land so conveyed to Nathan Deemer, 40 feet to the most Easterly corner of land conveyed to J. Blee by deed dated June 14, 1919, and recorded in Volume 2244, Page 562 of Cuyahoga County Records; thence Southerly along the Easterly line of land so conveyed to J. Blee and along the Easterly line of land conveyed to Verna C. Schwertner of by deed dated October 27, 1913, and recorded in Volume 1485, Page 477 of Cuyahoga County Records; about 79 feet 9-3/4 inches to the Southerly line of said Sublot No. 9; thence Easterly along the Southerly line of Sublot No. 9 about 83 feet 8 inches to the Westerly line of Ansel Road, N.E.; thence Northerly along the Westerly line of Ansel Road, N.E., 110 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Covenants and restrictions recorded in Volume 574, Page 217 of Cuyahoga County Records.

Restriction, terms and conditions recorded in Miscellaneous Volume 111, Page 9 and in Miscellaneous Volume 111, Page 43 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 27. 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. 108-08-010 as more fully described in Section 28 below, to Famicos Foundation, Incorporated or designee.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P.P. No. 108-08-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in Schatzinger and Termaine's Subdivision of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat of said Subdivision in Volume 18 of Maps, Page 7 of Cuyahoga County Records. Said Sublot No. 21 has a frontage of 40 feet on the Northwesterly side of Elk Avenue, N.E., (formerly Ethel Avenue) and extends back between parallel lines 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 29. 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. 108-08-011 as more fully described in Section 30 below, to Famicos Foundation, Incorporated or designee.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P.P. No. 108-08-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 22 in Schatzinger and Termaine's of part of Original One Hundred Acre Lot No. 361, as shown by the recorded plat in Volume 18 of Maps, Page

7 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Elk Avenue, N.E., and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 31. 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. 108-10-004 as more fully described in Section 32 below, to Famicos Foundation, Incorporated or designee.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P.P. No. 108-10-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 361, bounded and described as follows:

Beginning on the Northerly line of Elk Avenue, N.E., (formerly Ethel Avenue), 320 feet Westerly from its point of intersection with the Westerly line of East 105th Street (formerly Doan Street); thence Westerly along said Northerly line of Elk Avenue, N.E., 40 feet; thence Northerly parallel with said Westerly line of East 105th Street, 130 feet; thence Easterly parallel with said Northerly line of Elk Avenue, N.E., 40 feet; thence Southerly 130 feet to the place of beginning, being further known as Sublot No. 12 in Lillian D. Foster's proposed Allotment of part of Original One Hundred Acre Lot No. 361 as appears by said plat, be the same more or less, but subject to all legal highways.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-11-109 as more fully described in Section 34 below, to Famicos Foundation, Incorporated or designee.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P.P. No. 109-11-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 154 and part of the Southerly half of Hulda Court, N.E., 12 feet wide, now vacated in William Phillips' Subdivision of part of Original One Hundred Acre Lot No. 377, as shown by the recorded plat in Volume 19 of Maps, Page 23 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Hampden Avenue, N.E., (formerly Hulda Street) and extending back of equal width 111 feet to the center line of Hulda Court, N.E., now vacated, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-14-115 as more fully described in Section 36 below, to Famicos Foundation, Incorporated or designee.

Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P.P. No. 109-14-115

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 82 in the Cottage Home Allotment of part of Original One Hundred Acre Lot No. 378, as shown by the recorded plat of said Southerly in Volume 16 of Maps, Page 14 of Cuyahoga County Records. Said Sublot No. 82 has a frontage of 40 feet on the Northerly side of Morison Avenue, N.E., (formerly Morison Street), and extends back between parallel lines 125.64/100 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-14-117 as more fully described in Section 38 below, to Famicos Foundation, Incorporated or designee.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P.P. No. 109-14-117

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 84 in Morrison and Massie's Cottage Home Allotment of part of Original One Hundred Acre Lot No. 378, as shown by the recorded plat in Volume 16 of Maps, Page 14 of Cuyahoga County Records. Said Sublot No. 84 has a frontage of 40 feet on the Northerly side of Morrison Avenue, N.E., and extends back between parallel lines 125.64 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 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-05-006 as more fully described in Section 40 below, to Famicos Foundation, Incorporated or designee.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P.P. No. 107-05-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 176 in W.H. Lawrence's Subdivision of part of Original One Hundred Acre Lot Nos. 367 and 375, as shown by the recorded plat in Volume 15 of Maps, Page 2 of Cuyahoga County Records, and being 30 feet front on the Southerly side of Crumb Avenue, and extending back of equal width 110 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-03-066 as more fully described in Section 42 below, to Famicos Foundation, Incorporated or designee.

