

The City Record

Official Publication of the City of Cleveland

April the Fifteenth, 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

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	6
Board of Zoning Appeals	7
Board of Building Standards and Building Appeals	9
Public Notices	9
Public Hearings	9
City of Cleveland Bids	9
Adopted Resolutions and Ordinances	15
Committee Meetings	30
Index	31

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE President of Council—Jay Westbrook

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	1428 Fairfield Avenue	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111
	Clerk of Council—Artha Woods, 216 City Hall, 664-2840. First Assistant Clerk—Sandra Franklin.		
MAYOR—Michael R. White			
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy			
Barry Withers, Executive Assistant for Administration			
Judith Zimomra, Executive Assistant for Service			
Kenneth Silliman, Executive Assistant for Economic Development			
Laura Ann Williams, Director, Office of Equal Opportunity			
Milan T. Polacek, Executive Assistant for Legislative Affairs			
DEPT. OF LAW – Sylvester Summers, Jr., Director, Lessie M. Milton, Chief Counsel, Room 106			
George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch – Justice Center, 8th Flr., Court Towers, 1200 Ontario Street			
Karen E. Martines, Law Librarian, Room 100			
DEPT. OF FINANCE – Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit			
DIVISIONS – Accounts – Gayle Goodwin Smith, Commissioner, Room 19 City Treasury – Mary Christine Jackman, Treasurer, Room 115			
Assessments and Licenses – Robert J. Schneider, Commissioner, Room 122			
Purchases and Supplies – William A. Moon, Commissioner, Room 128			
Printing and Reproduction – James D. Smith, Commissioner, 1735 Lakeside Avenue			
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue			
Financial Reporting and Control – _____, 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 – LaVonne Sheffield-McClain, Acting Director, Cleveland Hopkins International Airport, 5300 Riverside Drive;			
Cleveland Hopkins International Airport – Stephen Sheehan, Commissioner			
Burke Lakefront Airport – Michael C. Barth, Commissioner			
DEPT. OF PUBLIC SERVICE – Henry Guzmán, Director, Room 113			
DIVISIONS – Waste Collection and Disposal – Larry Hines, Commissioner, 5600 Carnegie Avenue.			
Streets – Randall 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 – Oliver B. Spellman, Jr., Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.			
DIVISIONS – Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.			
Property Management – Vernon Robinson, Commissioner, E. 49th & Harvard			

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

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

Recreation – Michael Cox, Acting Commissioner, Room 8

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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WEDNESDAY, APRIL 15, 1998

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CITY COUNCIL

MONDAY, APRIL 13, 1998

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

April 8, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 8, 1998, at 11:00 a.m., with Acting Mayor Summers presiding.

Present: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 229-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the rates, rules and regulations relating to the operation of the Division of Cleveland Public Power, Department of Public Utilities, for outdoor residential lighting, are hereby fixed as follows:

Charge for Outdoor Residential Lighting

The charge for outdoor residential lighting equipment provided by the Division of Cleveland Public Power shall be established in accordance with the cost of service as computed by the division. The division may allow a customer to pay such charges under a payment plan through installments included in the customer's bill, provided such customer has a good account history, as determined by the division.

Yeas: None.

Nays: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles,

Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Absent: None.

Resolution No. 230-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the rates, rules and regulations relating to the operation of the Division of Cleveland Public Power, Department of Public Utilities, for outdoor residential lighting, are hereby fixed as follows:

Charge for Outdoor Residential Lighting

The charge for outdoor residential lighting equipment provided by the Division of Cleveland Public Power shall be established in accordance with the cost of service as computed by the division. The division may allow a customer to pay such charges under a payment plan through installments included in the customer's bill, for a period of twelve (12) months commencing with the first billing period after installation, provided such customer has a good account history, as determined by the division.

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.

Absent: None.

Resolution No. 231-98.

By Acting Director Sheffield-McClain.

Resolved by the Board of Control of the City of Cleveland, that all bids received on March 11, 1998 for Landscaping for the Consolidated Car Rental Facility, for the Division of Cleveland Hopkins International Airport, Department of Port Control, pursuant to the authority of Ordinance No. 561-97, passed by the Council of the City of Cleveland on June 2, 1997, be and the same are hereby rejected.

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.

Absent: None.

Resolution No. 232-98.

By Acting Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Clark Mechanical, Inc. for the public improvement of upgrading terminal HVAC Systems (Phase I - Air Handlers) (Item No. 9) for the Division of Cleveland Hopkins International Airport, Department of Port Control, received

on February 18, 1998, pursuant to the authority of Ordinance No. 2241-94, passed May 8, 1995, upon a unit basis for the improvement in the aggregate amount of Fifty-Three Thousand Eight Hundred and no/100 (\$53,800.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.

Absent: None.

Resolution No. 233-98.

By Acting Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Miles Mechanical, Inc. for the public improvement of upgrading terminal HVAC Systems (Phase I - Air Handlers) (Item No. 1, 2, 3, 4, 5, 6, 7, 8, and 10) for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on February 18, 1998, pursuant to the authority of Ordinance No. 2241-94, passed May 8, 1995, upon a unit basis for the improvement in the aggregate amount of Eight Hundred Eighty-Eight Thousand and no/100 (\$888,000.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.

Absent: None.

Resolution No. 234-98.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1833-96, passed by the Council of the City of Cleveland on December 2, 1996 and Ordinance No. 1323-97, passed by the Council of the City of Cleveland on October 20, 1997, Camp Dresser & McKee is hereby selected from a list of firms determined after a full and complete canvass by the Director of Public Service, as the firm to be employed by contract to provide project planning professional services for a geographic information system (GIS), for all City of Cleveland departments.

Be it further resolved that the Director of Public Service hereby is requested to enter into a contract with Camp Dresser & McKee based upon its proposal dated December 18, 1997, as revised by its April 3, 1998 letter, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$600,000.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

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

Camp Dresser & McKee for the above mentioned professional service is hereby approved:

SUBCONTRACTOR WORK

Water Resources & Coastal Engineering
5%, MBE

GIS Needs and Implementation Requirements

DAR Public Relations

7%, FBE

Public Information

City Blue Printing

1%, FBE

Production Services

Mid American Consulting

19%, MBE

GIS Organization Management

American Geotechnical

6%, MBE

System Applications and Database Requirements

Plangraphics Inc.

29%

GIS Needs Analysis and System Architecture Design

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 235-98.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 209-98, adopted by this Board of Control on April 1, 1998, approving the bid of Baker Vehicle Systems, Inc. as the lowest and best for the purchase of nine (9) front cutter mowers and additional equipment (item #2), and further approving World Tours as subcontractor, for the Division of Motor Vehicle Maintenance, Department of Public Service, hereby is amended by rescinding the approval of World Tours as a subcontractor to Baker Vehicle Systems, Inc.

Be it further resolved that all other provisions of said Resolution No. 209-98 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 236-98.

By Director Guzman.

Resolved, by the Board of Control of Flex-Rod Sewer Equipment Company for an estimated quantity of one (1) vacuum sidewalk sweeper/litter vacuum and additional equipment (item #4), including alternate 1 for various Divisions of City Government, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on March 13, 1998, pursuant to the authority of Ordinance No. 1113-97, passed July 16, 1997, which on the

basis of the estimated quantity would amount to approximately Thirty Seven Thousand Eight Hundred Sixty and no/100 Dollars (\$37,860.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 19563

which shall be certified against such contract in the sum of Thirty Seven Thousand Eight Hundred Sixty and no/100 Dollars (\$37,860.00).

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

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 237-98.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Brooklyn Tractor and Mower Co. for an estimated quantity of one (1) lawn tractor and additional equipment (item 1) for various Divisions of City Government, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on March 13, 1998, pursuant to the authority of Ordinance No. 1113-97, passed July 16, 1997, which on the basis of the estimated quantity would amount to approximately Twelve Thousand Five Hundred Ninety Five and no/100 Dollars (\$12,595.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 19564

which shall be certified against such contract in the sum of Twelve Thousand Five Hundred Ninety Five and no/100 Dollars (\$12,595.00).

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

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 238-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland, that all bids received on February 13, 1998

for labor and materials necessary to repair, maintain and service MSA Breathing apparatus, all items, for the Division of Fire, Department of Public Safety, pursuant to the authority of Ordinance No. 1933-97, passed December 15, 1997, be and the same are hereby rejected.

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 239-98.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that the bid of Baker Vehicle Systems, Inc. for the following: One (1) Sand Pro and Additional Equipment, Item #2 for the Division of Recreation, Department of Parks, Recreation and Properties, received on the 27th day of February 1998, pursuant to the authority of Ordinance No. 666-97, passed June 2, 1997, which on the basis of the order quantity would amount to \$7,914.64, is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 240-98.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that the bid of North Coast Distributing, Inc. for the following: One (1) Triplex Greensmower and Additional Equipment, Item #1 for the Division of Recreation, Department of Parks, Recreation and Properties, received on the 27th day of February 1998, pursuant to the authority of Ordinance No. 666-97, passed June 2, 1997, which on the basis of the order quantity would amount to \$16,744.00, is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 241-98.

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. 003-36-024 located at 1996-98 Fulton Road 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, Elena Nichols, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 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 purchaser of said parcel is neither tax delinquent nor in violation of the building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Elena Nichols for the sale and development of Permanent Parcel No. 003-36-024 located at 1996-98 Fulton Road, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said 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 said Program.

