

The City Record

Official Publication of the City of Cleveland

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

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE President of Council—Jay Westbrook

| Ward | Name | Residence | |
|---|--|--------------------------|-------|
| 1 | Joseph T. Jones | 15601 Lotus Drive | 44128 |
| 2 | Robert J. White | 3760 East 126th Street | 44105 |
| 3 | Odelia V. Robinson | 3448 East 123rd Street | 44120 |
| 4 | Kenneth L. Johnson | 2948 Hampton Road | 44120 |
| 5 | Frank G. Jackson | 2327 East 38th Street | 44115 |
| 6 | Patricia J. Britt | 12402 Britton Drive | 44120 |
| 7 | Fannie M. Lewis | 7416 Star Avenue | 44103 |
| 8 | William W. Patmon | 867 East Boulevard | 44108 |
| 9 | Craig E. Willis | 11906 Beulah Avenue | 44106 |
| 10 | Roosevelt Coats | 1775 Cliffview Road | 44112 |
| 11 | Michael D. Polensek | 17855 Brian Avenue | 44119 |
| 12 | Edward W. Rybka | 6832 Indiana Avenue | 44105 |
| 13 | Joe Cimperman | 1428 Fairfield Avenue | 44113 |
| 14 | Nelson Cintron, Jr. | 3032 Vega Avenue | 44113 |
| 15 | Merle R. Gordon | 1813 Tampa Avenue | 44109 |
| 16 | Larry Moran | 3584 West 46th Street | 44102 |
| 17 | Timothy J. Melena | 6109 West Clinton Avenue | 44102 |
| 18 | Jay Westbrook | 10513 Clifton Boulevard | 44102 |
| 19 | Joseph J. Zone | 3323 West 130th Street | 44111 |
| 20 | Martin J. Sweeney | 3632 West 133rd Street | 44111 |
| 21 | Michael A. Dolan | 16519 West Park Road | 44111 |
| | Clerk of Council—Artha Woods, 216 City Hall, 664-2840. First Assistant Clerk—Sandra Franklin. | | |
| MAYOR—Michael R. White | | | |
| LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy | | | |
| Barry Withers, Executive Assistant for Administration | | | |
| Judith Zimomra, Executive Assistant for Service | | | |
| Kenneth Silliman, Executive Assistant for Economic Development | | | |
| Laura Ann Williams, Director, Office of Equal Opportunity | | | |
| Milan T. Polacek, Executive Assistant for Legislative Affairs | | | |
| DEPT. OF LAW – Sylvester Summers, Jr., Director, Lessie M. Milton, Chief Counsel, Room 106 | | | |
| George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch – Justice Center, 8th Flr., Court Towers, 1200 Ontario Street | | | |
| Karen E. Martines, Law Librarian, Room 100 | | | |
| DEPT. OF FINANCE – Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit | | | |
| DIVISIONS – Accounts – Gayle Goodwin Smith, Commissioner, Room 19 City Treasury – Mary Christine Jackman, Treasurer, Room 115 | | | |
| Assessments and Licenses – Robert J. Schneider, Commissioner, Room 122 | | | |
| Purchases and Supplies – William A. Moon, Commissioner, Room 128 | | | |
| Printing and Reproduction – James D. Smith, Commissioner, 1735 Lakeside Avenue | | | |
| Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue | | | |
| Financial Reporting and Control – _____, 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 – Randell T. Scott, Commissioner, Room 25 | | | |
| Engineering and Construction – JoMarie Wasik, Acting Commissioner, Room 518 | | | |
| Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards | | | |
| Architecture – Kenneth Nobilio, Commissioner, Room 517 | | | |
| DEPT. OF PUBLIC HEALTH – Robert O. Staib, Director, Mural Building 1925 St. Clair Avenue. | | | |
| DIVISIONS – Health – Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue | | | |
| Environment – Eric Myles, Acting Commissioner, Mural Building, 1925 St. Clair Avenue | | | |
| Correction – Thomas Hardin, Commissioner, Cooley Farms, 4041 North- field Road | | | |
| DEPT. OF PUBLIC SAFETY – William M. Denihan, Director, Room 230. | | | |
| DIVISIONS – Police – Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street | | | |
| Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue | | | |
| Traffic Engineering & Parking – David Ritz, Commissioner, 2001 Payne Ave. | | | |
| Dog Pound – John Baird, Chief Dog Warden, 2690 W. 7th Street | | | |
| Emergency Medical Service – Bruce Shade, Commissioner, 1708 South Pointe Drive | | | |
| DEPT. OF PARKS, RECREATION & PROPERTIES – Nicholas P. Jackson, Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St. | | | |
| DIVISIONS – Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave. | | | |
| Property Management – Vernon Robinson, Commissioner, East 49th & Harvard | | | |

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

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

Recreation – Michael Cox, Acting Commissioner, Room 8

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

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

DIVISIONS – Administrative Services – Terrence Ross, Commissioner. Neighborhood Services – Louise V. Jackson, Commissioner. Neighborhood Development – 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. McBea, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 85

WEDNESDAY, APRIL 29, 1998

No. 4403

CITY COUNCIL

MONDAY, APRIL 27, 1998

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio April 27, 1998.
The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

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

Also present were Barry Withers, Executive Assistant for Administration, and Directors Summers, Carmody, Konicek, Guzman, Staib, Denihan, Jackson, Hamilton, Nolan, Warren, Axelrod and Morrison.

Absent: Mayor White.
Pursuant to Ordinance No. 2926-76, the Council meeting was opened with a prayer offered by Bryan Gillooly, Policy Analyst of Cleveland City Council. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 737-98.
From the Department of Parks, Recreation and Properties re: Contribution of \$30,000.00 from Ernst & Young LLP as part of court settlement. Received.

File No. 738-98.
From the Division of Purchases & Supplies re: Emergency Requisitions (RE-51231) and (RE-51233). Received.

File No. 784-98. April 21, 1998

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

Dear Council President Westbrook:

I am pleased to recommend Francisco Molina for re-appointment to the Greater Cleveland Regional Transit Authority Board. This appointment is for a three year term and will expire on March 2, 2001.

Thank you for your consideration.

Sincerely,
MICHAEL R. WHITE
Mayor

Received. Referred to Committee on Mayor's Appointment.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 739-98.

Re: New Application - 47246153594 - Kmart Corp dba Kmart 3589, 14901 Lorain Avenue. (Ward 21). Received.

File No. 740-98.

Re: New Application - 4153124 - I & P Associates Inc. dba East 49th Street Beverage & Deli, 3360 East 49th Street. (Ward 13). Received.

File No. 741-98.

Re: Transfer of Ownership Application - 5304669 - Lou & Eddy's Corp dba Lou Eddy's, first floor, basement and patio, 5800, 5806, 5808, 5810 Detroit Avenue. (Ward 17). Received.

File No. 742-98.

Re: Transfer of Ownership Application - 22417510005 - Dome Grille Inc., 1144-46 Prospect Avenue. (Ward 13). Received.

File No. 743-98.

Re: Transfer of Ownership and Location Application - 9711440 - Wish Inc., 621 Johnson Court. (Ward 13). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 747-98. Ernest Wilkerson, Sr.

Res. No. 748-98. Robert A. Leitch.

Res. No. 787-98. Ruby Reed.

Res. No. 788-98. Emmitt Thompson.

Res. No. 789-98. Robbie Robinson.

Res. No. 790-98. John V. Oblak.

Res. No. 791-98. Rev. Bennie L. Miles.

Res. No. 792-98. Marilyn Pohill.

CONGRATULATORY RESOLUTIONS

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

Res. No. 793-98. William A. Burga.

Res. No. 794-98. Raymond Shepard.

Res. No. 795-98. Donald Marshall.

Res. No. 796-98. Thomas Settles.

Res. No. 797-98. Jack Guarino.

Res. No. 798-98. William Richard Lamonica, Sr.

Res. No. 799-98. Joseph O'Donnell.

Res. No. 800-98. Reverend Anthony Rebol.

Res. No. 801-98. Ana Garcia.

Res. No. 802-98. San Lorenzo Club.
Res. No. 803-98. Neighborhood Housing Services of Cleveland.
Res. No. 804-98. 50th Anniversary — State of Israel.

RECOGNITION RESOLUTIONS

The rule was suspended and the following Resolution was adopted without objection.

Res. No. 805-98. Sister M. Joachim Mullen.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 744-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to provide travel and travel agency services for all City departments.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to employ by contract one or more travel agents or one or more firms of travel agencies 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 travel and travel agency services, including but not limited to air, ground, lodging, and car rental arrangements.

The selection of said travel agents or travel agencies for such services shall be made by the Board of Control upon the nomination of the Director of Finance from a list of qualified consultants available for such employment as may be deter-

mined after a full and complete canvass by the Director of Finance for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Finance, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 01-99-98-0325, Request No. 23240.

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

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

Ord. No. 745-98.

By Councilmen Moran and Gordon (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Cleveland Metroparks on behalf of The Cleveland Zoo to encroach into the public rights-of-way at various locations in Wards 15 and Ward 16 by installing and/or replacing approximately fifty-six (56) double-sided banners to promote the Zoo's exhibits and attractions.

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 hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Cleveland Metroparks, 4101 Fulton Parkway, Cleveland, Ohio 44144, on behalf of the Cleveland Zoo; its successors and assigns, for the construction, use and maintenance of approximately fifty-six double-sided banners to be placed on Cleveland Public Power Utility Poles (by separate permit) which will encroach into the public rights-of-way in portions of Wards 15 and 16, and are more fully described as follows:

BANNER LOCATIONS IN WARDS 15 & 16 TO BE HUNG ON UTILITY POLES:

| <u>ADDRESS/LOCATION:</u> | <u>POLE NUMBER:</u> | <u>OWNER:</u> |
|---|---------------------|---------------|
| <u>(5-Poles - FULTON RD. @ I-71</u> | | |
| 1st Pole N. of Ramp (W) | A541 | CPP |
| 1st Pole N. of Bridge (E) | No Number | CPP |
| 1st Pole N. of Bridge (W) | No Number | CPP |
| On Bridge Sly. End (W) | A454 | CPP |
| 1st Pole S. of I-71 (E) | No Number | CPP |
| <u>(9-Poles) - FULTON ROAD BRIDGE (W)</u> | | |
| No Pole Numbers on any of these poles. | | CPP |
| <u>(5-Poles) - CONTINUATION OF FULTON ROAD BRIDGE (W)</u> | | |
| No Pole Numbers on any of these poles. | | CPP |
| <u>(7-Poles) - FULTON PARKWAY BETWEEN MEMPHIS & BROOKSIDE DRIVE (E)</u> | | |
| | #31022 | CPP |
| | #31023 | CPP |
| | #90M550 | CPP |
| | #31025 | CPP |
| | #31026 | CPP |
| | #31027 | CPP |
| | #31028 | CPP |
| <u>(3 -Poles) - I-71 @ PEARL ROAD</u> | | |
| S.W. Corner Ramp, N. End (W) | No Number | CPP |
| S.W. Corner Ramp, S. End (W) | V I 9 | CPP |
| N.W. Corner Ramp, S. End (W) | No Number | CPP |
| <u>(2-Poles)</u> | | |
| DENISON - N.W. Corner | No Number | CPP |
| PEARL - S.W. Corner | No Number | CPP |

(6-Poles) - ON PEARL ROAD BRIDGE (WEST SIDE)

| | |
|------|-----|
| 3A01 | CPP |
| 3A02 | CPP |
| 3A03 | CPP |
| 3A04 | CPP |
| 1A06 | CPP |
| 1A04 | CPP |

(2-Poles) - PEARL ROAD

| | | |
|---------------------------------|-----------|-----|
| 1st Pole S. of Garden Blvd. (E) | VOM286 | CPP |
| 3rd Pole N. of Selzer (E) | No Number | CPP |

(1-Pole) - BROADVIEW AT PEARL RD. S.E. CORNER

| | |
|---------|-----|
| 9M-1-33 | CPP |
|---------|-----|

(2-Poles) - STATE ROAD

| | | |
|---------------------------------|-----------|-----|
| 3rd Pole N. of Columbus Rd. (E) | 31314 | CPP |
| 1st Pole N. of I-480 Ramp (W) | No Number | CPP |

(1-Pole)

| | | |
|-------------------------------|-----------|-----|
| 1st Pole N. of Silverdale (E) | No Number | CPP |
|-------------------------------|-----------|-----|

Section 2. That said banners will be hung within the public right-of-way of portions of Wards 15 and 16 as aforesaid, and said banners will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That nothing in this Ordinance grants or shall be considered to grant to Permittee any right, privilege or permission to use or to attach or affix any objects to poles described in Section 1. of this Ordinance.

