

The City Record

Official Publication of the City of Cleveland

December the Twenty-Fourth, Nineteen Hundred and Ninety-Seven

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

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	6
Board of Zoning Appeals	6
Board of Building Standards and Building Appeals	7
Public Notices	7
Public Hearings	7
City of Cleveland Bids	7
Adopted Resolutions and Ordinances	8
Committee Meetings	46
Index	46

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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
Richard Werner, Executive Assistant for Governmental Affairs.
Susan E. Axelrod, Executive Assistant for Communications and Support Services
Laura Ann Williams, Acting Director, Office of Equal Opportunity

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

DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit
DIVISIONS - Accounts - Howard Frank, Acting Commissioner, Room 19
City Treasury - Mary Christine Jackman, Treasurer, Room 115
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122
Purchases and Supplies - William A. Moon, Commissioner, Room 128
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue
Financial Reporting and Control - Keith D. Schuster, Controller, Room 18
Information Systems Services - Hamid Manteghi, Commissioner, 1404 E. 9th St.

DEPT. OF PUBLIC UTILITIES - Michael Konicek, Director, 1201 Lakeside Avenue
DIVISIONS - 1201 Lakeside Avenue
Water - Julius Ciaccia, Jr., Commissioner
Water Pollution Control - Darnell Brown, Commissioner
Utilities Fiscal Control - M. Blech, Commissioner
Cleveland Public Power - Jim Majer, Acting Commissioner
Street Lighting Bureau - Frank Schilling, Acting Chief.

DEPT. OF PORT CONTROL - _____ Director,
Cleveland Hopkins International Airport, 5300 Riverside Drive;
Cleveland Hopkins International Airport - Stephen Sheehan, Commissioner
Burke Lakefront Airport - Michael C. Barth, Commissioner

DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner, 5600 Carnegie Avenue.
Streets - Randell T. Scott, Commissioner, Room 25
Engineering and Construction - J. Christopher Nielson, Acting Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards
Architecture - Kenneth 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 - Joseph W. Jasper, Jr., Commissioner, Mural Building, 1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road

DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.
DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
Emergency Medical Service - Bruce Shade, Commissioner, 1708 South Pointe Drive

DEPT. OF PARKS, RECREATION & PROPERTIES - Oliver B. Spellman, Jr., Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.
DIVISIONS - Convention Center & Stadium - James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Property Management - Vernon Robinson, Commissioner, E. 49th & Harvard

Parking Facilities - Alfred T. Miller, Jr., Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.
Park Maintenance and Properties -Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.
Recreation - Michael Cox, Acting Commissioner, Room 8
Research, Planning & Development - M. Fallon, Commissioner, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT -Terri Hamilton, Director,
3rd Floor, City Hall.
DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
Neighborhood Services - Louise V. Jackson, Acting Commissioner.
Neighborhood Development - Terri Hamilton, Commissioner.
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

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

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

DEPT. OF AGING - Rm. 122, Delores A. Lynch, Director

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

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

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

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman;
Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Hunter Morrison, Acting Sec'y.

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

BOARD OF REVISION OF ASSESSMENTS - Law Director, Sharon Sobol Jordan; Pres. Finance Director, _____, Director Sec'y. Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS - Henry Guzmán, Service Director;
Law Director, Sharon Sobol Jordan, Councilman Roosevelt Coats.

BOARD OF REVIEW - (Municipal Income Tax) - Law Director, Sharon Sobol Jordan, Utilities Director, Michael Konicek; President of Council, Jay Westbrook.

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

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

MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, _____, Councilman Jay Westbrook.

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

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

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

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

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

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

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WEDNESDAY, DECEMBER 24, 1997

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CITY COUNCIL

MONDAY, DECEMBER 22, 1997

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Johnson, Chairman; Rybka, Vice Chairman; Patton, Robinson, Skrha, Sweeney, White.

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

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Coats, Chairman; White, Vice Chairman; Britt, Johnson, Melena, Moran, Smith, Sweeney, Westbrook.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** Patton, Chairman; Robinson, Vice Chairman; Gordon, Lewis, Melena, Moran, Polensek.

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

December 17, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 17, 1997, at 11:00 a.m., with Mayor White presiding.

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

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

On motion, the following resolutions were adopted.

Resolution No. 1037-97.

By Director Konicek.

Whereas, pursuant to the authority of Ordinance No. 1006-95, passed by the Council of the City of Cleveland on June 19, 1995, and Board of Control Resolution No. 653-97, adopted August 13, 1997, the City of Cleveland through its Director of Public Utilities, entered into a contract with Wise International Trucks, Inc., for the lease for a period of three years with option to purchase of three (3) 47' digger derrick & line construction trucks with body & equipment by Terex Telelect, two (2) 65' insulated aerial bucket trucks with body & equipment by Lift-All, one (1) flat bed boom truck with body & equipment by Cenweld Equipment, one (1) 47,000 lb. boom truck with body & equipment by Erection Crane, four (4) 43' insulated aerial bucket trucks with body &

equipment by Terex Telelect, two (2) 55' insulated bucket trucks with body & equipment by Lift-All, two (2) insulated aerial non-over center material handling bucket trucks with body & equipment by Lift-All, and one (1) 55' insulated aerial bucket truck with one man side hung bucket with body & equipment by Lift-All and wood chipper with equipment by Vermeer, Contract 52434; and

Whereas, by its December 4, 1997 letter, Wise International Trucks Inc. has requested the consent of the City to the assignment by Wise International Trucks Inc. of said lease to KeyCorp Leasing, a Division of Key Corporate Capital Inc.; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the request of Wise International Inc. for the consent of the City to the assignment of Contract No. 52434, for the lease for a period of three years with option to purchase various vehicles from Wise International Inc. is hereby granted.