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 242-98.

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 Nos. 006-22-046 and 006-22-142 located at 4710 and 4714 Walworth Avenue in Ward 17; and

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

Whereas, Clifford P. Severt, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcels; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

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

3. The proposed purchaser of said parcels is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codi-

fied Ordinances 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 authorized to execute an Official Deed for and on behalf of the City of Cleveland with Clifford P. Severt for the sale and development of Permanent Parcel Nos. 006-22-046 and 006-22-142, 4710 and 4714 Walworth Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 243-98.

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. 131-33-020 located at 3602 East 48th Street in Ward 12; 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, Tonja A. Rushton, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Tonja A. Rushton for the sale and development of Permanent Parcel No. 131-33-020 located at 3602 East 48th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 244-98.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-28-008 located at 6211 Wakefield Avenue in Ward 17; and

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

Whereas, Joseph and Margaret Stack, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Joseph and Margaret Stack for the sale and development of Permanent Parcel No. 002-28-008 located at 6211 Wakefield Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 245-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Utilicon Corporation for the public improvement of cleaning and cement mortar lining of distribution mains Area 98-1, 98-2 and 98-3 and a 10% contingency allowance for the Division of Water, Department of Public Utilities, received on the March 18, 1998, pursuant to the authority of Ordinance No. 1937-97, passed January 26, 1998, for a gross price for the improvement in the aggregate amount of Two Million

Seven Hundred Seventy Five Thousand Six Hundred Nineteen Dollars (\$2,775,619.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Utilicon Corporation, for the above mentioned public improvement is hereby approved:

SUBCONTRACTOR	WORK
Dan Ray Construction	MBE, 15%
RMC, Inc.	MBE, 15%
Choice Construction	FBE, 10%

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 246-98.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Inland Waters of Ohio, Inc. for an estimated quantity of waste disposal (all items) for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 6th day of March, 1998, pursuant to the authority of Ordinance 974-93, passed June 14, 1993, which on the basis of the estimated quantity would amount to Seventy Five Thousand Two Hundred Twenty Two Dollars and Forty Cents (\$75,222.40), (1% Net 15 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 01913 which shall be certified against such contract in the sum of Fifty Thousand Dollars (\$50,000.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Inland Waters of Ohio, Inc., for the contract authorized herein hereby are approved:

SUBCONTRACTOR	WORK
Trans-Enviro Analytical Services, Inc.	MBE, \$3,500/year

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

Nays: None.
Absent: None.

Resolution No. 247-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Terrace Construction for the public improvement of cleaning and cement mortar lining of distribution mains Area 98-4, 98-5 and 98-6 and a 10% contingency allowance for the Division of Water, Department of Public Utilities, received on the March 13, 1998, pursuant to the authority of Ordinance No. 1937-97, passed January 26, 1998, for a gross price for the improvement in the aggregate amount of Three Million Two Hundred Fifty Six Thousand Seven Hundred Ninety Four Dollars (\$3,256,794.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Terrace Construction, for the contract authorized herein hereby are approved:

SUBCONTRACTOR	WORK
RMC, Inc.	MBE, 30%
Rockport Construction and Material	FBE, 4%
LT Services	FBE, 2%
Collinwood Shale & Brick	FBE, 5%

Yeas: Acting Mayor Summers, Acting Directors Marks, Frank, Jackson, Borokovich, Ricchiuto, Myles, Smith, Director Spellman, Acting Directors Resseger, Patterson, Huth and Alexander.

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, APRIL 27, 1998

9:30 A.M.

Calendar No. 98-56: 519 Literary Road, S.W.

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallicker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 116' lot located in a B-Multi-Family District on the South side of Literary Road at 519 Literary Road; said proposal being contrary to the information requirements of Section 327.02(d) of the Codified Ordinances and Section 355.04 where 1,550 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 3,100 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6" and 1'-6" instead of the 3' and 7' required and the aggregate width of side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-57: 527 Literary Road, S.W.

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallicker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 116' lot located in a B-Multi-Family District on the South side of Literary Road at 527 Literary Road; said proposal being contrary to the information requirements of Section 327.02(d) of the Codified Ordinances and Section 355.04 where 1,550 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 3,100 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6" and 1'-6" instead of the 3' and 7' required and the aggregate width of side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-58: 603 Literary Road, S.W.

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallicker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 116' lot located in a B-Multi-Family District on the South side of Literary Road at 603 Literary Road; said proposal being contrary to the information require-

ments of Section 327.02(d) of the Codified Ordinances and Section 355.04 where 1,550 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 3,100 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6" and 1'-6" instead of the 3' and 7' required and the aggregate width of side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-59: 607 Literary Road, S.W.

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallicker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 116' lot located in a B-Multi-Family District on the South side of Literary Road at 607 Literary Road; said proposal being contrary to the information requirements of Section 327.02(d) of the Codified Ordinances and Section 355.04 where 1,550 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 3,100 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6" and 1'-6" instead of the 3' and 7' required and the aggregate width of side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-60: 609 Literary Road, S.W.

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallicker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 116' lot located in a B-Multi-Family District on the South side of Literary Road at 609 Literary Road; said proposal being contrary to the information requirements of Section 327.02(d) of the Codified Ordinances and Section 355.04 where 1,550 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 3,100 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6" and 1'-6" instead of the 3' and 7' required and the aggregate width of

side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-61: 611 Literary Road, S.W.

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallicker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 116' lot located in a B-Multi-Family District on the South side of Literary Road at 611 Literary Road; said proposal being contrary to the information requirements of Section 327.02(d) of the Codified Ordinances and Section 355.04 where 1,550 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 3,100 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6" and 1'-6" instead of the 3' and 7' required and the aggregate width of side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-62: 615 Literary Road, S.W.

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallicker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 116' lot located in a B-Multi-Family District on the South side of Literary Road at 615 Literary Road; said proposal being contrary to the information requirements of Section 327.02(d) of the Codified Ordinances and Section 355.04 where 1,550 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 3,100 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6" and 1'-6" instead of the 3' and 7' required and the aggregate width of side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-63: 2203 West 6th Street

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallicker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 100' irregular shaped corner lot located in a B-Multi-Family District on the Northwest corner of West 6th Street and Novak Alley at 2203 West 6th Street; said proposal being contrary to the information

requirements of Section 327.02(d) of the Codified Ordinances and Section 355.04 where 1,625 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 3,250 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6" and 1'-6" instead of the 3' and 7' required and the aggregate width of side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-64: 2122 West 6th Street

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallaker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 100' lot located in a B-Multi-Family District on the west side of West 6th Street at 2122 West 6th Street; said proposal being contrary to the information requirements of Section 327.02(d) of the Codified Ordinances and Section 355.04 where 1,325 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 2,650 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6" and 1'-6" instead of the 3' and 7' required and the aggregate width of side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-65: 2148 West 6th Street

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallaker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 100' lot located in a B-Multi-Family District on the west side of West 6th Street at 2148 West 6th Street; said proposal being contrary to the information requirements of Section 327.02(d) of the Codified Ordinances and Section 355.04 where 1,325 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 2,650 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6"

and 1'-6" instead of the 3' and 7' required and the aggregate width of side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-66: 2157 West 6th Street

Tremont Ridge, Phase 1, Limited Partnership, owner, c/o Deane Mallaker, appeal to erect a 20' x 40' 3-story two-family dwelling house and a 20' x 20' detached private garage on a 25' x 100' lot located in a B-Multi-Family District on the east side of West 6th Street at 2157 West 6th Street; said proposal being contrary to the information requirements of Section 327.02(d) of the Codified Ordinances and Section 533.04 where 1,325 sq. ft. maximum gross floor area is permitted for a residential building and 3,200 sq. ft. is proposed, and Section 355.05 where a two-family residence on an existing lot of record requires a minimum 4,800 sq. ft. lot and a minimum 40 ft. wide lot and a 2,650 sq. ft. lot with a width of 25' is proposed, Section 357.04 Front Yard Regulations where the required yard is determined by the lot depth times 15% or 18 ft. and 10' is proposed, and said use being contrary to the required interior side yard of Section 357.09, where the interior side yard proposed is 3'-6" and 1'-6" instead of the 3' and 7' required and the aggregate width of side yards being 5' instead of the 10' required and said building to be less than 10' from a main building on adjoining premises as required by Section 357.09(B)(2)(A) of the Codified Ordinances.

Calendar No. 98-44: 11814 McGowan Ave., S.W.

David Gribble, owner, appeals to erect a 10' x 24' one story structure and a 13' x 20' one story structure to an existing 14' x 20' private garage and convert said garage to living space and to attach same to an existing 25' x 29' one-story single-family dwelling house all on a 44' x 109' lot located on the North-erly side of McGowan Ave. at 11814 McGowan Ave.; said use being contrary to the required interior side yard of Section 357.09(b)(2)B, where the West interior side yard being 1'-1 1/4" instead of the 3' required and the aggregate width of side yards being less than the 10' required, and contrary to the off-street parking requirements of Sections 349.02, 349.04 and 349.05 of the Codified Ordinances.

Calendar No. 98-74: 2603 Vestry Avenue, N.W.