Section 4. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of that Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

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

Ord. No. 746-98.
By Councilmen Sweeney and Johnson (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair and replace automotive, truck and construction equipment glass, including related mechanical repairs, 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 labor and materials necessary to repair and replace automotive, truck and construction equipment glass, including related mechanical repairs 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 Pur-

chases 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 24133)

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

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

Ord. No. 749-98.
By Councilman Cintron.
An emergency ordinance to vacate a portion of the first unnamed alley east of Columbus Road N.W., and a portion of Gould Court N.W. hereinafter described.

Whereas, on the 14th day of August, 1996 the Council of the City of Cleveland adopted Resolution No. 1049-96 declaring its intention to vacate a portion of The First Unnamed Alley East of Columbus Road N.W., and a portion of Gould Court N.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1049-96 has

been served upon the owners of all the property abutting The First Unnamed Alley East of Columbus Road N.W., and a portion of Gould Court 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 16th day of April, 1998, the Board of Revision of Assessments approved the vacation of The First Unnamed Alley East of Columbus Road N.W., and a portion of Gould Court 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 The First Unnamed Alley East of Columbus Road 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 The First Unnamed Alley East of Columbus Road N.W. (80.00 feet wide), extending Northerly from the Northerly line of Moore Avenue N.W. (66 feet wide) to that portion of The First Unnamed Alley vacated by Ordinance No. 491-93, passed by Council of the City of Cleveland on May 3, 1993. AND a portion of Gould Court N.W. (16.5 feet wide) extending Easterly from the Easterly line of the First Unnamed Alley East of Columbus Road N.W. (80.00

feet wide), 70.00 feet to its intersection with the Southerly prolongation of the Easterly line of Sublot No. 133 in the Willeyville Allotment as recorded in Volume 2, Page 16 of Cuyahoga County Records, be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power equipment.

The description of easement is as follows:

That all that portion of The First Unnamed Alley East of Columbus Road N.W. (80.00 feet wide), extending Northerly from the Northerly line of Moore Avenue N.W. (66 feet wide) to that portion of The First Unnamed Alley vacated by Ordinance No. 491-93, passed by Council of the City of Cleveland on May 3, 1993. AND a portion of Gould Court N.W. (16.5 feet wide) extending Easterly from the Easterly line of the First Unnamed Alley East of Columbus Road N.W. (80.00 feet wide), 70.00 feet to its intersection with the Southerly prolongation of the Easterly line of Sublot No. 133 in the Willeyville Allotment as recorded in Volume 2, Page 16 of Cuyahoga County Records.

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 The First Unnamed Alley East of Columbus Road 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.

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

Ord. No. 750-98.

By Councilman Cintron.

An emergency ordinance to vacate a portion of Newell Court S.W., Castle Court S.W., West 16th Street and West 17th Place hereinafter described.

Whereas, on the 25th day of September, 1995 the Council of the City of Cleveland adopted Resolution No. 1257-95 declaring its intention to vacate a portion of Newell Court S.W., Castle Court S.W., West 16th St., and West 17th Pl., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1257-95 has been served upon the owners of all the property abutting Newell Court S.W., Castle Court S.W., West 16th Street, and West 17th Place affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 3rd day of December, 1997, the Board of Revision of Assessments approved the vacation

of Newell Court S.W., Castle Court S.W., West 16th St., and West 17th Place, 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 Newell Court, Castle Court S.W., West 16th St., and West 17th Place, 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 Newell Court S.W. (10.00 feet wide) extending Easterly from the Easterly line of West 17th Street (50.00 feet wide) to the Westerly right-of-way line of Interstate 71. AND a portion of Castle Court S.W. (10.00 feet wide) extending Easterly from the Easterly line of West 17th Street (50.00 feet wide) to the Westerly line of West 16th Street (50.00 feet wide) AND a portion of West 16th Street (50.00 feet wide) extending Southerly from the Easterly prolongation of the Northerly line of Castle Court S.W. (10.00 feet wide) to the Northerly line of Castle Avenue S.W. (66 feet wide). AND a portion of West 17th Place (10.00 feet wide) and its Easterly and Westerly turnouts extending Southerly from the Southerly line of Newell Court S.W. (10.00 feet wide) to the Northerly line of Castle Court S.W. (10 feet wide), be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power equipment, and Division of Water Pollution Control equipment.

The description of easement is as follows:

That all that portion of Newell Court S.W. (10.00 feet wide) extending Easterly from the Easterly line of West 17th Street (50.00 feet wide) to the Westerly right-of-way line of Interstate 71. AND a portion of Castle Court S.W. (10.00 feet wide) extending Easterly from the Easterly line of West 17th Street (50.00 feet wide) to the Westerly line of West 16th Street (50.00 feet wide) AND a portion of West 16th Street (50.00 feet wide) extending Southerly from the Easterly prolongation of the Northerly line of Castle Court S.W. (10.00 feet wide) to the Northerly line of Castle Avenue S.W. (66 feet wide). AND a portion of West 17th Place (10.00 feet wide) and its Easterly and Westerly turnouts extending Southerly from the Southerly line of Newell Court S.W. (10.00 feet wide) to the Northerly line of Castle Court S.W. (10 feet wide).

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, an in compliance with, plans approved by the Commissioner of the Division of Light and Power, and the Commissioner of the Division of Water Pollution Control, 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 Newell Court S.W., Castle Court S.W., West 16th Street, West 17th Place, 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.

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

Ord. No. 751-98.

By Councilman Cintron.

An emergency ordinance to vacate portion of West 44th Place, first alley north of Detroit Avenue and east of West 44th Place, and the first alley north of Detroit Avenue and west of West 44th Place hereinafter described.

Whereas, on the 15th day of December, 1997 the Council of the City of Cleveland adopted Resolution No. 1662-97 declaring its intention to vacate a portion of West 44th Place, First Alley North of Detroit Avenue and East of West 44th Place, and the First Alley North of Detroit Avenue and West of West 44th Place, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1662-97 has been served upon the owners of all the property abutting West 44th Place, the First Alley North of Detroit Avenue and East of West 44th Place, and the First Alley North of Detroit Avenue and West of West 44th Place 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 16th day of April, 1998, the Board of Revision of Assessments approved the vacation of West 44th Place, the First Alley North of Detroit Avenue and East of West 44th Place, and the First Alley North of Detroit Avenue and West of West 44th Place, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating West 44th Place, the First Alley North of Detroit Avenue and East of West 44th Place, and the First Alley North of Detroit Avenue and West of West 44th Place, 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 WEST 44TH PLACE (38.00 feet wide) extending Northerly from the Northerly line of Detroit Avenue N.W. (66.00 feet wide) to that portion of West 44th Place vacated by the Council of the City of Cleveland by Ordinance Number 531-40, passed April 22, 1940.

That all that portion of the FIRST ALLEY NORTH OF DETROIT AVENUE AND EAST OF WEST 44TH PLACE The First Alley (10.00

feet wide) North of Detroit Avenue N.W. extending Easterly from the Easterly line of West 44th Place (38.00 feet wide) to its Easterly terminus.

That all that portion of the FIRST ALLEY NORTH OF DETROIT AVENUE AND WEST OF WEST 44TH PLACE The First Alley (10.00 feet wide) North of Detroit Avenue N.W. extending Westerly from the Westerly line of West 44th Place (38.00 feet wide) to its Westerly terminus, be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Water and Heat equipment.

The description of easement is as follows:

That all that portion of WEST 44TH PLACE (38.00 feet wide) extending Northerly from the Northerly line of Detroit Avenue N.W. (66.00 feet wide) to that portion of West 44th Place vacated by the Council of the City of Cleveland by Ordinance Number 531-40, passed April 22, 1940.

That all that portion of the FIRST ALLEY NORTH OF DETROIT AVENUE AND EAST OF WEST 44TH PLACE The First Alley (10.00 feet wide) North of Detroit Avenue N.W. extending Easterly from the Easterly line of West 44th Place (38.00 feet wide) to its Easterly terminus.

That all that portion of the FIRST ALLEY NORTH OF DETROIT AVENUE AND WEST OF WEST 44TH PLACE The First Alley (10.00 feet wide) North of Detroit Avenue N.W. extending Westerly from the Westerly line of West 44th Place (38.00 feet wide) to its Westerly terminus, be and the same is hereby vacated.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by the Commissioner of the Division of Water and Heat, 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 West 44th Place, First Alley North of Detroit Avenue and East of West 44th Place, and the First Alley North of Detroit Avenue and West of West 44th Place, 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.

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

Ord. No. 752-98.

By Councilman Jones.

An emergency ordinance to vacate a portion of Dynes Avenue S.E. hereinafter described.

Whereas, on the 2nd day of June, 1997 the Council of the City of Cleveland adopted Resolution No. 975-97 declaring its intention to vacate a portion of Dynes Avenue S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 975-97 has been served upon the owners of all the property abutting Dynes Avenue S.E. 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 16th day of April, 1998, the Board of Revision of Assessments approved the vacation of Dynes Avenue S.E., 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 Dynes Avenue S.E., 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 Dynes Avenue S.E. (50.00 feet wide) extending Westerly from the Westerly line of Lee Road S.E. (80.00 feet wide) to that portion of Dynes Avenue S.E. vacated by the Council of the City of Cleveland, by Ordinance Number 842-60, be the same is hereby vacated.

Section 2. 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 Dynes Avenue S.E., herein provided by sending him a copy of this ordinance.

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

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

Ord. No. 753-98.

By Councilman Westbrook.

An emergency ordinance to vacate a portion of West 61st Street, West 62nd Street, West 63rd Street, West 64th Place, West 66th Place, Gordon Court, Sargent Avenue, and Heber Court hereinafter described.