Section 42. That the real property to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P.P. No. 107-03-066

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being the Southerly 20 feet from front to rear of Sublot No. 111 and the Northerly 20 feet from front to rear of Sublot No. 112 in W.H. Lawrence's Allotment of part of Original One Hundred Acre Lots Nos. 367 and 375, as shown by the recorded plat in Volume 15 of Maps, Page 2 of Cuyahoga County Records and together forming a parcel of land 40 feet front on the Easterly side of Ida Street, N.E., and extending back between parallel lines 110 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-04-081 as more fully described in Section 44 below, to Famicos Foundation, Incorporated or designee.

Section 44. That the real property to be sold pursuant to Section 43 of this Ordinance is more fully described as follows:

P.P. No. 107-04-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 7 in the Rose and Korman Subdivision of part of Original One Hundred Acre Lot No. 375, as shown by the recorded plat in Volume 18 of Maps, Page 2 of Cuyahoga County Records and being 35 feet front on the Northerly side of Korman Avenue, N.E., (formerly Korman Street) and extends back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 45. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-05-090 as more fully described in Section 46 below, to Famicos Foundation, Incorporated or designee.

Section 46. That the real property to be sold pursuant to Section 45 of this Ordinance is more fully described as follows:

P.P. No. 107-05-090

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in the Rose and Korman Subdivision of part of Original One Hundred Acre Lot No. 375, as shown by the recorded plat in Volume 18 of Maps, Page 2 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Korman Avenue, N.E., (formerly Korman Street) and extends back of equal width 125 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 47. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-05-097 as more fully described in Section 48 below, to Famicos Foundation, Incorporated or designee.

Section 48. That the real property to be sold pursuant to Section 47 of this Ordinance is more fully described as follows:

P.P. No. 107-05-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 39 in Simon Bauer's Subdivision of part of Original One Hundred Acre

Lot No. 375, as shown by the recorded plat in Volume 19 of Maps, Page 18 of Cuyahoga County Records and being 35 feet front on the Southerly side of Simon Avenue and extending back of equal width 110.50 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Covenants and Restrictions recorded in Volume 583, Page 499 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 49. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-05-098 fully described in Section 50 below, to Famicos Foundation, Incorporated or designee.

Section 50. That the real property to be sold pursuant to Section 49 of this Ordinance is more fully described as follows:

P.P. No. 107-05-098

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 3 feet from front to rear of Sublot No. 38 in Simon Bauers Subdivision of part of Original One Hundred Acre Lot No. 375 as shown by the recorded plat in Volume 19 of Maps, Page 18 of Cuyahoga County Records and being 3 feet front on the Southerly side of Simon Avenue and extending back between parallel lines 110.50 feet deep as appears by said plat be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 51. 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. 108-07-056 as more fully described in Section 52 below, to Famicos Foundation, Incorporated or designee.

Section 52. That the real property to be sold pursuant to Section 51 of this Ordinance is more fully described as follows:

P.P. No. 108-07-056

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 74 and part of Sublot No. 73 in the Walton Realty Company Subdivision of part of Original One Hundred Acre Lots Nos. 360, 361, 368 and 369, as shown by the recorded plat in Volume 28 of Maps, Page 11 of Cuyahoga County Records and part of Original One Hundred Acre Lots Nos. 361, 369 and together forming a parcel of land bounded and described as follows:

Beginning on the Northeastery line of East 96th Street (formerly Somerset Avenue) at the most Westerly corner of said Sublot No. 74; thence Southeasterly along the Northeastery line of East 96th Street 35 feet to the most Southerly corner of land conveyed to Anna F. Klein by deed dated August 30, 1955 and recorded in Volume 8442, Page 638 of Cuyahoga County Records; thence Northeastery along the Southeastery line of land so conveyed 38.49 feet to an angle therein; thence Northeastery continuing along the Southeastery line of land so conveyed, 20.64 feet to the Northeastery line of said Sublot No. 73; thence Southeasterly along the Northeastery line of Sublots Nos. 73, 72, 71 and 70 in the Walton Realty Company's Subdivision as aforesaid,

to the Southwesterly corner of land conveyed to Anna F. Klein by deed dated November 20, 1913 and recorded in Volume 1533, Page 27 of Cuyahoga County Records; thence Easterly along the Southerly line of land so conveyed, about 62 feet to the Southeastery corner thereof; thence Northerly along the Easterly line of land so conveyed and along the Northerly prolongation thereof, 145 feet to the Southerly line of land conveyed to M. Mitchel by deed dated January 2, 1918 and recorded in Volume 2055, Page 366 of Cuyahoga County Records; thence Westerly along the Southerly line of land so conveyed to the Northeastery line of Sublot No. 75 in the aforesaid Subdivision; thence Southeasterly along the Northeastery line of said Sublot No. 74; thence Southwesterly along the Northwestery line of said Sublot No. 74, 59.11 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 53. 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. 108-11-116 as more fully described in Section 54 below, to Famicos Foundation, Incorporated or designee.