Lutheran Medical Center, owner, c/o John Brocketti, appeal, to construct a 139 car accessory off-street parking lot with a driveway and maneuvering areas and to be enclosed with 4' high ornamental fencing and 6' high chain link fencing all on the 373' x 212' irregular "L" shaped corner parcel located in a General Retail and Two-Family District and bounded by Vestry Avenue, West 25th Street, Jay Avenue and Stone Court and to be known as 2603 Vestry Avenue; said parking lot within the Two-Family District portion of the property being contrary to the residence limitations of Section 337.03 but subject to the off-street parking provisions of Section 349.13 and portions of the proposed parking areas to be within the 13' setback on Vestry

Avenue and the 10' setback on Jay Avenue and the 3' setback from Stone Court as required by Section 349.05 and not in conformance with the 10' landscape screening strip along Stone Court as required by Sections 352.08 and 352.10 and portions of the 6' high fence to be in excess of the 4' 6" high limit as regulated by Section 357.13(b)(3) of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, APRIL 13, 1998

At the Meeting of the Board of Zoning Appeals on Monday, April 6, 1998, the following appeals were heard by the Board, and, on Monday, April 13, 1998 were decided by the Board.

The following appeals were **Granted**:

Calendar No. 98-10: 12914 Union Avenue
Reginald C. Fields, owner, and Nicole's Child Care Center, tenant, c/o Gail Fields, to erect a 17' x 62' one-story masonry building for use as a day nursery.

Calendar No. 98-42: 9901 Broadway Road

John P. Papouras, owner, and Sprintcom Telecommunications, lessee c/o Nora Stern and Linderlake Corporation Technologist c/o Jonathan Kurlander, appealed to erect a 100' high telecommunications monopole. (Conditional grant).

Calendar No. 98-43: 3114 Clark Avenue

Wael Saleh and Hani Ziadeh, owners, appealed, to erect an 80' x 70' one story concrete masonry retail food store building.

Calendar No. 98-46: 3908-10 Lorain Avenue

Simon Fixler, owner, and Michael T. McBride, prospective purchaser, appealed, to change use of an existing 74' x 80' 3-story masonry furniture store building 2nd and 3rd floors to 5 dwelling units.

Calendar No. 98-47: 1600 East 45th Street

Juan A. Claudio, owner, appealed, to erect a 23' x 20' "L" shaped 1-story wood frame open front porch addition.

The following appeal was **Refused**:

Calendar No. 98-37: 4211 John Avenue, N.W.

Carol A. Drummond, owner, appealed under authority of Section 76-6 of the Charter of the City of Cleveland from the issuance of the violation notice on February 10, 1998 by Joseph W. Jasper Jr., Commissioner of the Division of the Environment.

The following appeals were **Withdrawn**:

Calendar No. 97-9: 2121 West 117th Street.

Calendar No. 98-35: 2184 Cornell Road, S.E.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

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 1200 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, APRIL 22, 1998

Printers, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 2458-92, passed by the Council of the City of Cleveland, January 25, 1993.

Repair, Maintain and Service MSA Breathing Apparatus, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1933-97, passed by the Council of the City of Cleveland, December 15, 1997.

April 8, 1998 and April 15, 1998

WEDNESDAY, APRIL 29, 1998

Adjustable Valve Boxes, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

Valves and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

Bypass Piping, Fittings and Valves, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

Unarmed, Uniformed Security Guard Services, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 1966-97, passed by the Council of the City of Cleveland, February 9, 1998.

April 8, 1998 and April 15, 1998

THURSDAY, APRIL 30, 1998

Repair and/or Replace Water, Sewer and Gas Lines, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1085-97, passed by the Council of the City of Cleveland, June 16, 1997.

A **MANDATORY PRE-BID MEETING** WILL BE HELD ON TUESDAY, APRIL 21, 1998, AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Landfills, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 354-98, passed by the Council of the City of Cleveland.

April 8, 1998 and April 15, 1998

FRIDAY, MAY 1, 1998

One (1) Walk-In Step Van (14,000 GVW), for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

Three (3) Leaf Vacuums, Trailer Mounted, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

Various Dump Bodies and Accessories to Outfit Vehicles, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

April 8, 1998 and April 15, 1998

FRIDAY, MAY 8, 1998

New Cleveland Browns NFL Football Stadium Bid Package No. 8G — Sound Reinforcement System, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96, passed by the Council of the City of Cleveland. **BIDS DOCUMENTS MAY BE PURCHASED IN THE DIVISION OF**

PURCHASES AND SUPPLIES, ROOM 128, CITY HALL, FOR THE NON-REFUNDABLE COST OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED OR CASHIER'S CHECK ONLY. PROSPECTIVE BIDDERS WILL RECEIVE A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO RECEIVE DOCUMENTS.

A **MANDATORY PRE-BID MEETING** WILL BE HELD ON WEDNESDAY, APRIL 22, 1998, 10:00 A.M. IN ROOM 514 OF CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO.

April 8, 1998 and April 15, 1998

THURSDAY, APRIL 30, 1998

Service Yard Pump Station, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1036-92, passed by the Council of the City of Cleveland.

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

Turnout Clothing — Items 5 — Leather Bunker Booths, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

Towel and Linen Service, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1743-97, passed by the Council of the City of Cleveland, October 13, 1997.

April 15, 1998 and April 22, 1998

WEDNESDAY, MAY 6, 1998

New Cleveland Browns NFL Football Stadium Bid Package No. 14 — Signage and Graphics, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96.

BID DOCUMENTS CAN BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, FOR THE NON-REFUNDABLE COST OF FIFTY DOLLARS (\$50.00) CERTIFIED OR CASHIER'S CHECKS ONLY. THIS CHARGE WILL BE WAIVED FOR THOSE HOLDERS OF PLANS PREVIOUSLY PURCHASED FOR BID PACKAGE NO. 14. PROSPECTIVE BIDDERS WILL BE GIVEN A VOUCHER TO PRESENT TO THE DESIGNATED PRINTER TO OBTAIN PLANS AND SPECIFICATIONS.

A **MANDATORY PRE-BID MEETING** WILL BE HELD ON THURSDAY, APRIL 23, 1998, 10:00 A.M. IN ROOM 211 OF THE CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO.

Uniform Clothing, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

April 15, 1998 and April 22, 1998

**Certified MBEs and FBEs
First Quarter, 1998**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprise (MBE) and Female Business Enterprise (FBE) by the Mayor's Office of Equal Opportunity during the First Quarter of 1998.

**MBEs/FBEs DELETED FROM OEO'S DATABASE
First Quarter, 1998**

The attached firms, that were previously certified as a MBE and/or FBE have been dropped from the MBE/FBE database. The firms listed were sent at least two (2) letters and elected not to re-certify for various reasons, including going out of business and changes in geographic location.

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 2155-97.

By Councilman Jones (by request).
An emergency resolution declaring the intention to vacate a portion of the First Alley North of Miles Avenue and East of East 164th Street.

Whereas, this Council; is satisfied that there is good cause for vacating a portion of The First Alley North of Miles Avenue and East of East 164th Street, as hereinafter described, and

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

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

Section 1. That it hereby declares its intention to vacate the following described real property, located in Cleveland, Cuyahoga County, Ohio and known as being all that portion of:

THE FIRST ALLEY (12.00 feet wide) North of Miles Avenue at its intersection with the Easterly line of East 164th Street (60.00 feet wide); thence Easterly to its intersection with the Northerly prolongation of the Westerly line of Sublot Number 42 in the Sorento Park Subdivision as shown by the recorded plat in Volume 15, Page 13 of Cuyahoga County Records.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 88-98.

By Councilman Moran (by request).

An emergency resolution declaring the intention to vacate a portion of West 52nd Place.

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

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

Section 1. That it hereby declares its intention to vacate a portion of the following described real property:

WEST 52ND PLACE (15.00 feet wide) extending Northerly from the Northerly line of Vandalia Avenue S.W. (50.00 feet wide) to its Northerly terminus.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 162-98.

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

An emergency resolution declaring the necessity and intention to appropriate property for public use to relocate Oman Park, located at East 81st Street and Mansfield Avenue.

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

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

Section 1. That for the public purpose of relocating Oman Park to the northwest corner of East 81st Street and Mansfield Avenue, it is necessary to appropriate in fee simple interest and this Council hereby declares its intent to appropriate the fee simple interest in and to the following described property:

Permanent Parcel Number 133-06-005
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Northerly 85 feet of Sublot No. 3 and the Easterly 10 feet of the Northerly 85 feet of Sublot No. 2 in E. S. Gillette's Allotment of part of Original One Hundred Acre Lot No. 447, as shown by the recorded plat in Volume 9 of Maps, Page 14 of Cuyahoga County Records and together forming a parcel of land 50 feet front on the Southerly side of Union Avenue, S.E. and extending back of equal width 85 feet to the Northerly line of Mansfield Avenue, S.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to easement for Union Avenue slope rights recorded in Volume 1710, Page 268-70 of Cuyahoga County Deed Records.

Section 2. That the Director of Finance is hereby authorized and directed to cause written notice of the adoption of this resolution to be given to the owners, persons in possession or having an interest of record in the above-mentioned premises, and such notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall made in the manner provided by law.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 626-98.

By Councilmen Patmon, Coats, Lewis, Polensek, Melena, Robinson, Sweeney, Westbrook and Zone.

An emergency resolution objecting to the current planned site for the construction of a new juvenile detention center and urging the Cuyahoga County Commissioners to find sufficient land for the construction of this new facility.