Whereas, on the 25th day of September, 1995 the Council of the City of Cleveland adopted Resolution No. 1261-95 declaring its intention to vacate a portion of West 61st Street, West 62nd Street, West 63rd Street, West 64th Place, West 66th Place, Gordon Court, Sargent Avenue, and Heber Court, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1261-95 has been served upon the owners of all the property abutting 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 16th day of April, 1998, the Board of Revision of Assessments approved the vacation of West 61st Street, West 62nd Street, West 63rd Street, West 64th

Place, West 66th Place, Gordon Court, Sargent Avenue, and Heber Court, 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 portions of West 61st Street, West 62nd Street, West 63rd Street, West 64th Place, West 66th Place, Gordon Court, Sargent Avenue, and Heber Court, 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 WEST 61ST STREET (40.00 feet wide) extending Northerly 460.00 feet from the Northwesterly line of Walworth Avenue S.W. (60.00 feet wide), AND Being all that portion of WEST 62ND STREET (60.00 feet wide) extending Northerly 270.00 feet from the Northerly line of Sargent Avenue S.W. (60.00 feet wide), AND Being all that portion of WEST 63RD STREET A. (40.00 feet wide) extending Northerly 170.00 feet from the Northerly line of Sargent Avenue S.W. (60.00 feet wide), AND Being all that portion of WEST 63RD STREET B. (40.00 feet wide) extending Southerly from the Southerly line of Sargent Avenue S.W. (60.00 feet wide) to the Northerly end of that portion of West 63rd Street as vacated by Ordinance 1858-45, passed by Cleveland City Council on October 22, 1945, AND Being all that portion of WEST 64TH PLACE (10.00 feet wide) extending Southerly from the Southerly line of Sargent Avenue S.W. (60.00 feet wide) to the Northwesterly line of Walworth Avenue S.W. (60.00 feet wide), AND Being all that portion of WEST 66TH PLACE (30.00 feet wide) extending Southerly from the Southerly line of Elmer Court S.W. (30.00 feet wide) to its Southerly terminus, AND Being all that portion of SARGENT AVENUE S.W. (60.00 feet wide) extending Easterly from the Easterly line of West 65th Street (80.00 feet wide) to its Easterly terminus, AND Being all that portion of GORDON COURT S.W. (40.00 feet wide) extending Westerly from the Westerly line of West 65th Street (80.00 feet wide) to its Westerly terminus, AND Being all that portion of HEBER COURT S.W. (30.00 feet wide) extending Westerly from the Westerly line of West 65th Street (80.00 feet wide) to the Easterly line of West 66th Place (30.00 feet wide), be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power equipment, and Division of Water Pollution Control equipment.

The description of easement is as follows:

That all that portion of WEST 61ST STREET (40.00 feet wide) extending Northerly 460.00 feet from the Northwesterly line of Walworth Avenue S.W. (60.00 feet wide), AND Being all that portion of WEST 62ND STREET (60.00 feet wide) extending Northerly 270.00 feet from the Northerly line of Sargent

Avenue S.W. (60.00 feet wide). AND Being all that portion of WEST 63RD STREET A.) (40.00 feet wide) extending Northerly 170.00 feet from the Northerly line of Sargent Avenue S.W. (60.00 feet wide). AND Being all that portion of WEST 63RD STREET B.) (40.00 feet wide) extending Southerly from the Southerly line of Sargent Avenue S.W. (60.00 feet wide) to the Northerly end of that portion of West 63rd Street as vacated by Ordinance 1858-45, passed by Cleveland City Council on October 22, 1945. AND Being all that portion of WEST 64TH PLACE (10.00 feet wide) extending Southerly from the Southerly line of Sargent Avenue S.W. (60.00 feet wide) to the Northwesterly line of Walworth Avenue S.W. (60.00 feet wide). AND Being all that portion of WEST 66TH PLACE (30.00 feet wide) extending Southerly from the Southerly line of Elmer Court S.W. (30.00 feet wide) to its Southerly terminus. AND Being all that portion of SARGENT AVENUE S.W. (60.00 feet wide) extending Easterly from the Easterly line of West 65th Street (80.00 feet wide) to its Easterly terminus. AND Being all that portion of GORDON COURT S.W. (40.00 feet wide) extending Westerly from the Westerly line of West 65th Street (80.00 feet wide) to its Westerly terminus. AND Being all that portion of HEBER COURT S.W. (30.00 feet wide) extending Westerly from the Westerly line of West 65th Street (80.00 feet wide) to the Easterly line of West 66th Place (30.00 feet wide).

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, and the Commissioner of the Division of Water Pollution Control, 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 West 61st Street, West 62nd Street, West 63rd Street, West 64th Place, West 66th Place, Gordon Court, Sargent Avenue, and Heber Court, 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.

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

Ord. No. 754-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair or replace fire hydrants, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24015)

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

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

Ord. No. 755-98.

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

An emergency ordinance determining the method of making the public improvement of replacing the sewer on Westchester Avenue, and authorizing the Director of Public Utilities to enter into contract for the making of such 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 replacing the sewer on Westchester Avenue, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities 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 cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23026.

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

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

Ord. No. 756-98.

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

An emergency ordinance determining the method of making the public improvement of replacing the sewer on Mayview Avenue, and authorizing the Director of Public Utilities to enter into contract for the making of such 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 replacing the sewer on Mayview Avenue, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities 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 cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23025.

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

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

**Ord. No. 757-98.
By Councilmen Patmon, Rybka
and Johnson (by departmental
request).**

An emergency ordinance determining the method of making the public improvement of replacing the sewer on West 49th Street, and authorizing the Director of Public Utilities to enter into contract for the making of such 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 replacing the sewer on West 49th Street, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities 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 cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23027.

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

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

**Ord. No. 758-98.
By Councilmen Coats and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to paint center and lane lines on City streets, for the Division of Traffic Engineering and Parking, Department of Public Safety, 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 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 two (2) years for the necessary items of labor and materials necessary to paint center and lane lines

on City streets 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 Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 20472)

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

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

**Ord. No. 759-98.
By Councilmen Coats and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of reflective sheeting and sign posts, for the Division of Traffic Engineering and Parking, Department of Public Safety, 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 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 two (2) years for the necessary items of reflective sheeting and sign posts 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 Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 20474)

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

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

**Ord. No. 760-98.
By Councilmen Coats and Johnson
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic paint, thermoplastic material and reflective glass beads, for the Division of Traffic Engineering and Parking, Department of Public Safety, 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 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 two (2) years for the necessary items of traffic paint, thermoplastic material and reflective glass beads 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 Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 20473)

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

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

Ord. No. 761-98.

By Councilmen Sweeney and Johnson (by departmental request).

An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 855-97, passed June 16, 1997, relating to the public improvement of renovating, upgrading or otherwise improving the Convention Center and West Side Market.

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

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

Section 1. That Sections 1 and 2 of Ordinance No. 855-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

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 renovating, upgrading, or otherwise improving the West Side Market and the Convention Center, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Parks, Recreation and Properties 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 for a gross price 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 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 1 and 2 of Ordinance No. 855-97, passed June 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.

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

Ord. No. 762-98.

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

An emergency ordinance determining the method of making the public improvement of labor and materials to install two boilers at the West Side Market, and authorizing the Director of Parks, Recreation and Properties to enter into

contract for the making of such 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 labor and materials to install two boilers at the West Side Market, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, 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 Parks, Recreation and Properties 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 cost of said improvement hereby authorized shall be paid from Fund No 67 SF 500, Request No. 20008.

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

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

Ord. No. 763-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7000 Carnegie Avenue to Atlas Management Corporation.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 118-23-126, as more fully described in Section 2 below, to Atlas Management Corporation.

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. 118-23-126

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 5 and 6 in an Allotment made by the Guardian Trust Company, Trustee, of part of Original One Hundred Acre Lot Nos. 335 and 338, as shown by the recorded plat in Volume 30 of Maps, Page 22 of Cuyahoga County Records, and together bounded and described as follows:

Beginning on the Southerly line of Carnegie Avenue, S.E., 2.8 feet East of the Northwest corner of said Sublot No. 6; thence Westerly along the Southerly line of Carnegie Avenue, S.E., 42 feet to the Easterly line of land conveyed by Gerhard A. Tenbusch and wife and recorded in Volume 1228, Page 336 of Cuyahoga County Records, and filed for record April 1, 1910, at 3:33 p.m. and being File No. 513792; thence Southerly along the Easterly line of land conveyed to John W. and Anne Janotas as aforesaid, 110 feet; thence Easterly parallel with the Southerly line of said Carnegie Avenue S.E., 42 feet; thence Northerly 110 feet to the place of beginning, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 764-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan 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 Community Development is hereby authorized to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs in the City of Cleveland.

Section 2. That the cost of said contract shall be in an amount not to exceed \$460,000.00, and shall be paid from Fund No. 14 SF 023 and 14 SF 024, Request No. 23102.

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

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

Ord. No. 765-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with the Federation for Community Planning, fiscal agent for the Summer Sprout Program, to operate a community gardening 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 Community Development is hereby authorized to enter into contract with the Federation for Community Planning, fiscal agent for the Summer Sprout Program, to operate a community gardening program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$60,000.00, and shall be paid from Fund No. 14 SF 024, Request No. 23101.

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

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

Ord. No. 766-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Directors of Community Development and the Community Relations Board to expend Community Development Block Grant funds for fair housing services.

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

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

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

Section 1. That the Director of the Community Relations Board is hereby authorized to expend Community Development Block Grant funds in the amount of \$75,000.00 from Fund No. 14 SF 024 Request No. 23097, for fair housing services in conjunction with the Community Development Block Grant Program.

Section 2. That said Director and the Director of Community Development are hereby authorized to enter into a memorandum of understanding for this program.

Section 3. That the Director of the Community Relations Board is hereby authorized to enter into contracts with outside agencies for the purpose of providing fair housing services in conjunction with the Community Development Block Grant Program.

Section 4. That the cost of the contracts authorized by Section 3 shall not exceed \$75,000.00.

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

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

Ord. No. 767-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Aging to expend Community Development Block Grant funds for the Senior Homeowners Assistance Program (SHAP) and the CHORE Program.

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

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

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

Section 1. That the Director of Aging is hereby authorized to expend Community Development Block Grant funds in the amount of Ninety-Eight Thousand Dollars (\$98,000.00), from Fund No. 14 SF024 Request No. 23099 for the Senior Homeowners Assistance Program ("SHAP") and the CHORE Program in conjunction with the Community Development Block Grant Program, Year XXIV.

Section 2. That said Director and the Director of Community Development are hereby authorized to enter into a memorandum of understanding for this program.

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

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

Ord. No. 768-98.

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

An emergency ordinance authorizing the Director of Public Safety to expend Community Development Block Grant funds for the Community Response Unit.

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

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

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

Section 1. That the Director of Public Safety is hereby authorized to expend Community Development Block Grant funds in the amount of One Million Dollars (\$1,000,000.00), from Fund No. 14 SF 024 Request No. 23098, for the operation of the Community Response Unit in conjunction with the Community Development Block Grant Program.

Section 2. That said Director and the Director of Community Development are hereby authorized to enter into a memorandum of understanding for this program.

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

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

Ord. No. 769-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1255 East 58th Street and 1241 East 61st Street to St. Clair Superior Coalition or designee.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of

Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 104-14-121 and 104-15-126, as more fully described in Section 2 below, to St. Clair Superior Coalition or designee.