Section 54. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P.P. No. 108-11-116

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 10 in the Curtiss-Ambler Realty Company's Subdivision of part of Original One Hundred Acre Lot No. 361 as appears by the recorded plat in Volume 26 of Maps, Page 30 of Cuyahoga County Records, and being 36 feet front on the Northerly side of Colonial Avenue, N.E., and extending back of equal width 100 feet deep, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 55. 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. 108-29-069 as more fully described in Section 56 below, to Famicos Foundation, Incorporated or designee.

Section 56. That the real property to be sold pursuant to Section 55 of this Ordinance is more fully described as follows:

P.P. No. 108-29-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 95, Linn and Issel Subdivision of part of Original One Hundred Acre Lot No. 36, as shown by the recorded plat in Volume 38 of Maps, Page 16 of Cuyahoga County Records, and being 40 feet on the Southerly side of Helena Avenue, extending back between parallel lines 105 feet, be the same more or less, but subject to all legal highways.

Subject to conditions, Book 3337, Page 585 and Book 3392, Page 457, Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 57. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-18-036 as

more fully described in Section 58 below, to Famicos Foundation, Incorporated or designee.

Section 58. That the real property to be sold pursuant to Section 57 of this Ordinance is more fully described as follows:

P.P. No. 109-18-036

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 25 in Curtiss, Ambler and Johnson's Subdivision of part of Original One Hundred Acre Lots Nos. 378 and 386 as shown by the recorded plat in Volume 16 of Maps, Page 10 of Cuyahoga County Records and being 35 feet front on the Southerly side of Hathaway Avenue, N.E., (formerly Hathway Street) extending back of equal width 120 feet to a 12 foot alley (now known as Tecumseh Court N.E.) as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 59. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-18-038 as more fully described in Section 60 below, to Famicos Foundation, Incorporated or designee.

Section 60. That the real property to be sold pursuant to Section 59 of this Ordinance is more fully described as follows:

P.P. No. 109-18-038

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in the Curtiss Ambler and Johnson Subdivision of part of Original One Hundred Acre Lots Nos. 378 and 386, as shown by the recorded plat in said Subdivision in Volume 16 of Maps, Page 10 of Cuyahoga County Records. Said Sublot No. 27 has a frontage of 35 feet on the Southerly side of Hathaway Avenue, N.E., (formerly Hathaway Street) and extends back between parallel lines 120 feet to Tecumseh Court, N.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Section 61. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-18-042 as more fully described in Section 62 below, to Famicos Foundation, Incorporated or designee.

Section 62. That the real property to be sold pursuant to Section 61 of this Ordinance is more fully described as follows:

P.P. No. 109-18-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in the Subdivision by Curtiss, Ambler and Johnson of part of Original One Hundred Acre Lots Nos. 378 and 386, as shown by the recorded plat in Volume 16 of Maps, Page 10 of Cuyahoga County Records and being 35 feet front on the Southerly side of Hathaway Avenue, N.E., and extending back between parallel lines 120 feet deep to the Northerly line of Tecumseh Court, N.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 63. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-18-063 as more fully described in Section 64 below, to Famicos Foundation, Incorporated or designee.

Section 64. That the real property to be sold pursuant to Section 63 of this Ordinance is more fully described as follows:

P.P. No. 109-18-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 57 in Curtiss, Ambler and Johnson's Subdivision of part of Original One Hundred Acre Lots Nos. 378 and 386, as shown by the recorded plat of said Subdivision in Volume 16 of Maps, Page 10 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Hathaway Avenue, N.E., (formerly Hathaway Street) and extends back between parallel lines 120 feet to the Southerly line of Olivet Court, N.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to covenants and restrictions contained in instrument recorded in Volume 532, Page 84 of Cuyahoga County Records. Subject to covenants and restrictions contained in instrument recorded in Volume 632, Page 502 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

Section 65. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-18-068 as more fully described in Section 66 below, to Famicos Foundation, Incorporated or designee.