Whereas, the Cuyahoga County Juvenile Detention Center is over-

crowded and is inadequate thus creating a potential threat to the safety of both residents and staff; and

Whereas, the National Juvenile Detention Association criticized the present facility for being one of the most adult-oriented, bleak, depressing, unsafe and psychologically harmful facilities ever reviewed; and

Whereas, a juvenile detention facility should provide rehabilitation for juvenile offenders under conditions that are conducive for such activities, thus enabling juveniles to become productive members of society instead of being continually involved in criminal activity which can result in a young offender progressing through the criminal justice system; and

Whereas, the planned site for the new juvenile detention center is considered to be inadequate because the tract of land that the facility will be built on is too small; and

Whereas, the planned tower design for the juvenile detention center according to experts can result in a potential safety hazard thus placing the juveniles and staff at tremendous risk and danger; and

Whereas, the City and County can find suitable land for major downtown economic development projects such as Gateway, Rock and Roll Hall of Fame Museum, Great Lakes Science Center, Wyndham Hotel, the Federal Courthouse project, and the New Football Stadium, but have failed to put forth that same effort on finding a suitable site to build a new juvenile detention center; now, therefore,

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

Section 1. That this Council does hereby object to the Cuyahoga County Commissioners plan to construct a new juvenile detention center on a tract of land that is inadequate for juvenile offenders.

Section 2. That this Council objects to the design of any juvenile detention facility that threatens the health and safety of juveniles and staff.

Section 3. That this Council strongly urges the Cuyahoga County Commissioners to find a suitable site for the new juvenile detention.

Section 4. That this Council pledges to cooperate with the County Commissioners and the Juvenile Court judges in finding a site whereby the most appropriate juvenile detention facility can be built that offers safety, protection and rehabilitation to juveniles in the area.

Section 5. That the Clerk of Council be and she hereby be directed to transmit a certified copy of this resolution to the Cuyahoga County Commissioners and Juvenile Court Administrative Judge.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 631-98.
By Councilmen Lewis, Robinson,
Gordon, Melena and White.

An emergency resolution supporting House Bill 404 which clarifies services under the Department of Children Services to provide for care, protection, and mental and physical development of children.

Whereas, House Bill 404 has been introduced in the Ohio Assembly; and

Whereas, it is the purpose of House Bill 404 to provide a program of supervision, care and rehabilitation required to prevent the removal of a child from, and to make it possible to return a child to the child's home; and

Whereas, it is the purpose of House Bill 404 to clarify criminal prohibitions against endangering children and make other substantive changes to the law governing child welfare and anti-stalking protection orders; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that proper care and supervision is essential to the healthy mental and physical development and welfare of the children of this country; now, therefore,

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

Section 1. That this Council supports House Bill 404.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to State Representative Barbara C. Pringle.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 632-98.
By Councilman Melena.
An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. & Bsmt., and repealing Res. No. 1549-97, objecting to said renewal.

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

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; and

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

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

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

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 633-98.
By Councilman Cimperman.
An emergency resolution objecting to the stock of a D2, D2X, D3, D3A and D6 Liquor Permit to 4301 Payne Ave., 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock of a D2, D2X, D3, D3A and D6 Liquor Permit to Permit No. 7672461, Sahara Corp., DBA Sahara Club, 4301 Payne Ave. 1st Fl. & Bsmt., Cleveland, Ohio 44103; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the stock of a D2, D2X, D3, D3A and D6 Liquor Permit to Permit No. 7672461, Sahara Corp., DBA Sahara Club, 4301 Payne Ave. 1st Fl. & Bsmt., Cleveland, Ohio 44103 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 634-98.
By Councilman Coats.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 14805 St. Clair Unit A.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 11272080010, Ronald M. Burrell, DBA Burrells Beverage, 14805 St. Clair Unit A, Cleveland, Ohio 44110, to Permit No. 1127298, Willette J. Burrell, DBA Burrell Beverage, 14805 St. Clair Unit A, Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 11272080010, Ronald M. Burrell, DBA Burrells Beverage, 14805 St. Clair Unit A, Cleveland, Ohio 44110, to Permit No. 1127298, Willette J. Burrell, DBA Burrell Beverage, 14805 St. Clair Unit A, Cleveland, Ohio 44110 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this

resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 635-98.

By Councilman Zone.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 10202 Lorain Avenue, and repealing Res. No. 95-98, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 10202 Lorain Avenue, by Res. No. 95-98, adopted January 12, 1998; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 Liquor Permit to 10202 Lorain Avenue, be and the same is hereby withdrawn and Res. No. 95-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 636-98.

By Councilman Patmon.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 10206 St. Clair Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 1927204, Danzey Development Co. Inc., DBA Danzeys, 10206 St. Clair Ave., Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 1927204, Danzey Development Co. Inc., DBA Danzeys, 10206 St. Clair Ave., Cleveland, Ohio 44108 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 637-98.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 6400 Fleet Avenue, 1st Fl. only, and repealing Res. No. 1519-97, objecting to said renewal.

Whereas, this Council objected to the renewal of D1, D2, D3 and D3 Liquor Permit to 6400 Fleet Avenue, 1st Fl. only, by Res. No. 1519-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; and

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

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

Section 1. That objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 6400 Fleet Avenue,

1st Fl. only, be and the same is hereby withdrawn and Res. No. 1519-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 638-98.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 6224 Broadway Ave., and repealing Res. No. 1517-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 6224 Broadway Ave., by Res. No. 1517-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; and

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

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

Section 1. That objection to the renewal of a D5 Liquor Permit to 6224 Broadway Ave., be and the same is hereby withdrawn and Res. No. 1517-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 639-98.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a C1 Liquor Permit to 5200 Hamm Avenue, and repealing Res. No. 1514-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 Liquor Permit to 5200 Hamm Avenue, by Res. No. 1514-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; and

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

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

Section 1. That objection to the renewal of a C1 Liquor Permit to 5200 Hamm Avenue, be and the same is hereby withdrawn and Res. No. 1514-97, containing said objec-

tion, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 640-98.
By Councilman Rybka.
An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 6206 Broadway Ave., and repealing Res. No. 1532-96, objecting to said renewal.

Whereas, this Council objected to the renewal of a Liquor Permit to 6206 Broadway Avenue, by Res. No. 1532-96, adopted August 14, 1996; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; and

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

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

Section 1. That objection to the renewal of a Liquor Permit to 6206 Broadway Avenue, be and the same is hereby withdrawn and Res. No. 1532-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 641-98.
By Councilman Rybka.
An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 3664 E. 65th St., 1st Fl. & Bsmt., and repealing Res. No. 1982-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 3664 E. 65th St. 1st Fl. & Bsmt., by Res. No. 1982-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; and

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

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

Section 1. That objection to the renewal of a D5 Liquor Permit to 3664 E. 65th St., 1st Fl. & Bsmt., be and the same is hereby withdrawn and Res. No. 1982-97, containing said objection, be and the same is here-

by repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 643-98.
By Councilman Moran.
An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 2011 Broadview Rd., 1st Fl. and Bsmt., and repealing Res. No. 1527-97, objecting to said renewal.

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 2011 Broadview Rd., 1st Fl. and Bsmt., by Res. No. 1527-97, adopted August 13, 1997; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; and

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

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

Section 1. That objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 2011 Broadview Rd., 1st Fl. and Bsmt., be and the same is hereby withdrawn and Res. No. 1527-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1003-97.
By Councilmen Polensek, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 16326 St. Clair Avenue to Michael Ely.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 116-20-005, as more fully described in Section 2 below, to Michael Ely.

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

P. P. No. 116-20-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 6 in the Gund Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 27 of Maps, Page 3 of Cuyahoga County Records and bounded and described as follows: Beginning on the Southeasterly line of St. Clair Avenue N.E., a point 2 feet Northeasterly from the most Westerly corner of said Sublot No. 6; thence Northeasterly along said Southeasterly line, 38 feet to the most Northerly corner of said Sublot No. 6; thence Southeasterly along the Northeasterly line of said Sublot No. 6, 140.70 feet to the Southeasterly corner thereof; thence Southwesterly along the Southeasterly line of said Sublot No. 6 to the Southeasterly corner of land conveyed to Max P. Goodman, Trustee by deed dated January 13, 1911 and recorded in Volume 1315, Page 493 of Cuyahoga County Records; thence Northwesterly about 125 feet to the place of beginning, be the same more or less, but subject to all highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1268-97.
By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing a redundant electrical source and associated appurtenances, and authorizing the Director of Port Control to enter into contract for the making of such improvement; authorizing said director to employ one or more design engineers or one or more firms of design engineers to provide professional services necessary to design the improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing a redundant electrical source and associated appurtenances, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the Director of Port Control is hereby authorized and directed to employ by contract one or more design engineers or one or more firms of design engineers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the public improvement authorized above.

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

Section 4. That the costs for such public improvement and professional services herein contemplated shall be paid from the proceeds of the sale of the general airport revenue bonds of the City of Cleveland authorized by Ordinance No. 923-97, passed June 9, 1997, and from any fund or sub-funds to which any federal grants for said improvement and services are credited, Request No. 22513.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2031-97.
By Councilman Cintron.
An emergency ordinance to vacate a portion of Moore Avenue N.W., hereinafter described.