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

P. P. No. 104-14-121

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 35 in the Marianna B. Sterling's Allotment of part of Original One Hundred Acre Lot No. 343 as shown by the recorded plat in Volume 4 of Maps, Page 10 of Cuyahoga County Records, and including 5 feet of an alley vacated in Plat 226 Page 93 recorded July 24, 1980 in accordance with the City of Cleveland Ordinance No. 977-80, and being 40 feet front on the Easterly side of East 58th Street (formerly Sherbrook Street), and extending back of equal width 130 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 104-15-126

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in the John and Anna E. Schott Re-Subdivision of part of Original One Hundred Acre Lot No. 343, as shown by the recorded plat of said Re-Subdivision in Volume 22 of Maps, Page 22 of Cuyahoga County Records, and being 36 feet front on the Easterly side of East 61st Street and extending back of equal width 140 feet deep, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 770-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1583, 1587, 1591 East 65th Street to Stephen Anthony and Natalie Marie Sangster.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s), 106-14-002, 106-14-003 and 106-14-004, as more fully described in Section 2 below, to Stephen Anthony and Natalie Marie Sangster.

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

P. P. No. 106-14-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 35 feet from front to rear of Sublot No. 42 in Samuel B. Strang's Subdivision of part of Original One Hundred Acre Lot No. 341, as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records, and having a frontage of 35 feet on the Easterly side of East 65th Street, (formerly Norwood Street), and extending back of equal width about 132 feet and 7-3/4 inches to the Westerly line of East 66th Place, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 106-14-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 16 feet of Sublot No. 46, all of Sublot No. 44 and the Southerly 2

feet of Sublot No. 42 in Samuel B. Strang's Allotment of part of Original One Hundred Acre Lot No. 341 as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 43 feet on the Easterly side of East 65th Street (formerly Norwood Street), and extending back of equal width about 132 feet 8 inches to the Westerly line of East 66th Place, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 106-14-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 9 feet of Sublot No. 46, all of Sublot No. 48 and the Northerly 9 feet of No. 50 in Samuel B. Strang's Subdivision of part of the Original One Hundred Acre Lot No. 341, as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records, and together form a parcel of land having a frontage of 43 feet on the Easterly side of East 65th Street (formerly Norwood Street) and extending back of equal width about 132 feet 8 inches to a Westerly line of a 12 foot alley in 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.

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

Ord. No. 771-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1917, 1911, 1913 East 73rd Street to Ronnie A. Stephens.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 118-10-038, 118-10-040, and 118-10-041, as more fully described in Section 2 below, to Ronnie A. Stephens.

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. 118-10-038

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 148 feet of the Southerly 37.5 feet of Sublot No. 19 in the Spangler Heir's Subdivision of part of Original One Hundred Acre Lot No. 339, as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records, and being 37.5 feet front on the Easterly side of East 73rd Street, (formerly Spangler Avenue), and extending back of equal width 148 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 118-10-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 20 and 21 in the Spangler Heir's Subdivision of part of Original One Hundred Acre Lot No. 339, as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 73rd Street (formerly Spangler Avenue), at a point 37-1/2 feet Southerly, measured along said Easterly line, from the Northwesterly corner of said Sublot No. 21; thence Southerly along said Easterly line of East 73rd Street, 39 feet; thence Easterly 29 feet to a point which is 26 feet 2 inches Southerly, measured at right angles from the Northerly line of said Sublot No. 20; thence Easterly 36 feet to a point which is 25 feet 10 inches Southerly, measured at right angles from the Northerly line of said Sublot No. 20, thence Easterly 21 feet to a point which is 25 feet Southerly measured at right angles from the Northerly line of said Sublot No. 20; thence Easterly on a line parallel with the Northerly line of said Sublot No. 20 to a point 27 feet Westerly, measured at right angles from the Easterly line of said Sublot No. 20; thence Northerly on a line parallel

to the Easterly line of said Sublot Nos. 20 and 21, 37-1/2 feet to the point of intersection with a line drawn Easterly from the place of beginning and parallel to the Southerly line of said Sublot No. 21; thence Westerly 123 feet to the place of beginning as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 118-10-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 21 in the Spangler Heir's Subdivision of part of Original One Hundred Acre Lot No. 339, as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records; and being a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 73rd Street, (formerly Spangler Avenue), at the Northwesterly corner of said Sublot No. 21; thence Southerly along said Easterly line of East 73rd Street, 37-1/2 feet; thence Easterly on a line parallel to the Northerly line of said Sublot No. 21, 123 feet; thence Northerly on a line parallel to said Easterly line of East 73rd Street, 37-1/2 feet to the Northerly line of said Sublot No. 21; thence Westerly along Northerly line of Sublot No. 21, 123 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 772-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program

and located at 1900 East 75th Street to Cleveland Ohio Cedar Congregation of Jehovah's Witnesses.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5711 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 118-09-030, as more fully described in Section 2 below, to Cleveland Ohio Cedar Congregation of Jehovah's Witnesses.

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. 118-09-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 41 in Spangler Heirs' Subdivision of part of Original One Hundred Acre Lot No. 339, as shown by the recorded plat in Volume 14 of Maps, Page 8 of Cuyahoga County Records and being 50 feet front on the Westerly side of Ingleside Avenue (now known as East 75th Street) and extending back of equal width 172 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

Ord. No. 773-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7122, 7206, 7210 Linwood to Wendy Y. Beverly and Lenwood P. Beverly.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-16-006, 106-16-007, and 106-16-008, as more fully described in Section 2 below, to Wendy Y. Beverly and Lenwood P. Beverly.

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

P. P. No. 106-16-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 6 in the Bolton Estate Subdivision of part of Original One Hundred Acre Lots Nos. 339 and 342 as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Linwood Avenue, and extending back 149.39 feet on the Westerly line, 149.44 feet on the Easterly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Along with an easement and right of way over 29 inches of Sublot No. 5 adjacent to the described premises pursuant to a Grant of Easement dated December 16, 1971, recorded January 19, 1972 in Volume 12965, Page 787. (No examination has been made concerning the validity of the estate created under this instrument.)

Subject to restrictions and easements contained in deed recorded in Volume 877, Page 589, Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

P. P. No. 106-16-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 7 in the Thomas Bolton Estate Subdivision of part of Original One Hundred Acre Lot No. 342 as shown by the recorded plat in Volume 22 of Maps, Page 26 of Cuyahoga County Records:

Said Sublot No. 7 has a frontage of 40 feet on the Southerly side of Linwood Avenue (60 feet wide) extends back between parallel lines 149.44 feet on the Westerly line, 149.49 feet on the Easterly side and contains 0.1372 acres of land, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 106-16-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 8 in Thomas Bolton Estate Subdivision of a part of One Hundred Acre Lots Nos. 339 and 342 as recorded in Volume 22 of Maps, Page 26 of Cuyahoga County Records; said Sublot 8 being 40 feet front on the Southerly side of Linwood Avenue 149.53 feet deep on the Easterly line, 149.49 feet deep on the Westerly line and 40 feet wide on 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.

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

Ord. No. 774-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6301, 6305 and 6309 Quimby Avenue to William Mumford and Morray Mumford.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 104-21-098, 104-21-099, and 104-21-100, as more fully described in Section 2 below, to William Mumford and Morray Mumford.

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

P. P. No. 104-21-098

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 340, and bounded and described as follows:

Beginning at a point in the Northerly line of Quimby Avenue 1296 feet Easterly from the Easterly line of Wilson Avenue (now East 55th Street); thence Easterly along the Northerly line of Quimby Avenue 37 feet; thence Northerly parallel with Wilson Avenue (now East 55th Street) 140 feet; thence Westerly parallel with Quimby Avenue 37 feet; thence Southerly parallel with Wilson Avenue (now East 55th Street) 140 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 104-21-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 340, and bounded and described as follows:

Beginning on the Northerly line of Quimby Avenue NE (formerly Quimby Street) at a point 1333 feet Easterly (measured along said Northerly line) from its point of intersection with the Easterly line of East 55th Street (formerly Wilson Avenue); thence Easterly along said Northerly line of Quimby Avenue NE, 38 feet, thence Northerly on a line parallel to said Easterly line of East 55th Street 140 feet; thence Westerly on a line parallel to said Northerly line of Quimby Avenue NE 38 feet; thence Southerly 140 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 104-21-100

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 340 and bounded and described as follows:

Beginning at a point in the Northerly line of Quimby Avenue, N.E., 1371 feet Easterly from the Easterly line of East 55th Street, (formerly Wilson Avenue), thence Easterly along the Northerly line of Quimby Avenue, N.E., 34 feet; thence Northerly parallel with East 55th Street, (formerly Wilson Avenue) 140 feet; thence Westerly parallel with said Quimby Avenue, N.E., 34 feet; thence Southerly parallel with East 55th Street (formerly Wilson Avenue) 140 feet, to place of beginning, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

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

Ord. No. 775-98.
By Councilmen Willis, Jackson, Rybka and Johnson (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12214 Ashbury Avenue to Gloria Hawkins.

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

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

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 120-14-007, as more fully described in Section 2 below, to Gloria Hawkins.

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. 120-14-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 30 in the Martin Dodge Subdivision of part of Original One Hundred Acre Lot No. 338, as shown by the recorded plat in Volume 17 of Maps, Page 16, of Cuyahoga County Records, and being 40 feet front on the Southeasterly side of Ashbury Avenue, N.E., and extending back of equal width 120 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 776-98.
By Councilmen Rybka and Johnson (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept a grant from the Cuyahoga County Planning Commission for the Northeast Ohio Areawide Coordinating Agency Regional Retail Business Analysis.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

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

Section 1. That the Director of the City Planning Commission is hereby authorized to apply for and accept a grant in the amount of \$18,000.00, from the Cuyahoga County Planning Commission, to conduct the Northeast Ohio Areawide Coordinating Agency Regional Retail Business Analysis, for the purposes set forth in the application and according thereto; that the Director of the City Planning Commission is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 776-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 777-98.

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

An emergency resolution declaring the necessity and intention to appropriate property for public use as a corporate office park, located at 20350 Hillside Road.

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 developing a corporate office park, 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:

PPN: 029-02-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Rockport Township Section 4 and bounded and described as follows:

Beginning on the centerline of Hillside Road, a private road, (20 feet wide) distant North 82° 37' 06" East measured along said centerline 30.37 feet from a stone monument at its intersection with the Westerly line of land conveyed to Katy Leoblein by deed dated February 27, 1913 and recorded in Volume 1444, Page 376 of Cuyahoga County Deed Records;

Thence North 1° 35' 36" East and parallel with the Westerly line of land conveyed to said Katy Leoblein 300 feet to a point;

Thence North 82° 37' 06" East 101.24 feet to a point;

Thence South 1° 35' 36" West and parallel with the Westerly line of land so conveyed to said Katy Leoblein 295.13 feet to a point on the centerline of Hillside Road;

Thence South 70° 29' 06" West along the said centerline 22.87 feet to an angle point;

Thence South 82° 37' 06" West continuing along the centerline of Hillside Road 79.63 feet to the place of beginning, be the same more or less, but subject to all legal highways.

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 period to be designated for that purpose by the Director of Finance which return shall be 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.

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 778-98.

By Councilmen Britt and Willis.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Incorporated to stretch banners on Martin Luther King Jr. Drive (east of the Cleveland Museum of Natural History), on Stokes Boulevard and on Cedar Hill for the period from May 15, 1998 to June 15, 1998, inclusive, publicizing Parade the Circle Celebration.

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 University Circle Incorporated to install, maintain and remove a banner on Martin Luther King Jr. Drive (east of the Cleveland Museum of Natural History), on Stokes Boulevard and on Cedar Hill for the period from May 15, 1998 to June 15, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising

shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 779-98.