Section 66. That the real property to be sold pursuant to Section 65 of this Ordinance is more fully described as follows:

P.P. No. 109-18-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 62 in Curtiss, Ambler and Johnson's Sublot No. of part of Original One Hundred Acre Lots Nos. 378 and 386 as shown by the recorded plat in Volume 16 of Maps, Page 10 of Cuyahoga County Records and being 35 feet front on the Northerly side of Hathaway Avenue, N.E., and extending back of equal width 120 feet to Olivet Court, N.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 67. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-19-053 as more fully described in Section 68 below, to Famicos Foundation, Incorporated or designee.

Section 68. That the real property to be sold pursuant to Section 67 of this Ordinance is more fully described as follows:

P.P. No. 109-19-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 108 in Curtiss Ambler and Johnson's Subdivision of part of Original One Hundred Acre Lots Nos. 378 and 386, as shown by the recorded plat in

Volume 16 of Maps, Page 10 of Cuyahoga County Records and being 35 feet front on the Southerly side of Hathaway Avenue, N.E., and extending back of equal width 120 feet deep, be the same more or less, but subject to all legal highways.

Section 69. 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 70. 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 71. 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 72. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 14, 1998.

Effective September 17, 1998.

Ord. No. 1630-98.
By Councilmen Patmon and Willis.
An emergency ordinance consenting and approving the issuance of a permit for the Race For the Cure on September 27, 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 the Race For the Cure, sponsored by Hermes Race Systems, on September 27, 1998, beginning on East Blvd at Wade Oval, proceeding on East Blvd. northbound to Superior Ave., across Superior down to Martin Luther King Blvd., south on Martin Luther King Blvd. back to Wade Oval to the finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 14, 1998.
Effective September 17, 1998.

Ord. No. 1631-98.

By Councilman Rybka.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4074 East 79th Street; 6533 and 6534 Newman Avenue to Broadway Area Housing Coalition.

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). 134-04-010, 125-12-063 and 125-12-073, as more fully described in Section 2 below, to Broadway Area Housing Coalition.

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. 134-04-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 50 feet of Sublot No. 26 in Eben Miles Allotment of part of Original One Hundred Acre Lot No. 463 as shown by the recorded plat in Volume 2 of Maps, Page 60 of Cuyahoga County Records and being 50 feet front on the Westerly side of East 79th Street (formerly Eben Street) and extending back of equal width 165 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 125-12-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 10 in Caroline Newman Subdivision of part of Original One Hundred Acre Lots Nos. 325, 326 and

329, as shown by the recorded plat in Volume 4 Page 62 of Cuyahoga County Records, and being 50 feet front on the Northerly side of Newman Avenue, and extending back of equal width 132.8 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

P.P. No. 125-12-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in Caroline Newman's Allotment of Sublot No. 5 and part of Sublot No. 4 in Harvey's Porter's Subdivision of part of Original One Hundred Acre Lots Nos. 325, 326 and 329 as shown by the recorded plat in Volume 4 of Maps, Page 62 of Cuyahoga County Records, and being a parcel of land 50 feet front on the Southerly side of Newman Avenue, S.E. and extending back 132 feet and 5-1/2 inches on the Easterly line, 132 feet and 5-3/4 inches on the Westerly line and having a rear line of 50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

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

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

Passed September 14, 1998.
Effective September 17, 1998.

Ord. No. 1632-98.

By Councilman Westbrook.

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to provide parking in Willard Garage, without charge, to attendees of the Hunger Network of Greater Cleveland volunteer recognition reception.

Whereas, the Hunger Network of Greater Cleveland is holding a volunteer recognition reception in the Rotunda of City Hall on the evening of October 16, 1998 and attendees of this event should be permitted to park in Willard Garage, without charge; and

Whereas, pursuant to Section 133.33 of the Codified Ordinances of Cleveland, Ohio, the Director of Parks, Recreation and Properties is required to charge a specified fee for parking in Willard Garage; and

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

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

Section 1. That notwithstanding any Codified Ordinance to the contrary, the Director of Parks, Recreation and Properties shall cause parking to be provided in Willard Garage, without charge, for attendees of the Hunger Network of Greater Cleveland volunteer recognition reception on the evening of October 16, 1998.

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

Passed September 14, 1998.
Effective September 17, 1998.

COUNCIL COMMITTEE MEETINGS

Monday, September 21, 1998

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

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

Tuesday, September 22, 1998

Employment, Affirmative Action and Training Committee (Joint with Legislation Committee): 1:30 P.M. — Present: White, Chairman; Britt, Cintron, Gordon, Lewis. Absent: Moran, Vice Chairman, Johnson.

Legislation Committee (Joint with Employment, Affirmative Action and Training Committee): 1:30 P.M. — Present: Zone, Chairman; Jones, Vice Chairman; Britt, Cimperman. Excused: Dolan, Johnson, Rybka.

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

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