Whereas, on the 9th day of January 1995 the Council of the City of Cleveland adopted Resolution No. 1490-94 declaring its intention to vacate a portion of Moore Avenue N.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1490-94 has been served upon the owners of all the property abutting Moore Avenue N.W., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of August, 1997, the Board of Revision of Assessments approved the vacation of Moore Avenue N.W., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Moore Avenue N.W., hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of Moore Avenue N.W. (66.00 feet wide), extending Easterly from the Easterly line of Columbus Road N.W. (80.00 feet wide), 70.25 feet to Southerly prolongation of the Westerly line of an un-named alley, is hereby vacated.

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

That portion of Moore Avenue N.W. (66.00 feet wide), extending Easterly from the Easterly line of Columbus Road N.W. (80.00 feet wide), 70.25 feet, from the Southerly prolongation of the Westerly line of an un-named alley.

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

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Moore Avenue N.W., herein provided by sending him a copy of this Ordinance.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2153-97.
By Councilmen Cimperman, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4493 Douse Avenue to Lucille Liuzzo, Ronald Liuzzo, Richard Liuzzo and Dennis Liuzzo.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 123-19-117, as more fully described in Section 2 below, to Lucille Liuzzo, Ronald Liuzzo, Richard Liuzzo and Dennis Liuzzo.

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

P.P. No. 123-19-117

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 27 in Thomas S. and Mary L. Douse's Subdivision of part of Original One Hundred Acre Lot No. 282, as shown by the recorded plat in Volume 8 of Maps, Page 28 of Cuyahoga County Records and being 40 feet front on the Northerly side of Souse Avenue, S.E., 123 feet 10-1/2 inches deep on the Easterly line, which is also the Westerly line of Track Road, S.E. (40 feet wide), 123 feet 4 inches deep on the Westerly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2186-97.
By Councilmen Robinson and Westbrook (by departmental request).**

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with various entities to implement the City's Lead Program by operating various lead abatement programs.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to enter into contract with the entities specified herein for the purpose of providing various lead abatement and education programs; the cost of each contract hereby authorized shall be paid from Fund No. 13 SF 456, Request Nos. 24501, 24502, 24503 and 24504; the cost of each contract is listed beside the name of the specified entity:

NAME	AMOUNT
Detroit-Shoreway Community Development Organization	\$250,000.00
University Settlement	\$205,000.00
Association of Parents to Prevent Lead Exposure	\$40,000.00
Cleveland Housing Network	\$2,004,400.00

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2187-97.
By Councilmen Robinson and Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to employ one or more professional consultants to provide evaluations of the City's Lead Program subgrantees' effectiveness and its longevity.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to employ by contract one or more consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide evaluations of the City's Lead Program subgrantees' effectiveness and its longevity.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 13 SF 456, Request No. 24505.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2199-97.
By Councilmen Jackson and Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Cleveland Neighborhood Development Corporation to administer an industrial retention and expansion program.

Whereas, the City of Cleveland has determined that a citywide industrial retention and expansion initiative program (the "Program") will create jobs and employment opportunities for City residents, alleviate physical and economic deterioration, elimination and/or prevent the recurrence of blight, stimulate economic revitalization and improve the tax base, all of which are positive factors and in the best interest of the City and its residents; and

Whereas, the City desires to enter into a contract with Cleveland Neighborhood Development Corporation ("CNDC") to administer the Program; and

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into contract with CNDC to provide professional services necessary to administer the Program for the Program participants, in the total sum of Eighty Four Thousand Dollars (\$84,000.00), payable from Fund No. 17 SF 008, Request No. 24259.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 67-98.
By Councilmen Patmon and Johnson (by departmental request).**

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to repair not to exceed three valves, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to repair not to exceed two (2) cone valves for the First High Service Pump Numbers 16 and 33 and one (1) gate valve at Morgan Waterworks Facility, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 23425.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 86-98.
By Councilman Rybka (by request).
An emergency ordinance designating Harvard School as a Cleveland landmark.**

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleve-

land, Ohio, 1976, has proposed the designation of Harvard School as a landmark; and

Whereas, the owner of Harvard School has been properly notified of the proposed designation and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of Harvard School as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That Harvard School, whose street address in the City of Cleveland is 6900 Harvard Avenue, S.E., also known as Cuyahoga County Auditor's permanent parcel number 132-25-006 and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 157-98.
By Councilmen Robinson, Jackson, Rybka and Johnson (by departmental request).

An emergency ordinance establishing a Community Reinvestment Area in the area of the KARE Building located at 13010-16 Kinsman Road, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

Whereas, Section 3735.65 et seq. of the Ohio Revised Code authorizes municipalities to designate Community Reinvestment Areas where certain criteria have been met; and

Whereas, the area located at the KARE Building located at 13010-16 Kinsman Road is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

Whereas, the City desires to encourage new housing construction and the repair of existing housing facilities to eliminate blight and prevent the recurrence of blight by granting tax exemptions; and

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

of public property, health, and safety, in that creating said Community Reinvestment Area will encourage development in the area of the KARE Building located at 13010-16 Kinsman Road and will, furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore,

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

Section 1. That based upon the information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area known as the KARE Building located at 13010-16 Kinsman Road, (Permanent Parcel No. 130-24-021) is blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

Section 2. That the area hereinabove described is hereby designated a Community Reinvestment Area pursuant to Section 3735.65 et seq. of the Ohio Revised Code.

Section 3. That the renovation of the KARE Building located at 13010-16 Kinsman Road will create eighteen units of affordable housing in the Community Reinvestment Area is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 100% of the assessed taxes for the construction activities described above.

Section 4. That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 et seq. of the Ohio Revised Code and this ordinance. That this exemption from real property taxation is contingent upon all applicable requirements of Section 3735.65 et seq. of the Ohio Revised Code and this ordinance having been met.

Section 5. That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 158-98.
By Councilmen Britt, Jackson, Rybka and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Tom Loves to Cook to provide economic development assistance to partially finance interior, exterior and parking lot renovations of property at 8208 Carnegie Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone Business Opportunity contract with Tom Loves to Cook to provide economic development assistance to partially finance interior, exterior and parking lot renovations of property at 8208 Carnegie Avenue, Cleveland, Ohio.

Section 2. That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 158-98-A.

Section 3. That the Director of Economic Development shall, pursuant to the authority of Ordinance No. 82-96, passed April 1, 1996, put Economic Development Initiative Grant funds in an amount equal to the Loan Amount in the Empowerment Zone debt Service Reserve account created by that ordinance. Said grant funds shall be paid from Fund No. 18 SF 003.

Section 4. That the costs of said contract shall not exceed a Loan Amount of \$90,450 and a Rebate Amount of \$60,300. The Loan shall be paid from Fund Nos. 18 SF 001 and 18 SF 003 and the Rebate Amount shall be paid from Fund No. 18 SF 003, Request No. 23876.

Section 5. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 6. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 7. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

Section 8. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 9. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 198-98.
By Councilman Jackson.
An emergency ordinance designating the Esmond Manor Apartments as a Cleveland Landmark.**

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of the Esmond Manor Apartments as a landmark; and

Whereas, the owner of the Esmond Manor Apartments has been properly notified of the proposed designation and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Esmond Manor Apartments as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That the Esmond Manor Apartments, whose street address in the City of Cleveland is 4806 Euclid Avenue, S.E., also known as Cuyahoga County Auditor's Permanent

Parcel Number 103-09-019 and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 239-98.
By Councilmen Westbrook and Johnson (by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to remove rubber and paint from paved surfaces, for the various divisions of the Department of Port Control, for period not to exceed two years.

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

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

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

Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials needed to remove rubber and paint from paved surfaces in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22610)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 242-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to make alterations and modifications in Contract No. 51412, for the rehabilitation of East 9th Street Pier, Phase II with S.E. Johnson Companies, Inc., for the Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make the following alterations and modifications in Contract No. 51412 with S.E. Johnson Companies, Inc. for the rehabilitation of East 9th Street Pier, Phase II for the Department of Public Service:

Subsidiary Additions

No.	Description	Unit	Price	Total Amount
CO-5	Sheet Pile AZ18	33,350 sq. ft.	\$ 25.00	\$ 833,750.00
	Concrete Fill	1,700 cu. yds.	78.38	133,246.00
	MC15 x 33.9 Channel	667 lin. ft.	37.29	24,872.43
Subsidiary Additions				\$ 991,868.43
			Original Contract Price	\$ 2,988,890.37
			Subsidiary Additions	+ 991,868.43
			REVISED CONTRACT AMOUNT	\$ 3,980,758.80

which alteration has been recommended in writing by the said Director of Public Service, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Public Service and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$991,868.43 to be paid from Fund Nos. 20 SF 334 and 20 SF 293.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 243-98.
By Councilmen Sweeney and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of American-made steel for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of American-made steel in the estimated sum of \$75,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21348)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 244-98.
By Councilmen Coats and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair and maintain overhead doors, for the Division of Fire, Department of Public Safety.

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

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

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

of one (1) year for the necessary items of labor and materials needed to repair and maintain overhead doors in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Fire, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one (1) year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder which purchase together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20616)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 245-98.
By Councilmen Coats and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the Director of Public Safety to enter into contract without competitive bidding with North American Morpho Systems, Inc. for the purchase of a license for an automated fingerprint system interface, for the Division of Police, Department of Public Safety.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than North American Morpho Systems, Inc. Therefore, the Director of Public Safety is hereby authorized and directed to make a written contract with said North American Morpho Systems, Inc. upon the basis of its proposal dated December 17, 1997, for the purchase of a license for an AFIS/Identix LiveScan Interface, to include customization, installation, training, one year of maintenance, shipping and handling, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis, for the Division of Police, Department of Public Safety.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-60-02-0415, Request No. 24377.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 246-98.
By Councilmen Coats and Johnson
(by departmental request).**

An emergency ordinance authorizing the Director of Public Safety to accept a gift of saddles, tack and one horse trailer for the Division of Police, Department of Public Safety.