By Councilman Cintron.
An emergency ordinance to vacate a portion of Penn Court (within St. Ignatius Campus), and an unnamed alley west of West 30th Street hereinafter described.

Whereas, on the 9th day of February, 1998, the Council of the City of Cleveland adopted Resolution No. 2196-97, declaring its intention to vacate a portion of Penn Court (within the St. Ignatius campus) and an Unnamed Alley West of West 30th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2196-97 has been served upon the owners of all the property abutting Penn Court (within the St. Ignatius campus), and an Unnamed Alley West of West 30th Street 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 16th day of April, 1998, the Board of Revision of Assessments approved the vacation of Penn Court (within the St. Ignatius campus) and an Unnamed Alley West of West 30th Street, 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 Penn Court (within the St. Ignatius campus), and an Unnamed Alley West of West 30th Street, 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 Penn Court (within the St. Ignatius campus) Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being all that portion of an unnamed alley, sometimes known as Penn Court, S.W. (16.00 feet wide) lying Northeastly of the following described line:

Beginning on the Northwesterly line of said unnamed alley, at its intersection with the Northeastly line of a parcel of land conveyed to the St. Ignatius Development Corporation by deed dated June 29, 1989, and recorded in Volume 89-3210, Page 51 of Cuyahoga County

Records; thence South 31°-10'-00" West along the Southeastly prolongation of said Northeastly line, 8.00 feet to its intersection with the centerline of said unnamed alley; thence South 58°-50'-00" West along said centerline, 2.20 feet to its intersection with the Northwesterly prolongation of the Northeastly line of a parcel of land conveyed to the City of Cleveland by deed dated January 2, 1975, and recorded in Volume 12730, Page 563 of Cuyahoga County Records; thence South 26°-04'-36" East, along said prolongation, 8.03 feet to the Southeastly line of said alley.

AND An Unnamed Alley West of West 30th Street Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of that portion of an Unnamed Alley (11.67 feet wide), located North of Lorain Avenue and South of Carroll Avenue, lying Southwesterly of the Southwesterly line of West 30th Street (as vacated by Ordinance No. 1351-78 and shown by the recorded plat in Volume 223 of Maps, Page 46 of Cuyahoga County Records) and extending to its Southwesterly terminus, be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power, and Ameritech equipment.

The description of easement is as follows:

That all that portion of Penn Court (within the St. Ignatius campus) Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being all that portion of an unnamed alley, sometimes known as Penn Court, S.W. (16.00 feet wide) lying Northeastly of the following described line:

Beginning on the Northwesterly line of said unnamed alley, at its intersection with the Northeastly line of a parcel of land conveyed to the St. Ignatius Development Corporation by deed dated June 29, 1989, and recorded in Volume 89-3210, Page 51 of Cuyahoga County Records; thence South 31°-10'-00" West along the Southeastly prolongation of said Northeastly line, 8.00 feet to its intersection with the centerline of said unnamed alley; thence South 58°-50'-00" West along said centerline, 2.20 feet to its intersection with the Northwesterly prolongation of the Northeastly line of a parcel of land conveyed to the City of Cleveland by deed dated January 2, 1975, and recorded in Volume 12730, Page 563 of Cuyahoga County Records; thence South 26°-04'-36" East, along said prolongation, 8.03 feet to the Southeastly line of said alley.

AND An Unnamed Alley West of West 30th Street Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of that portion of an Unnamed Alley (11.67 feet wide), located North of Lorain Avenue and South of Carroll Avenue, lying Southwesterly of the Southwesterly line of West 30th Street (as vacated by Ordinance No. 1351-78 and shown by the recorded plat in Volume 223 of Maps, Page 46 of Cuyahoga County Records) and extending to its Southwesterly terminus.

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 Penn Court (within the St. Ignatius campus), and an Unnamed Alley West of West 30th Street, 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.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 780-98.

By Councilman Jackson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Young Audiences of Greater Cleveland, Inc. to stretch banners across Carnegie Avenue at E. 65th Street for the period from May 11, 1998 to June 1, 1998, inclusive, publicizing their Third Annual Children's Run for the Arts.

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 Young Audiences of Greater Cleveland, Inc., to install, maintain and remove a banner on Carnegie Avenue at E. 65th Street for the period from May 11, 1998 to June 1, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 781-98.

By Councilman Melena.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to La Sagrada Familia Church to stretch banners at 7719 Detroit Ave. and at the intersection of Lake Ave. and Detroit for the period from June 2, 1998 to June 22, 1998, inclusive, publicizing The La Sagrada Familia Festival.

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 La Sagrada Familia Church to install, maintain and remove a banner at 7719 Detroit Ave. and at the intersection of Lake Ave. and Detroit for the period from June 2, 1998 to June 22, 1998, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 782-98.

By Councilman Westbrook.

An emergency ordinance authorizing and directing the Clerk of Council to enter into contract without competitive bidding with Digex, Incorporated for the provision of high-speed access to the Internet.

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 noncompetitive and cannot be secured from any source other than Digex, Incorporated. Therefore, the Clerk of Council is hereby authorized to make a written contract with said Digex, Incorporated upon the basis of its proposal dated April 14, 1998 for the materials and services necessary to provide the Council with high-speed, burstable access to the Internet for one year, to be purchased by the Commissioner of

Purchases and Supplies upon a unit basis for the Council.

Section 2. That the cost of said contract so hereby authorized shall not exceed \$25,000 and shall be paid from the funds appropriated for use by the Council.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 783-98.

By Councilman Westbrook.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 7403 Denison Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 1171120, CRT Partners Inc., DBA Century Tavern & Restaurant, 7403 Denison Ave., 1st Fl. Bsmt. & Patio, Cleveland, Ohio 44102, to Permit No. 6619699, Oz Schilling Inc., DBA Century Sports Bar & Grill, 7403 Denison Ave., Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 1171120, CRT Partners Inc., DBA Century Tavern & Restaurant, 7403 Denison Ave., 1st Fl. Bsmnt. & Patio, Cleveland, Ohio 44102, to Permit No. 6619699, Oz Schilling Inc., DBA Century Sports Bar & Grill, 7403 Denison Ave., Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 785-98.

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

An emergency resolution opposing State House Bill 168 which bill will repeal Ohio's prevailing wage law.

Whereas, Ohio's current prevailing wage law requires public authorities engaging in construction of public improvements to ensure that the worker's employed on the project are paid the "prevailing rate of wages"; and

Whereas, if passed, House Bill 168 will repeal Ohio's prevailing wage law;

Whereas, Section 197 of the Charter of the City of Cleveland requires that all persons employed by a contractor under contract with the City of Cleveland "be paid wages which are not less than are paid by the City of Cleveland for similar or like work; but if said City has not established a rate of wages for any particular class of work to be performed under the terms of this contract, than said employees shall be paid wages not less than are generally paid therefor by others employing union labor in said City"; 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 this Council urges the Ohio State Legislature and Governor Voinovich to reject House Bill 168 which will repeal Ohio's prevailing rate of wages and determines this to be in the public's best interest.

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

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 786-98.

By Councilman Coats.

An emergency resolution joining in recognizing April 28, 1998 as Worker's Memorial Day.

Whereas, April 28, 1998, is Worker's Memorial Day to honor and recognize all those workers who have died in the workplace; and

Whereas, we stand today in recognition of all those laborers who have died on the job, especially our colleagues of the City of Cleveland who have died over the years;

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

Section 1. That this Council hereby stands today in recognizing April 28, 1998 as Worker's Memorial Day in honor of all persons who have died while on the job and urge all citizens of Cleveland to remember those workers who have died while making our community a better place to live.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 2039-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Glenville Development Corporation, or its designee, to provide a grant to partially finance the exterior and interior renovations of the Faith Building located at 10640 St. Clair Avenue, Cleveland, Ohio.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Community and Economic Development, Finance.

Ord. No. 311-98.

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

An emergency ordinance to amend Section 535.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 935-96,

passed June 18, 1996, relating to rates for water sold through master meters.

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

Ord. No. 474-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept a grant from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program and to enter into contract with various organizations, individual landlords, tenants and contractors for the purpose of providing weatherization assistance to low-income City residents through the State Home Weatherization Assistance Program.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance, when amended as follows:

1. Strike Section 2 in its entirety and insert in lieu thereof the following:

"Section 2. That the Director of Community Development is authorized to enter into contract with individual landlords, tenants, contractors, and the following non-profit organizations: Lutheran Housing Corporation, Cleveland Housing Network, Neighborhood Housing Services, Mt. Pleasant NOW Development Corporation, Hough Areas Partners in Progress and Cudell Improvement Incorporated, for the implementation of the program as described in the grant application."

Amendments agreed to.

Ord. No. 506-98.

By Mayor White.

An emergency ordinance authorizing the Mayor, or his designee, to accept registration fees, enter into contract for the provision of facilities and purchase course supplies and refreshments, in connection with Phase I and II of the James H. Walker Construction Management Training Course to be conducted by the Minority Business Development Center, Office of Equal Opportunity.

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

1. In the title, lines 10 and 11; in the second Whereas clause, lines 2 and 3; and in Section 1, line 6 and in line 16, strike "Minority Business Development Center" and insert in lieu thereof **"Minority Business Opportunity Committee"**.

Amendment agreed to.

Ord. No. 561-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept special purpose grant funds from the United States Department of Housing and Urban Development to be used to provide funding for the Harvard Community Services Center, the Health and Education Institute of the Olivet Housing and CDC and the Urban League of Greater Cleveland and to enter into contract with various agencies for the implementation of the program.

Approved by Directors of Community Development, Finance, Law; Relieved of Committee on Community and Economic Development; Recommended by Committee on Finance.

Ord. No. 618-98.

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

An emergency ordinance authorizing the Director of Community Development to enter into contract with the Harvard Community Services Center for physical improvements to its facility located at 18240 Harvard Avenue.

Approved by Directors of Community Development, Finance, Law; Relieved of Committee on Community and Economic Development; Recommended by Committee on Finance.

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 400-97.

By Councilman Sweeney.

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 295-98.

By Councilmen Sweeney and Johnson (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 296-98.

By Councilmen Sweeney and Johnson (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 297-98.

By Councilmen Sweeney and Johnson (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 299-98.

By Councilmen Sweeney and Johnson (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 302-98.

By Councilmen Sweeney and Johnson (by departmental request).

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

and emulsion service management, for the Division of Streets, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 329-98.

By Councilmen Gordon and Johnson (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 428-98.

By Councilmen Sweeney and Johnson (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 431-98.

By Councilmen Sweeney and Johnson (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 433-98.

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

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 507-98.

By Councilman Johnson (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 606-98.

By Councilman Johnson (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 615-98.

By Councilmen Willis and Johnson (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 616-98.

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

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 617-98.

By Councilmen Willis and Johnson (by departmental request).

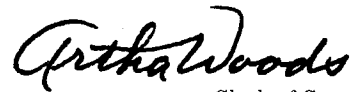
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 1998 Summer Food Program; authorizing and directing the purchase by requirement contract of breakfasts, lunches and snacks for said Program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

Read third time. Passed. Yeas 20. Nays 0.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried that the absence of Councilman Odellia V. Robinson be and is hereby authorized.

The Council adjourned at 8:15 p.m. to meet on Monday, May 4, 1998 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 2039-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Glenville Development Corporation, or its designee, to provide a grant

to partially finance the exterior and interior renovations of the Faith Building located at 10640 St. Clair Avenue, Cleveland, Ohio.

Ord. No. 311-98.

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

An emergency ordinance to amend Section 535.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 935-96, passed June 18, 1996, relating to rates for water sold through master meters.

Ord. No. 474-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept a grant from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program and to enter into contract with various organizations, individual landlords, tenants and contractors for the purpose of providing weatherization assistance to low-income City residents through the State Home Weatherization Assistance Program.

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

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

Section 1. That the Director of Community Development is hereby authorized to apply for and accept a grant in the amount of \$2,066,523.00 from the State of Ohio Department of Development, to conduct the State Home Weatherization Assistance Program and to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the Director of Community Development is authorized to enter into contract with individual landlords, tenants, contractors, and various non-profit organizations: Lutheran Housing Corporation, Cleveland Housing Network, Neighborhood Housing Services, Mt. Pleasant NOW Development Corporation, Hough Areas Partners in Progress and Cudell Improvement Incorporated, for the implementation of the program as described in the grant application.

Section 3. That the cost of said contracts shall not exceed, in the aggregate, \$2,066,523.00 and shall be paid from Fund Nos. 13 SF 868, 13 SF 869 and 13 SF 870.

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.

Ord. No. 506-98.

By Mayor White.

An emergency ordinance authorizing the Mayor, or his designee, to accept registration fees, enter into contract for the provision of facilities and purchase course supplies and refreshments, in connection with Phase I and II of the James H. Walker Construction Management

Training Course to be conducted by the **Minority Business Opportunity Committee**, Office of Equal Opportunity.

Whereas, the Office of Equal Opportunity is required, pursuant to Section 123.08 of the Codified Ordinances of Cleveland, Ohio, 1976, and the MBE/FBE Code contained in Chapter 187 thereof, to hold periodic training seminars to assist minority and female business firms; and

Whereas, from April 14, 1998 through June 18, 1998, the Office of Equal Opportunity through the **Minority Business Opportunity Committee**, will be sponsoring Phase I of the James H. Walker Construction Management Training Course, and will be sponsoring Phase II of the course from September 15, 1998 through October 27, 1998; and

Whereas, the Council of the City of Cleveland has determined that collection of fees and provision of facilities, course supplies, refreshments and a graduation dinner in connection with said training courses constitute a public purpose; and

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

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

Section 1. That the Mayor, or his designee, is hereby authorized to accept a registration fee of Two Hundred Dollars (\$200.00) from every registrant attending Phase I of the James H. Walker Construction Management Training Course, being held April 14, 1998 through June 18, 1998, the Office of Equal Opportunity through the **Minority Business Opportunity Committee**; and will be accepting a registration fee of Two Hundred Dollars (\$200.00) for every registrant attending Phase II of the James H. Walker Construction Management Training Course beginning September 15, 1998 through October 27, 1998; to enter into contract with Case Western Reserve University for seminar facilities for both phases; and to purchase course supplies, refreshments and food required for the both phases of training courses and graduation dinners. Such facilities, services and food shall be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Minority Business Development Center, Office of Equal Opportunity, using fees collected for registration of both phases, and paid from Fund No. 13 SF 057, Request No. 23753.

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

Ord. No. 561-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept special purpose grant funds from the United States Department of Housing and Urban Development to be used to provide funding for the Harvard Community Services Center, the Health and Education Institute of the Olivet Housing and CDC and the Urban League of Greater

Cleveland and to enter into contract with various agencies for the implementation of the program.

Ord. No. 618-98.

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

An emergency ordinance authorizing the Director of Community Development to enter into contract with the Harvard Community Services Center for physical improvements to its facility located at 18240 Harvard Avenue.

BOARD OF CONTROL

April 22, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 22, 1998, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Absent: Directors Warren and Axelrod.

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

On motion, the following resolutions were adopted.

Resolution No. 265-98.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Arrow Builders Supply Co., Inc. for an estimated quantity of Various sewer maintenance appurtenances - vitrified clay pipe for the Division of Water Pollution Control, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on March 18, 1998, pursuant to the authority of Codified Ordinance No. 1630-92 Sec. 129.27, passed September 21, 1992, which on the basis of the estimated quantity would amount to Thirty-Six Thousand Seven Hundred Thirty and 60/100 Dollars, (\$36,730.60), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into 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. 16475

which shall be certified against such contract in the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.

Absent: None.

Resolution No. 266-98.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Perk Co., Inc. for an estimated quantity of Various sewer maintenance appurtenances - slabs for the Division of Water Pollution Control, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on March 18, 1998, pursuant to the authority of Sec. 129.27, passed September 21, 1992, which on the basis of the estimated quantity would amount to Forty Seven Thousand Forty and 00/100 Dollars, (\$47,040.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities 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. 16477

which shall be certified against such contract in the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.

Absent: None.

Resolution No. 267-98.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of East Jordan Iron Works, Inc. for an estimated quantity of Various sewer maintenance appurtenances - castings for the Division of Water Pollution Control, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on March 18, 1998, pursuant to the authority of Codified Ordinance No. 1630-92, Sec. 129.27, passed September 21, 1992, which on the basis of the estimated quantity would amount to One Hundred Forty-One Thousand Three Hundred Ten and 00/100 Dollars, (\$141,310.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities 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. 16476

which shall be certified against such contract in the sum of Sixty-Eight Thousand and 00/100 Dollars (\$68,000.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting

Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.

Absent: None.

Resolution No. 268-98.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of AAA Pipe Cleaning Corporation for an estimated quantity of Labor and material for sewer test tee installation and snaking for the Division of Water Pollution Control, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on February 26, 1998, pursuant to the authority of Ordinance No. 643-90, passed June 11, 1990, which on the basis of the estimated quantity would amount to Three Hundred Thirty-Six Thousand Three Hundred Eight and 00/100 Dollars, (\$336,380.00), (1%, 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities 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. 16474

which shall be certified against such contract in the sum of One Hundred Thousand and 00/100 Dollars (\$100,000.00).

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

Be it resolved that the employment of the following subcontractor to AAA Pipe Cleaning Corporation for the above-mentioned requirement contract hereby is approved:

Subcontractor**Work**

Dekalb Construction (MBE)

Test Tee installation & snaking

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.

Absent: None.

Resolution No. 269-98.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of American International Corporation for an estimated quantity of rental of one (1) concrete rock saw, 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 5th day of March, 1998, pursuant to the authority of Ordinance No. 2181-97, passed February 2, 1998 on the basis of the estimated quantity would amount to Forty Thousand and no/100 Dollars, (\$40,000.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall

provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 01928

which shall be certified against such contract in the sum of Forty Thousand and no/100 Dollars (\$40,000.00).

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.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.

Absent: None.

Resolution No. 270-98.

By Acting Director Sheffield-McClain.

Whereas, pursuant to the authority of Ordinance No. 1980-90 passed by the Council of the City of Cleveland on September 24, 1990, Hopkins Airport Hotel Partnership and the City of Cleveland entered into Amended and Restated Leases by Way of Concession (the "Leases") for the lease of certain land, hotel and parking facilities at Cleveland Hopkins International Airport (Contract Nos. 44250-A and 44250-B); and

Whereas, Hopkins Partners, an Ohio general partnership, has acquired the Lessee's interest in and to the Leases, and the City of Cleveland has consented to such acquisition pursuant to Resolution 521-95 adopted by the Board of Control of the City of Cleveland on October 18, 1995; and

Whereas, pursuant to Article XVII of the Leases, Hopkins Partners has requested that the City consent to an Open-End Leasehold Mortgage and Security Agreement on the Leases to be granted to Nationwide Life Insurance Company to secure certain indebtedness from Hopkins Partners to Nationwide Life Insurance Company;

Now, therefore, be it resolved by the Board of Control of the City of Cleveland that the request of Hopkins Partners to enter into and carry out the foregoing Open-End Leasehold Mortgage and Security Agreement with Nationwide Life Insurance Company is hereby approved.

Be it further resolved that the City of Cleveland hereby acknowledges that, as provided in Sections F and G of Article XVIII of the Hotel Lease, Contract No. 44250-A and of the Parking Lot Lease, Contract No. 44250-B, Nationwide Life Insurance Company, as the mortgagee under the Open-End Leasehold Mortgage and Security Agreement, shall have the rights to cure any defaults by Hopkins Partners as Lessees under the leases as stated in such Sections, and that, as of the date hereof, the City has not notified Hopkins Partners of any alleged default by Hopkins Partners under either Lease.

Be it further resolved that the Director of Port Control is hereby authorized to complete and execute all documents necessary and appropriate to evidence the acknowledgment and consent hereby authorized and to cause this Resolution and the

Open-End Leasehold Mortgage and Security Agreement from Hopkins Partners to Nationwide Life Insurance Company to be filed with the Commissioner of Accounts for the City of Cleveland in order to be attached to the Leases.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 271-98.

By Acting Director Sheffield-McClain.

Be it resolved by the Board of Control of the City of Cleveland, that the sublease of a portion of the premises leased under Lease By Way of Concession, City Contract No. 52473 between the City and HMS Management Services, Inc. dba Thrifty Rent-A-Car (Thrifty) to M&S II Real Estate Investment Partnership (M&S II), the sublease back from M&S II to Thrifty of those same premises, and the further sublease from M&S II to Clerac, Inc. dba Enterprise Rent-A-Car (Enterprise) of the same portion of the premises, is hereby approved. Notwithstanding the subleases herein approved, all terms, conditions, rights and liabilities of the Lease By Way of Concession between the City and Thrifty, City Contract No. 52473, and the Lease By Way of Concession between the City and Enterprise, City Contract No. 52461, shall remain in full force and effect.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 272-98.

By Acting Director Sheffield-McClain.

Be it resolved by the Board of Control that the Director of the Department of Port Control is authorized to enter into a First Amendment to the Agreement between the City of Cleveland and Business Park Development, Ltd., City Contract No. 51809, authorized by Ordinance No. 561-97, passed by Cleveland City Council on June 2, 1997, to provide for additional services for removal and demolition of certain improvements at or in the vicinity of the new rental car facility, and to increase the management fee by an amount not to exceed \$45,000 and to increase the amount of reimbursable expenses by an amount not to exceed \$57,500.00. Further, Ralph C. Tyler Companies, Inc. and Inside Out are hereby approved as subconsultants under the Agreement. The First Amendment shall contain terms mutually agreeable to the parties, and shall be prepared by the Director of Law and shall include such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 273-98.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of A & H Equipment Company for an estimated quantity of Leach Packer parts and labor (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on March 13, 1998, pursuant to the authority of Ordinance No. 74-98, passed February 9, 1998, which on the basis of the estimated quantity would amount to approximately Forty Thousand and no/100 Dollars, (\$40,000.00), 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. 19589

which shall be certified against such contract in the sum of Ten Thousand and no/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 274-98.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Truck Service, Inc., dba E.A.B. Truck Service for an estimated quantity of auto/truck spring parts and repair (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on March 13, 1998, pursuant to the authority of Ordinance No. 75-98, passed February 9, 1998, which on the basis of the estimated quantity would amount to approximately One Hundred Twenty Nine Thousand Five Hundred Fifty Six and no/100 Dollars, (\$129,556.00), (2%, 10 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. 19590

which shall be certified against such contract in the sum of Twelve Thousand and no/100 Dollars (\$12,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as

may be ordered under subsequent requisitions separately certified against said contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor Truck Service, Inc. dba E.A.B. Truck Service, for the purchase of auto/truck spring parts and repair (all items), is approved:

Service Products
MBE
\$15,000.00

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 275-98.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Universal Oil, Inc. for an estimated quantity of gasoline (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on April 2, 1998, pursuant to the authority of Ordinance No. 153-98, passed March 9, 1998, which on the basis of the estimated quantity would amount to approximately Seven Hundred Ninety Nine Thousand Three Hundred Sixty Two and no/100 Dollars, (\$799,362.00), (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. 19592

which shall be certified against such contract in the sum of Sixty Thousand and no/100 Dollars (\$60,000.00).