Whereas, the Cleveland Mounted Police Charitable Trust has indicated a desire to make a gift of fifteen Collegiate Marathon saddles, tack and one Sundowner 4-horse trailer, valued at \$30,007.00, to the Division of Police, Department of Public Safety; and

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

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

Section 1. That the Director of Public Safety is hereby authorized to accept on behalf of the Division of Police, fifteen Collegiate Marathon saddles, tack and one Sundowner 4-horse trailer, valued at \$30,007.00, from the Cleveland Mounted Police Charitable Trust.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 247-98.
By Councilmen Willis and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of various heating, ventilating and air conditioning equipment, controls and related supplies necessary to repair and maintain equipment, for the Division of Property Management, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various heating, ventilating and air conditioning equipment, controls and related supplies necessary to repair and maintain equipment in the approximate amount as purchased during the preceding term, to

be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21706)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 294-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the repair and resurfacing of Ridge Road from Brookpark Road to Denison Avenue to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the County of Cuyahoga (the "County") to construct the following improvements in accordance with plans, specifications and estimates approved by the County: The repair and resurfacing of Ridge Road from Brookpark Road to Denison Avenue (the "Improvement").

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

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

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

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

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

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

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

e) Prohibit all parking within the limits of the roadway which is a part of the Improvement in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by City ordinance or resolution.

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

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

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

d) That the street within the limits of the Improvement is hereby designated a through highway within the meaning of Section 4511.07(F) of the Ohio Revised Code.

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

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

g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of ODOT Directive No. 28-A to

the same extent that it participates in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

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

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

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

k) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is hereby rescinded.

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

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

a) That the County will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, under current County Engineer standards for construction of County roads and bridges.

b) That the County will arrange for the supervision and administration of the construction contract for the Improvement, and will review the construction plans for conformance with division a) of this section and make an inspection of the completed project.

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

City shall not be responsible for the cost of supervision of said additional construction.

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

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

f) That within the corporate limits of the City, the City hereby agrees to contribute fifty percent (50%) of the cost of construction, construction supervision, right-of-way, and incidentals and forty percent (40%) of the cost of preparation of plans and specifications. That the City hereby agrees to deposit with the Treasurer of Cuyahoga County the City's share of the estimated cost of the project or the Director of Public Service is hereby authorized to enter into escrow agreement with the Board of County Commissioners prior to an award of a contract for the improvement.

Section 8. That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

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

Section 10. That the Clerk of Council is hereby authorized and directed to transmit to the Director of ODOT and to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 300-98.
By Councilmen Sweeney and Johnson (by departmental request).**

An emergency ordinance to amend Sections 3 and 4 of Ordinance No. 1256-97, passed July 16, 1997, relating to the Ridge Road Transfer Station Rehabilitation Project.

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

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

Section 1. That Sections 3 and 4 of Ordinance No. 1256-97, passed July 16, 1997, are hereby amended to read, respectively, as follows:

Section 3. That, it is hereby determined to make the public improvement of rehabilitating the Ridge Road Transfer Station, including, paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the Improvement.

Section 4. That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 2. That existing Sections 3 and 4 of Ordinance No. 1256-97, passed July 16, 1997, are hereby repealed.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 303-98.
By Councilmen Sweeney and Johnson (by departmental request).**

An emergency ordinance authorizing the Director of Public Service to cause payment of the City's share to the County of Cuyahoga for the cost of rehabilitating Lakewood Heights Boulevard from Alger Road to Berea Road.

Whereas, in Ordinance No. 2039-91, passed December 9, 1991, this Council gave consent to the Board of County Commissioners of Cuyahoga County, for the rehabilitation of Lakewood Heights Boulevard from Alger Road to Berea Road; and

Whereas, this Council authorized the City to cooperate with the County of Cuyahoga in the cost of the above-referenced improvement; and

Whereas, the City's share of the cost of said improvement is currently estimated as \$180,000.00; and

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

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

Section 1. That this Council hereby authorizes payment to the County of Cuyahoga of the City's share of the rehabilitation of Lakewood Heights Boulevard from Alger Road to Berea Road, from Fund Nos. 20 SF 342, 20 SF 322 and 20 SF 334, **Section 2.** 21976.

Section 2. That this ordinance is hereby declared to be an emergency

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 308-98.
By Councilmen Westbrook and Johnson (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with the International Women's Air & Space Museum for operation of a women's air and space museum and to operate a gift cart concession, and to enter into permits for operation of fund raisers by the International Women's Air & Space Museum, at Burke Lakefront Airport; and to repeal Ordinance No. 1088-97, passed July 16, 1997.

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

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

Section 1. That the Director of Port Control ("Director") is hereby authorized to enter into a Lease By Way of Concession ("Lease") with the International Women's Air & Space Museum (the "Lessee") for use and occupancy of (i) approximately 1,000 square feet of office space at Burke Lakefront Airport for operation of a women's air and space museum; (ii) certain space for operation of a gift cart concession; and (iii) certain wall and floor space in the main lobby and west concourse of the terminal building for museum exhibits. The term of the Lease shall be seven (7) years. Rent shall be as follows: \$8.50 per square foot for office space; 4% of gross revenues from gift cart concession for each year for years one through three of the term; the annual percentage rent for years four through seven shall be negotiated prior to the end of the third year of the term; provided that, if no agreement as to percentage rent is reached, Lessee shall cease operations of gift cart concession until such time as agreement is reached. Lessee shall pay no rent for use of exhibit space. Lessee shall provide all maintenance, security and janitorial services related to the office space, gift cart and displays, and shall pay the cost of electricity used in the office space.

The Director is hereby further authorized to execute permits, as needed, authorizing Lessee to use the terminal building to raise funds for the museum. Lessee shall obtain such permits from the City authorizing such use prior to each fund raiser. The term of the permit shall not exceed twenty-four (24) consecutive hours.

Section 2. That the Lease and permits herein authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said Director deems necessary to protect and benefit the public interest.

Section 3. That Ordinance No. 1088-97, passed by City Council on July 16, 1997, is hereby repealed.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 309-98.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Lease No. 31263 with Northwest Airlines, Inc. to provide for the deletion of certain space from the Lease, effective January 31, 1998, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an amendment to Lease No. 31263 between the City and Northwest Airlines, Inc. ("Lessee"), to delete from Lessee's right and obligation under the lease 1,600 square feet, used for operation of the Northwest Airlines' WorldClub, effective January 31, 1998.

All other terms and conditions contained in the original lease shall remain the same.

Section 2. That the Amendment to the Lease herein authorized shall be prepared by the Director of Law and shall contain such terms and conditions as said Director deems necessary to protect and benefit the public interest.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 310-98.

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of computer hardware, software, supplies, employee training, data programming and data conversion; and authorizing the Directors of Finance and Public Health to employ one or more computer consultants and data processors to provide professional services in conjunction with upgrading the Vital Statistics Computer system.

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

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

Section 1. That the Directors of Finance and Public Health are hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: computer hardware, software, supplies, employee training, data programming and data conversion, in conjunction with upgrading the Vital Statistics Computer system, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Public Health.

Section 2. That the Directors of Finance and Public Health are hereby authorized and directed to employ by contract one or more computer and/or data processing consultants or one or more firms of computer and/or data processing consultants for the purpose of developing software and supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to assist in upgrading the Vital Statistics Computer system.

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

Section 4. That the cost of said purchases and professional services hereby authorized shall be paid from Fund No. 10 SF 001, Request No. 23239.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 320-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various items necessary to conduct the D.A.R.E. program, for the Division of Police, Department of Public Safety.

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

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

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

of one year for the necessary items of various items necessary to conduct the D.A.R.E. program in city schools in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20114)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 321-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance to amend Section 4 of Ordinance No. 1282-96, passed October 14, 1996, relating to rehabilitating, renovating or otherwise improving City Hall and for the professional services necessary therefor.

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

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

Section 1. That Section 4 of Ordinance No. 1282-96, passed October 14, 1996, is hereby amended to read as follows:

Section 4. That the cost of said improvement and professional services hereby authorized shall be paid from Fund Nos. 10 SF 006, 20 SF 300, 20 SF 310, 20 SF 320, 20 SF 331 and 20 SF 340, Request No. 20559.

Section 2. That existing Section 4 of Ordinance No. 1282-96, passed October 14, 1996, is hereby repealed.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 354-98.
By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of landfill sites for dumping excavation debris, for the Divisions of Cleveland Public Power, Water and Water Pollution Control, Department of Public Utilities, for a period of two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of landfill sites for dumping excavation debris, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Cleveland Public Power, Water and Water Pollution Control, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24004)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 355-98.
By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of keycards and accessories, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

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

requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of keycards and accessories in the estimated sum of \$50,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22526)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 362-98.
By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of tire recapping, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22924)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 366-98.
By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to accept a cash gift for completion of the Cleveland Police Patrolmen's Tactical Training Center.