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 276-98.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Rockport Construction & Materials Incorporated, 3304 Henninger Road, Cleveland, Ohio 44109 for the public improvement of Repairs to the East 89th Street Bridge, City Bridge No. 4:015M, over N. & S. and GCRTA Tracks for the Division of Engineering & Construction, Department of Public Service, received on March 12, 1998, pursuant to the authority of Ordinance

No. 1643-97, passed September 15, 1997, upon a unit basis, for the improvement in the aggregate amount of One Hundred Twenty Five Thousand Three Hundred Twenty Six and 78/100 Dollars (\$125,326.78), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Service is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors by Rockport Construction and Materials, Incorporated for the aforementioned public improvement is hereby approved:

Granger Trucking Inc.
8001 Old Granger Rd.
Garfield Heights, OH 44125
MBE, \$2,000.00, 0.016%

Collinwood Shale and Supplies
12400 Broadway
Garfield Heights, OH 44125
FBE, \$6,800.00, 0.054%

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 277-98.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that all bids received on March 19, 1998 for Ridge Road Transfer Station Renovations, for the Division of Waste Collection, Department of Public Service, pursuant to the authority of Ordinance No. 1256-97, passed by the Council of the City of Cleveland on July 16, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 278-98.

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Choice Construction Company, Inc. for the public improvement of City Hall Balcony Drains Phase II, for the Division of Property Management, Department of Parks, Recreation and Properties, received on March 19, 1998, pursuant to the authority of Ordinance Nos. 1282-96 and 321-98, passed October 14, 1996, and April 6, 1998, respectively, for a gross price for the improvement in the aggregate amount of Two Hundred Forty Thousand and No/100 Dollars (\$240,000.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved, that the employment of the following subcontractors to Choice Construction Company, Inc., is hereby approved:

Bumgarner Plumbing
MBE, 30%

Western Waterproofing Co., Inc.
FBE, 10%

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 279-98.

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. 131-21-053 located at 3406 East 53rd 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, Anthony P. Maraessa and Kimberly A. Maraessa, 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 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 purchasers of said parcel are 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 Codified 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 requested to execute an Official Deed for and on behalf of the City of Cleveland with Anthony P. Maraessa and Kimberly A. Maraessa for the sale and development of Permanent Parcel No. 131-21-053 located at 3406 East 53rd Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 280-98.

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. 109-24-088 located at 1267 East 112th Street in Ward 9; 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, Filomena Ford and Sandra Ford Perreet, 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 9 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 Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified 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 requested to execute an Official Deed for and on behalf of the City of Cleveland with Filomena Ford and Sandra Ford Perreet for the sale and development of Permanent Parcel No. 109-24-088 located at 1267 East 112th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 281-98.

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. 115-14-110 located at 1085 East 147th Street in Ward 10; 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, Alice Burton, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 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 Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified 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 requested to execute an Official Deed for and on behalf of the City of Cleveland with Alice Burton for the sale and development of Permanent Parcel No. 115-14-110 located at 1085 East 147th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 282-98.

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. 019-15-107 located at 11900 Emery Avenue, S.W. in Ward 19; 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, Daniel J. Papcun and Sherrie M. Papcun, 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 19 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 Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified 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 requested to execute an Official Deed for and on behalf of the City of Cleveland with Daniel J. Papcun and Sherrie M. Papcun for the sale and development of Permanent Parcel No. 019-15-107 located at 11900 Emery Avenue, S.W., 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 con-

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 283-98.

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. 109-10-137 located at 1251 East 100th Street in Ward 8; and

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

Whereas, Phyllis Jenkins and Wilver Jenkins, 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 8 has consented to the proposed sale;

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

3. The proposed purchasers of said parcel are 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 Codified 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 requested to execute an Official Deed for and on behalf of the City of Cleveland with Phyllis Jenkins and Wilver Jenkins for the sale and development of Permanent Parcel No. 109-10-137 located at 1251 East 100th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 284-98.

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. 115-13-123 located at 1003 East 146th Street in Ward 10; 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, Dora Bolden, 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 10 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 Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified 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 requested to execute an Official Deed for and on behalf of the City of Cleveland with Dora Bolden for the sale and development of Permanent Parcel No. 115-13-123 located at 1003 East 146th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 285-98.

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. 120-03-024 located at 1348 East 114th Street in Ward 9; 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, Jimmie L. Carter and Anita Carter, 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 9 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 Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified 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 requested to execute an Official Deed for and on behalf of the City of Cleveland with Jimmie L. Carter and Anita Carter for the sale and development of Permanent Parcel No. 120-03-024 located at 1348 East 114th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 286-98.

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. 111-02-106 located at 466 East 115th Street in Ward 9; and

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

Whereas, George S. Brown and Cora B. Malone, 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 9 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 Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified 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 requested to execute an Official Deed for and on behalf of the City of Cleveland with George S. Brown and Cora B. Malone for the sale and development of Permanent Parcel No. 111-02-106 located at 466

East 115th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

Nays: None.
Absent: None.

Resolution No. 287-98.

By Director Jackson.

Whereas, pursuant to the authority of Ordinance No. 304-96, passed by the Council of the City of Cleveland on March 8, 1996, and Resolution No. 685-97, adopted by this Board of Control on August 20, 1997, the City, through its Director of Parks, Recreation and Properties entered into City Contract No. 51957 with Dodson-Stilson, Inc. as the firm of engineers to provide professional engineering and design services necessary for the repair and rehabilitation of the existing culvert and related underground structures in conjunction with the new Cleveland Browns Stadium; and

Whereas, the City has determined to modify the scope of work to include the additional professional engineering services required for the repair and rehabilitation of the existing culvert and related underground structures; and

Whereas, Dodson-Stilson, Inc. has proposed by its letter dated February 19, 1998 to perform the professional services necessary; and

Whereas, the City finds Dodson-Stilson, Inc.'s proposal letter acceptable and desires to modify City Contract No. 51957 on the basis of Dodson-Stilson, Inc.'s proposal letter; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Parks, Recreation and Properties is hereby authorized to enter into a First Modification to City Contract No. 51957 with Dodson-Stilson, Inc., based upon its proposal letter dated February 19, 1998, to perform the professional engineering services necessary for the repair and rehabilitation of the existing culvert and related underground structures of the stadium project. The compensation for additional engineering services authorized hereby shall not exceed Sixty-Seven Thousand Two Hundred Eight and no/100 Dollars (\$67,208.00), thereby increasing the total contract amount to not exceed Two Hundred Thirty-two Thousand Five Hundred Eight and no/100 Dollars (\$237,508.00)

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

Yeas: Mayor White, Directors Summers, Carmody, Konicek, Acting Directors Borokhovich, Ricchiuto, Director Staib, Acting Director Terry, Directors Jackson, Hamilton, and Nolan.

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, MAY 11, 1998

9:30 A.M.

Calendar No. 98-68: 3006 East 73rd Street

Cuyahoga Metropolitan Housing Authority(CMHA), owner, c/o Ken Maxwell and Mark Robinson, tenant, appeals to change 2 residential units to Business office space in an existing 50'-8" x 213' 3-story masonry apartment building located in a Multi-Family District and bounded by East 73rd Street and Port Ave. within the CMHA Garden Valley facilities at building C-41 at 3006 East 73rd Street; said use being contrary to the Residence limitations of Section 337.08 and the Off-Street Parking regulations of Section 349.04(b)(2) where 2 parking spaces are required and 0 spaces are proposed, and contrary to the Landscaping and Screening regulations of Section 352.01 of the Codified Ordinances.

Calendar No. 98-69: 13325 Carrington Ave.

Margaret Jackiewicz, owner, appeals to install 215 linear feet of 6' high wooden fence and 8 linear feet of 7' high wooden gate S.W. to enclose the 40' x 114' lot located in a One-Family District on the Southerly side of Carrington Ave. and occupied by a one-story frame one-family dwelling house known as 13325 Carrington Ave.; said proposed gate to be 7' in height instead of 6' in height as required by the accessory uses in residence districts regulations of Section 337.23(a)(6) of the Codified Ordinances.

Calendar No. 98-70: 10008 Westchester Ave.

Jerome and Delores Campbell, owners, appeal to enclose an existing 7'-11" x 27' open front porch of

a two-story frame 27' x 35' one-family dwelling house with a door and windows, all on a 40' x 100' lot located in a Two-Family District at 1008 Westchester Ave.; said enclosure to be contrary to the setback requirements of Section 357.06 and the Yard Encroachments Permitted regulations where 7'-11" is proposed and 4' is permitted by Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 98-76: 957 Evangeline Rd.

Dale Lyndall, owner, appeals to change the use of an existing 35' x 44' one-dwelling unit and store to two-dwelling units located on a 40' x 105' lot at the corner of Evangeline Rd. and Kipling Ave. in a B-Local Retail District at 957 Evangeline Rd.; said use being contrary to the Area Requirements for Residence Buildings of Section 355.04 and subject to the substitution limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 98-83: 3206 Warren Road N.W.

St. Mary's Romanian Church, owner, c/o Tom Radu and West Park Gardens and Gifts c/o Diane Evon, tenant, appeals to convert the front part of an existing 35' x 42' two-family house into a Gift Shop, located in a Multi-Family District and located on a 150' x 240' irregular shaped parcel at the corner of Montrose Ave. and Warren Rd. at 3206 Warren Road; said use being contrary to the Multi-Family District Regulations of Section 337.08 and the Required Parking Spaces Regulations of Section 349.04 where 2 spaces are required and 0 spaces are proposed and Section 352.11 the Table Containing Screening Intensity where a medium 6' landscaping strip is required along the rear of the property and a 0' strip is proposed and subject to the substitution of Section 359.01 of the Codified Ordinances.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 27, 1998

At the Meeting of the Board of Zoning Appeals on Monday, April 20, 1998, the following appeals were heard by the Board, and, on Monday, April 27, 1998 were decided by the Board.

The following appeals were **Granted:**

Calendar No. 98-38: 4114 John Avenue.

Oriana House Incorporated, owner, c/o James Lawrence, appealed to renovate an existing 80' x 186' non-conforming 8 story masonry building.

Calendar No. 98-75: 3701 Lorain Avenue.

The Coral Company, owner, c/o Eric Silver and Hollywood Entertainment Incorporated c/o Brian McAndrews, prospective tenant, requested to construct a 72' x 104 one-story masonry building.

The following appeal was **Refused:**

Calendar No. 98-24: 4220-4300 Euclid Avenue.

Oriana House Incorporated, owner, c/o James Lawrence, appealed to renovate an existing 80' x 186' non-conforming 8 story masonry building.