Whereas, the State Attorney General's Office has indicated a desire to make a cash gift of Twenty-Five Thousand Dollars for completion of the Cleveland Police Patrolmen's Tactical Training Center, to the Department of Public Safety; and

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

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

Section 1. That the Director of Public Safety is hereby authorized to accept on behalf of the Division of Police a cash donation in the amount of Twenty-Five Thousand Dollars (\$25,000), from the Office of Betty D. Montgomery, State Attorney General.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 425-98.
By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of confined space entry equipment, including training if necessary, for the Divisions of Water Pollution Control, Water and Cleveland Public Power, Department of Public Utilities for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of confined space entry equipment, including training if necessary, in the estimated sum of \$305,600, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Water Pollution Control, Water and Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22194)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 511-98.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a thirteenth amendment to Lease Agreement No. 35620 to extend the term of the existing Lease Agreement for the rental of Broadway YMCA facilities at 11300 Miles Avenue.

Whereas, pursuant to Ordinance No. 1759-85, passed June 24, 1985, the Director of Parks, Recreation and Properties entered into Lease Agreement No. 35620 with the Young Men's Christian Association for the rental of the Broadway YMCA facilities located at 11300 Miles Avenue for the purpose of providing recreational facilities and activities for the City's youth; and

Whereas, pursuant to Ordinance No. 1165-86, passed June 16, 1986, Ordinance No. 1255-87, passed June 8, 1987, Ordinance No. 1052-88, passed June 6, 1988, Ordinance No. 1037-89, passed September 11, 1989, Ordinance No. 1112-90, passed June 18, 1990, Ordinance No. 1368-91, passed June 17, 1991, Ordinance No. 1657-92, passed November 9, 1992, Ordinance No. 1309-93, passed June 14, 1993, Ordinance No. 373-94, passed April 18, 1994, Ordinance No. 260-95, passed March 27, 1995, Ordinance

No. 490-96, passed May 6, 1996, and 813-97, passed June 7, 1997, the term of said agreement was extended for respective one-year periods; and

Whereas, the City wishes to further extend said agreement until December 31, 1998, for an additional fee of \$55,000.00; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into a thirteenth amendment to Lease Agreement No. 35620 with the Young Men's Christian Association ("YMCA") for the continued rental of the Broadway YMCA facilities located at 11300 Miles Avenue, Cleveland, Ohio 44105 for the purpose of providing recreational facilities and activities for the City's youth.

Section 2. That said thirteenth amendment shall extend the term of the agreement for one year to December 31, 1998, and shall increase the rent due under the Lease Agreement by \$55,000, for a total rental for the term, as extended, of \$730,000. Said extension shall be paid from Fund No. 01-70-04-0380, Request No. 21421.

Section 3. That said thirteenth amendment shall be prepared and approved by the Director of Law and shall contain such provisions as the Director of Law shall deem necessary to protect the public interest.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 512-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of signs and banners for the West Side Market, including installation if necessary, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: signs and banners for the West Side Market, including installation if necessary, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 20 SF 191, Request No. 20566.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 513-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of swimming pool chemicals, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21124)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 514-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football program.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football program, in an amount not to exceed \$43,000, payable from Fund No. 01-70-04-0380, Request No. 21429.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 515-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a contract with the National Junior Tennis League of Cleveland to provide a summer tennis program.

Whereas, the City does not provide a summer tennis program at its summer recreational centers, but desires to support such a program; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized to enter into a contract during June through August, 1998 with the National Junior Tennis League of Cleveland to provide youth tennis services.

Section 2. That the cost of such contract, not to exceed \$25,000, shall be paid from Fund No. 01-70-04-0380, Request No. 21422.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 558-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the procurement by requirement contract of the lease of golf carts at Seneca Golf Course and Highland Golf Course, including maintenance and repair, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of the lease of golf carts at Seneca Golf Course and Highland Golf Course, including maintenance and repair, for a period commencing upon execution of a contract and ending on December 31, 1998, in the approximate amount as procured during the preceding year, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, together with all subsequent procurements, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21125)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 559-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of small equipment for grounds maintenance, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for a period not to exceed two years.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of various types of small equipment needed for grounds maintenance, including but not limited to chain saws, pole runners, leaf blowers, edgers, outside vacuums, drills, lawn mowers, and spraying equipment, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22437)

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 627-98.

By Councilman Cimperman.
An emergency ordinance authorizing and directing the the Director of Public Service to issue a permit to the Cleveland Community Relations Board to stretch a banner on Euclid Ave. and E. 9th St.; from April 9th, 1998 to May 1st, 1998, inclusive; publicizing Cleveland Unity Day.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Cleveland Community Relations Board to install, maintain and remove banners on Euclid Avenue, and East 9th Street, (Pole Numbers B-60-10 and B-61-10) for the period from April 9th, 1998 to May 1st, 1998, inclusive. Said banners shall be approved by the Director of Pub-

lic Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 628-98.

By Councilman White.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 2. (Cyndia D. Harroway).

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 2; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 2, at the locations specified: Cyndia D. Harroway at East 131st Street and Harvard Avenue.

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

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

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 629-98.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Anderson Williams — East 63rd Street and Quincy Avenue).

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

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

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5, at the locations specified: Anderson Williams at the northwest corner of East 63rd Street and Quincy Avenue.

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

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

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

shall take effect and be in force from and after the earliest period allowed by law.

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 630-98.

By Councilman Moran.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 16. (Douglas W. Davis — 4633 State Road).

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 16; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 16, at the locations specified: Douglas W. Davis at 4633 State Road.

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

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

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

Passed April 6, 1998.

Awaiting the approval or disapproval of the Mayor.

**COUNCIL COMMITTEE
MEETINGS**

NO MEETINGS

Index to Council Proceedings

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

Banners

Cleveland Community Relations Board — banner — publicizing Cleveland Unity
Day (O 627-98)..... 525

Broadway YMCA

Authorizing - Director of Parks, Recreation and Properties - enter into a thirteenth
amendment to Lease Agreement No. 35620 - extend term of existing Lease Agreement -
rental of Broadway YMCA - 11300 Miles Avenue (O 511-98)..... 524

Burke Lakefront Airport

Authorizing Director of Port Control - Lease By Way of Concession - International Women's
Air & Space Museum for operation of museum and concession - and to enter into permits
for fund raisers at Burke Lakefront Airport - repeal Ordinance (O 308-98) 521

City Planning Commission

St. Clair Avenue, 16326 — Michael Ely (O 1003-97) 514

Cleveland Hopkins International Airport (CHIA)

Authorizing the Director of Port Control - to enter into an amendment to Lease No. 31263
- Northwest Airlines, Inc. for the Division of Cleveland Hopkins International
Airport. (O 309-98) 522

Cleveland Police Patrolmen's Association

Authorizing - Director of Public Safety - accept a cash gift for completion of Cleveland
Police Patrolmen's Tactical Training Center. (O 366-98) 523

Community Development

Kinsman Road, 13010-16 KARE Building (Ward 3) — establish area as a Community
Reinvestment Area (O 157-98)..... 517
St. Clair Avenue, 16326 — Michael Ely (O 1003-97) 514

Community Reinvestment Area

Kinsman Road, 13010-16 KARE Building (Ward 3) — establish area as a Community
Reinvestment Area (O 157-98)..... 517

Convention Center and Stadium Division

Authorizing and Directing - purchase by contract signs and banners - West Side Market -
Division of Convention Center and Stadium (O 512-98) 524

County Commissioners

Juvenile Detention Center — objection to current planned site for the construction of
— urge County Commissioners to find sufficient land for construction of new facility
(R 626-98) 511

Economic Development Department

Pawnee Avenue — replacing storm sewer — - Cleveland Neighborhood Development Corporation
— contract to administer — \$84,000.00 — Economic Development Department
(O 2199-97) 516
Tom Loves To Cook — contract — \$90,450 — partially finance renovations at 8208 Carnegie
Avenue — Empowerment Zone Business Opportunity (O 158-98) 517

Empowerment Zone

Tom Loves To Cook — contract — \$90,450 — partially finance renovations at 8208 Carnegie Avenue — Empowerment Zone Business Opportunity (O 158-98) 517

Finance Department

Installing a redundant electrical source and associated appurtenances (O 1268-97) 515
 Purchase by contract - computer hardware, software, supplies, employee training, data programming and data conversion; authorizing Directors of Finance and Public Health - employ computer consultants and data processors - professional (O 310-98) 522

Fire Division

Authorizing and directing - purchase by requirement contract - labor and materials - repair and maintain overhead doors. (O 244-98)..... 519

Golf Courses

Golf carts — lease and maintenance and repair at Seneca and Highland Golf Courses — Division of Recreation, (O 558-98) 525

Health Division

Lead Program — Detroit-Shoreway Community Development Organization - University Settlement — Association of Parents to Prevent Lead Exposure — Cleveland Housing Network — contract to operate various lead abatement programs (O 2186-97) 516
 Lead Program subgrantees — employ professional consultants to provide evaluations, effectiveness and longevity — Health Department (O 2187-97) 516

Land Reutilization Program

Douse Avenue, 4493 — Lucille Liuzzo, Ronald Liuzzo, Richard Liuzzo and Dennis Liuzzo (O 2153-97) 515
 St. Clair Avenue, 16326 — Michael Ely (O 1003-97) 514