The following appeals were **Postponed** for further information:

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

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

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

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

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 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the

Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

THURSDAY, MAY 7, 1998

Five (5) Heated Food Carts, for the Division of Correction, Department of Public Health, as authorized by Ordinance No. 2042-97, passed by the Council of the City of Cleveland, December 15, 1997.

Lease Of One (1) Digital Medium Size Copier, for the Department of Personnel and Human Resources, as authorized by Ordinance No. 1984-96, passed by the Council of the City of Cleveland, November 25, 1996.

April 22, 1998 and April 29, 1998

FRIDAY, MAY 8, 1998

Ford Truck Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 151-98, passed by the Council of the City of Cleveland, March 9, 1998.

Blaw Knox Paver Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance 72-98, passed by the Council of the City of Cleveland, February 9, 1998.

April 22, 1998 and April 29, 1998

THURSDAY, MAY 21, 1998

Phase 2 Residential Sound Insulation Program '97 - Group J, for the Department of Port Control, as authorized by Ordinance No. 930-95, passed by the Council of the City of Cleveland, June 19, 1995.

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

A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 7, 1998, 10:00 A.M. LOCAL TIME IN THE TOWER CONFERENCE ROOM, 2ND FLOOR ADMINISTRATION, CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

Phase 2 Residential Sound Insulation Program '97 - Group K, Phase 2, for the Department of Port Control, as authorized by Ordinance No. 930-95, passed by the Council of the City of Cleveland, June 19, 1995.

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

A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 7, 1998, 10:00 A.M. LOCAL TIME IN THE TOWER CONFERENCE ROOM, 2ND FLOOR ADMINISTRATION, CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

Phase 2 Residential Sound Insulation Program '97 - Group L, Phase 2, for the Department of Port Control, as authorized by Ordinance No. 930-95, passed by the Council of the City of Cleveland, June 19, 1995.

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

A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 7, 1998, 10:00 A.M. LOCAL TIME IN THE TOWER CONFERENCE ROOM, 2ND FLOOR ADMINISTRATION, CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING.

April 22, 1998 and April 29, 1998

WEDNESDAY, MAY 13, 1998

Landscaping For The Consolidated Rental Car Facility, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 561-97.

PLANS AND SPECIFICATIONS MAY BE PURCHASED FOR THE NON-REFUNDABLE FEE OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 7, 1998, 10:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

Unarmed, Uniformed Security Guards, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 507-98, passed by the Council of the City of Cleveland.

April 29, 1998 and May 6, 1998

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 705-98.

By Councilman Cimperman.

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

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 5853053, Merlins Cave Inc., DBA Mama Sez, 7507-11 Detroit Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 1914774, Danczak Enterprises Inc., 1275 W. Main Ave., 2nd Fl., Cleveland, Ohio 44113; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a D2, D2X, D3 and D3A Liquor Permit from Permit No. 5853053, Merlins Cave Inc., DBA Mama Sez, 7507-11 Detroit Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 1914774, Danczak Enterprises Inc., 1275 W. Main Ave., 2nd Fl., Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 20, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 706-98.

By Councilman Cintron.

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

Whereas, Council has been notified by the Director of Liquor Control of an application for the trans-

fer of ownership of a C1 and C2 Liquor Permit from Permit No. 2848907, 4323 Clark Avenue Inc., DBA Als Market, 4323 Clark Ave., 1st Fl. E/S, Cleveland, Ohio 44102, to Permit No. 7128962, Qrieh Inc., DBA Mira Market, 4323 Clark Ave., 1st Fl. E/S, Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 2848907, 4323 Clark Avenue Inc., DBA Als Market, 4323 Clark Ave., 1st Fl. E/S, Cleveland, Ohio 44102, to Permit No. 7128962, Qrieh Inc., DBA Mira Market, 4323 Clark Ave., 1st Fl. E/S, Cleveland, Ohio 44109 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 20, 1998.

Effective April 27, 1998.

Res. No. 707-98.
By Councilman Johnson.
An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 2892 E. 116th St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 2404999, East 116th St. Savmor Inc., 2892 E. 116th St., Cleveland, Ohio 44120, to Permit No. 9374775, Wallys Food Corp., DBA East 116th St., 2892 E. 116th St., Cleveland, Ohio 44120; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 2404999, East 116th St. Savmor Inc., 2892 E. 116th St., Cleveland, Ohio 44120, to Permit No. 9374775, Wallys Food Corp., DBA East 116th St., 2892 E. 116th St., Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

Adopted April 20, 1998.

Effective April 27, 1998.

Res. No. 708-98.
By Councilman Melena.
An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. & Bsmt., and repealing Res. No. 1549-97, objecting to said renewal.

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

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

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

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

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

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

Adopted April 20, 1998.

Effective April 27, 1998.

Res. No. 709-98.
By Councilman Melena.
An emergency resolution withdrawing objection to the stock transfer of a D2, D2X, D3 and D3A Liquor Permit to 7507-11 Detroit Ave., 1st Fl. and Bsmt., and repealing Res. No. 1720-96, objecting to said stock transfer.

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

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

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

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

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

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Adopted April 20, 1998.

Effective April 27, 1998.

Res. No. 710-98.
By Councilman Moran.
An emergency resolution withdrawing objection to the stock of a D1, D2, D3 and D3A Liquor Permit to 2109 Tate Ave., and repealing Res. No. 27-97, objecting to said stock.

Whereas, this Council objected to the stock of a D1, D2, D3 and D3A Liquor Permit to 2109 Tate Ave., by Res. No. 27-97, adopted January 6, 1997; and

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

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

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

Section 1. That objection to the stock of a D1, D2, D3 and D3A Liquor Permit to 2109 Tate Ave., be and the same is hereby withdrawn and Res. No. 27-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock thereof.

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

Adopted April 20, 1998.

Effective April 27, 1998.

Res. No. 711-98.
By Councilman Polensek.
An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 17318 Lakeshore Blvd., and repealing Res. No. 179-97, objecting to said transfer of ownership.

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

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

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

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

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

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

Adopted April 20, 1998.

Effective April 27, 1998.

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

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

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

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

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

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

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

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

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

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

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

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

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

Adopted April 20, 1998.

Effective April 27, 1998.

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

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

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

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

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

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

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

Adopted April 20, 1998.

Effective April 27, 1998.

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

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 4316059, Bennie Johnson, DBA Craven Mini Mart, 3643 E. 118th St., Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 4316059, Bennie Johnson, DBA Craven Mini Mart, 3643 E. 118th St., Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 20, 1998.

Effective April 27, 1998.

Res. No. 715-98.
By Councilmen Cimperman, Dolan, Sweeney and Polensek.

An emergency resolution supporting the principles embodied in The Charter for Change intended to bring peace, justice and equality to all the people of Ireland.

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

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

Whereas, a concerned group of people from Northern Ireland, after reflecting on what changes and what guarantees of rights are needed for nationalists and unionists to work together to build a future as equals, has designed The Charter for Change, which corresponds to

the basic ideas of liberty, justice and democracy embodied in sacred documents such as the United States Constitution and Bill of Rights, in domestic and international law and treaties and in basic notions of fair play and equity; and

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

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

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

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

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

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

Adopted April 20, 1998.

Effective April 28, 1998.

Res. No. 716-98.

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

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

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

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

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

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

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

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

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

Adopted April 20, 1998.

Effective April 28, 1998.

Res. No. 717-98.

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

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

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

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

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

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

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

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

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

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

NFL and new owner will receive from the new Cleveland Browns and Stadium.

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

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

Adopted April 20, 1998.

Effective April 27, 1998 without the signature of the Mayor.

Res. No. 719-98.

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

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

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

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

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

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

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

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

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

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

Section 4. That this resolution is hereby declared to be an emergency measure and, provided it receives

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

Adopted April 20, 1998.
Effective April 27, 1998.

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

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

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

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

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

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

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

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

Passed April 20, 1998.
Effective April 27, 1998.

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

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of an AIDS Candlelight Vigil Walk, sponsored by the New Hope Alternative Therapy Research, on May 9, 1998, the route is down Euclid Avenue until you reach the Soldiers and Sailor's Monument turning there onto and then turning onto Superior until the Northwest Quadrant and ending there, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director Law.

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

Passed April 20, 1998.
Effective April 27, 1998.

Ord. No. 702-98.
By Councilman Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Rockers for a walk on June 7, 1998, sponsored by the Cleveland Rockers and Hermes Race Systems.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a race, sponsored by the Cleveland Rockers and Hermes Race Systems, on June 7, 1998, starting at Ontario heading southerly to Hope Memorial Bridge to W. 25th Street to Veterans Memorial Bridge to Huron to Ontario to finish in front of Jacobs Field Plaza, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director Law.

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

Passed April 20, 1998.
Effective April 27, 1998.

Ord. No. 703-98.

By Councilman Melena.
An emergency ordinance consenting and approving the issuance of a permit for the Run for Roses Road Race on May 2, 1998, sponsored by Hermes Race Systems.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Run for Roses Road Race, sponsored by Hermes Race Systems, on May 2, 1998, beginning on Detroit Ave. at W. 116th proceeding northbound to W. 115th then north on W. 115th to Lake Ave. Lake Ave. eastbound to Harborview. Harborview to Lake, proceeding eastbound on Lake to Cliff Drive, around Cliff back to Lake and retracing the route back to St. Roses Church on Detroit at W. 116th St., provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director Law.

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

Passed April 20, 1998.
Effective April 27, 1998.

Ord. No. 704-98.
By Councilman Patmon.
An emergency ordinance consenting and approving the issuance of a permit for the 10th Annual Miles Standish Miler Fun Run on June 2, 1998 (raindate: June 3, 1998), sponsored by the Miles Standish Elementary School.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 10th Annual Miles Standish Miler Fun Run, sponsored by the Miles Standish Elementary School, on June 2, 1998 (raindate: June 3, 1998), beginning at the school, 1000 East 92nd Street, west on Parkgate Rd. to East Blvd., south on East Blvd. to Superior Ave., turn around and head north on East Blvd. to Parkside Rd., north on Parkside Rd. to Parkgate Rd., east on Parkgate Rd. and finish back at the school, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the

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

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

Passed April 20, 1998.
Effective April 27, 1998.

Ord. No. 718-98.

By Councilman Lewis.

An emergency ordinance consenting and approving the issuance of a permit for a 2.2K Race and Parade on May 9, 1998, sponsored by Thurgood Marshall Recreation Center.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council

consents to and approves the holding of a 2.2K Race and Parade, sponsored by Thurgood Marshall Recreation Center, on May 9, 1998, with the 2.2K Race beginning on Hough to Ansel to Wade Park to East 79th Street down to Hough to finish at Thurgood Marshall Recreation Center; and the parade to begin at Crawford and Hough Ave., west on Hough to E. 79th St., north on E. 79th St. to Wade Park, east on Wade Park to E. 82nd St., south on E. 82nd St. to Hough, east on Hough to Crawford and finish in front of Thurgood Marshall Recreation Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed April 20, 1998.
Effective April 27, 1998.

COUNCIL COMMITTEE MEETINGS

Monday, April 20, 1998

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

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

Tuesday, April 21, 1998

Community & Economic Committee: 9:00 A.M. — Present: Jackson, Chairman; Robinson, Vice Chairman; Cintron, Coats, Gordon, Jones, Lewis, Zone. Excused: Cimperman.

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

Wednesday, April 22, 1998

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

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