Landmark

Esmond Manor Apartments as Cleveland Landmark. (O 198-98) 518

Landmarks Commission

Harvard School — designate as a landmark. (O 86-98) 516

Lead Paint

Lead Program — Detroit-Shoreway Community Development Organization - University Settlement — Association of Parents to Prevent Lead Exposure — Cleveland Housing Network — contract to operate various lead abatement programs (O 2186-97) 516
 Lead Program subgrantees — employ professional consultants to provide evaluations, effectiveness and longevity — Health Department (O 2187-97) 516

Liquor Permits

Broadview Road, 2011 1st floor and basement (Ward 16) — withdraw objection — repeal Res. No. 1527-97. (R 643-98) 514
 Broadway Avenue, 6206 (Ward 12) — withdraw objection — repeal Res. No. 1532-96 (R 640-98) 514
 Broadway Avenue, 6224 (Ward 12) — withdraw objection — repeal Res. No. 1517-97 (R 638-98) 513
 Detroit Avenue, 7507-11, 1st floor and basement (Ward 17) — withdraw objection — repeal Res. No. 1549-97 (R 632-98)..... 512
 East 65th Street, 3664 1st floor and basement (Ward 12) — withdraw objection — repeal Res. No. 1982-97 (R 641-98)..... 514
 Fleet Avenue, 6400 (Ward 12) — withdraw objection — repeal Res. No. 1519-97 (R 637-98) 513
 Hamm Avenue, 5200 (Ward 12) — withdraw objection — repeal Res. No. 1514-97 (R 639-98) 513
 Lorain Avenue, 10202 (Ward 19) — withdraw objection — repeal Res. No. 95-98 (R 635-98) 513
 Payne Avenue, 1st floor and basement (Ward 13) — objection — Stock application (R 633-98) 512
 St. Clair Avenue, 10206 (Ward 8) — objection — issuance application (R 636-98) 513
 St. Clair Avenue, 14805, Unit A. (Ward 10) — objection — Transfer of ownership application (R 634-98) 512

Motor Vehicle Maintenance Division (MVM)

Authorizing and Directing - purchase by requirement contract - tire recapping - Division of Motor Vehicle Maintenance - Department of Public Service. (O 362-98) 523

National Jr. Tennis League of Cleveland

Authorizing - Director of Parks, Recreation and Properties - enter into a contract - National Junior Tennis League of Cleveland - summer tennis program (O 515-98) 525

Ohio General Assembly

House Bill 404 — support — clarification of services under Department of Children Services to provide care, protection and mental and physical development of children (R 631-98) 512

Parks Maintenance Division

Equipment for grounds maintenance — Division of Park Maintenance and Properties (O 559-98) 525

Parks, Recreation and Properties Department

Authorizing - Director of Parks, Recreation and Properties - enter into a thirteenth amendment to Lease Agreement No. 35620 - extend term of existing Lease Agreement - rental of Broadway YMCA - 11300 Miles Avenue (O 511-98)..... 524
Authorizing - Director of Parks, Recreation and Properties - enter into a contract - National Junior Tennis League of Cleveland - summer tennis program (O 515-98) 525
Authorizing and Directing - Director of Parks, Recreation and Properties - enter into contract - Cleveland Municipal Football Association - conduct a City-wide football program (O 514-98)..... 525
Authorizing and Directing - purchase by contract signs and banners - West Side Market - Division of Convention Center and Stadium (O 512-98) 524
Authorizing and Directing - purchase by requirement contract - swimming pool chemicals - Division of Recreation (O 513-98)..... 524
Authorizing and Directing - purchase by requirement contract - various heating, ventilating and air conditioning equipment, controls and related supplies - repair and maintain equipment. (O 247-98) 519
City Hall — professional services to rehabilitate, renovate and improve — amend Section 4 of Ord. No. 1282-96 (O 321-98) 522
East 81st Street and Mansfield Avenue — appropriate property for public use to relocate Oman Park (R 162-98)..... 511
Equipment for grounds maintenance — Division of Park Maintenance and Properties (O 559-98) 525
Golf carts — lease and maintenance and repair at Seneca and Highland Golf Courses — Division of Recreation, (O 558-98) 525

Peddlers

Harroway, Cyndia D.— authorization to peddle in Ward 2. (O 628-98) 526
Davis, Douglas W. — authorization to peddle in Ward 16 (O 630-98) 526
Williams, Anderson — authorization to peddle in Ward 5 (O 629-98) 526

Permits

Cleveland Community Relations Board — banner — publicizing Cleveland Unity Day (O 627-98)..... 525

Police Division

Authorizing - Director of Public Safety - accept a cash gift for completion of Cleveland Police Patrolmen's Tactical Training Center. (O 366-98) 523
Authorizing - Public Safety - accept gift of saddles, tack and one horse trailer. (O 246-98) 519
Authorizing and directing - Public Safety - enter into contract without competitive bidding - North American Morpho Systems, Inc. - license for automated fingerprint system interface. (O 245-98)..... 519
D.A.R.E. Program — purchase by contract necessary items to conduct program — Police Division (O 320-98) 522

Port Control Department

Authorizing Director of Port Control - Lease By Way of Concession - International Women's Air & Space Museum for operation of museum and concession - and to enter into permits for fund raisers at Burke Lakefront Airport - repeal Ordinance (O 308-98)	521
Authorizing and Directing - purchase by requirement contract - labor and materials - not to exceed two years. (O 239-98)	518
Authorizing the Director of Port Control - to enter into an amendment to Lease No. 31263 - Northwest Airlines, Inc. for the Division of Cleveland Hopkins International Airport. (O 309-98)	522
Installing a redundant electrical source and associated appurtenances (O 1268-97)	515

Public Health Department

Purchase by contract - computer hardware, software, supplies, employee training, data programming and data conversion; authorizing Directors of Finance and Public Health - employ computer consultants and data processors - professional (O 310-98)	522
---	-----

Recreation Division

Authorizing and Directing - purchase by requirement contract - swimming pool chemicals - Division of Recreation (O 513-98)	524
Golf carts — lease and maintenance and repair at Seneca and Highland Golf Courses — Division of Recreation, (O 558-98)	525

Resolution of Support

House Bill 404 — support — clarification of services under Department of Children Services to provide care, protection and mental and physical development of children (R 631-98)	512
---	-----

Resolutions — Miscellaneous

Juvenile Detention Center — objection to current planned site for the construction of — urge County Commissioners to find sufficient land for construction of new facility (R 626-98)	511
---	-----

Safety Department

Authorizing - Director of Public Safety - accept a cash gift for completion of Cleveland Police Patrolmen's Tactical Training Center. (O 366-98)	523
Authorizing - Public Safety - accept gift of saddles, tack and one horse trailer. (O 246-98)	519
Authorizing and directing - Public Safety - enter into contract without competitive bidding - North American Morpho Systems, Inc. - license for automated fingerprint system interface. (O 245-98)	519
Authorizing and directing - purchase by requirement contract - labor and materials - repair and maintain overhead doors. (O 244-98)	519
D.A.R.E. Program — purchase by contract necessary items to conduct program — Police Division (O 320-98)	522

Service Department

Amend Sections 3 and 4 of Ordinance No. 1256-97, passed July 16, 1997 - relating to Ridge Road Transfer Station Rehabilitation Project. (O 300-98)	521
Authorizing and Directing - Director of Public Service - cause payment of City's share to County of Cuyahoga for cost of rehabilitating Lakewood Heights Boulevard. (O 303-98)	521
Authorizing and Directing - purchase by requirement contract - tire recapping - Division of Motor Vehicle Maintenance - Department of Public Service. (O 362-98)	523
Authorizing and directing - Public Service - alterations and modifications in Contract No. 51412 - rehabilitation of East 9th Street Pier, Phase II. (O 242-98)	518
Authorizing and directing - purchase by requirement contract - steel - for the Division of Streets - Department of Public Service. (O 243-98)	519
Giving consent - City of Cleveland - repair and resurfacing of Ridge Road - authorizing Public Service Director to enter into agreements and apply for allocation of County Motor Vehicle License Tax Funds. (O 294-98)	520

Street—Vacation

Miles Avenue, first alley north of Miles Avenue and east of East 164th Street
 (R 2155-97) 511
 Moore Avenue, N. W. — vacate a portion of (O 2031-97)..... 515
 West 52nd Place (Ward 16) — intention to vacate a portion of. (R 88-98)..... 511

Utilities Department

Authorizing and Directing - purchase by requirement contract - keycards and accessories
 - for various divisions - Department of Port Control - for a period not exceed two
 years. (O 355-98) 523
 Authorizing and Directing - purchase by requirement contract - landfill sites for dumping
 excavation debris - Divisions of Water and Water Pollution Control - Department of
 Public Utilities - for a period of two years. (O 354-98) 523
 Confined space entry equipment and training — contract — Water Pollution Control
 Division (O 425-98)..... 523
 Valves - two cone valves and one gate valve — labor and materials to repair — contract
 — Division of Water. (O 67-98) 516

Water Division

Valves - two cone valves and one gate valve — labor and materials to repair — contract
 — Division of Water. (O 67-98) 516

Water Pollution Control Division

Confined space entry equipment and training — contract — Water Pollution Control
 Division (O 425-98)..... 523

West Side Market

Authorizing and Directing - purchase by contract signs and banners - West Side Market -
 Division of Convention Center and Stadium (O 512-98) 524