Be it further resolved that the Director of Public Utilities is hereby authorized to execute any documents necessary and appropriate to effect the consent to such assignment. A copy of the consent to assignment authorized shall be filed in the office of the Commissioner of Accounts with the original of the aforementioned Contract.

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

Nays: None.

Absent: None.

Resolution No. 1038-97.

By Acting Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of G. R. Osterland Company for an estimated quantity of Asphalt concrete and tack coat, including labor and materials for the delivery, spreading and compacting to repair roadways, runways and taxiways (Items Nos. 1, 2, 3, 4, 5, 6, and 7), for the various divisions of the Department of Port Control, for the period two (2) years commencing with the execution of contract, received on the 23rd day of October, 1997, pursuant to the authority of Ordinance No. 879-97, passed June 16, 1997, which on the basis of the estimated quantity would amount to One Hundred Fifty-Seven Thousand Six Hundred and no/100 (\$157,600.00) Dollars, is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into requirement contract for such commodities, which shall provide for the

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

Requisition No. 98901 which shall be certified against such contract in the sum of Thirty-One Thousand Five Hundred and no/100 (\$31,500.00) Dollars.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by G. R. Osterland Company for asphalt concrete and tack coat, including labor and materials for the delivery, spreading and compacting to repair roadways, runways and taxiways for the various divisions of Department of Port Control is hereby approved:

**SUBCONTRACTOR
SERVICE & SUPPLIES**

Cook Paving & Construction
11360 Brookpark Road
Brooklyn, Ohio 44130
(MBE - \$48,125/26%)

Paving and
materials

Friedel Trucking
5714 Archmere Avenue
Cleveland, Ohio 44144
(FBE - 15,900/9%)

Trucking

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.
Absent: Mayor White.

Resolution No. 1039-97.
By Acting Director Sheffield-McClain.

Resolved, by the Board of Control of the City of Cleveland that the bid of Spirit Communications and Contracting, Inc. for an estimated quantity of Rental of grading equipment and grading equipment with operators (Items Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20), for the various divisions of the Department of Port Control, for the period of two (2) years commencing with the execution of contract, received on the 23 day of October, 1997, pursuant to the authority of Ordinance No. 803-97, passed June 16, 1997, which on the basis of the estimated quantity would amount to One Hundred Eighty Two Thousand Six Hundred Eighty and no/100 (\$182,680.00) Dollars, (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 98903 which shall be certified against such contract in the sum of Thirty-Six Thousand Five Hundred and no/100 (\$36,500.00) Dollars.

Said requirement contract shall further provide that the Contractor will furnish the remainder of the

requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Spirit Communications & Contracting Inc. for the rental of grading equipment and grading equipment with operators for the various divisions of Department of Port Control is hereby approved:

**SUBCONTRACTOR
SERVICE & SUPPLIES**

L. T. Services
P.O. Box 34-7056
Parma, Ohio 44134
(FBE - 19,520/10%)

Triaxle trucks - (\$9,600)
Truck Crane - (\$4,320)
Loader - (\$5,600)

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.
Absent: Mayor White.

Resolution No. 1040-97.
By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Standard Law Enforcement Supply Co. for an estimated quantity of body armor, (all items) for the Division of Emergency Medical Services, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on November 26, 1997, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Fifty-Six Thousand and no/100 Dollars (\$56,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 10742
20 Body Armor, as specified, which shall be certified against such contract in the sum of Eleven Thousand, Two Hundred and no/100 Dollars (\$11,200.00).

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

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.
Absent: Mayor White.

Resolution No. 1041-97.
By Director Spellman.

Whereas, Ordinance No. 2236-94, passed by the Council of the City of Cleveland on February 6, 1995, Resolution No. 578-95 and Resolution No. 273-97 adopted by this Board on

August 2, 1995 and April 14, 1997, respectively, authorized the City to enter into an agreement with Behnke Associates, Inc. ("Consultant") for professional services necessary to complete the Cleveland Lakefront Bikeway master plan and capital improvements, Contract No. 49526 and a First Modification thereto; and

Whereas, the City desires to revise the scope of services to change the bikeway alignment, to decrease the number of bikeway structures to be designed, and to increase Consultant's field observation services; and

Whereas, Consultant has proposed by its letters dated January 31, 1997 and October 6, 1997, to render the revised services; and

Whereas, the City finds the Consultant's proposals acceptable and desires to modify City Contract No. 49526 on the basis of such proposals to revise the scope of services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Parks, Recreation & Properties is hereby authorized to enter into a first modification to Contract No. 49526 with Behnke Associates, Inc. to revise the scope of professional services required for the Cleveland Lakefront Bikeway master plan and capital improvements in accordance with Consultant's January 31, 1997 and October 6, 1997 proposals, and to reallocate the original total contract amount of Four Hundred Forty-Nine Thousand, Nine Hundred Eighty-Nine and 00/100 dollars (\$449,989.00) between a lump sum fee of Three Hundred Eleven Thousand, Five Hundred Thirty-Seven Dollars (\$311,537.00) and an allowance for reimbursable expenses of One Hundred Thirty-Eight Thousand, Four Hundred Fifty Two Dollars (\$138,452.00). The modification authorized hereby shall be prepared by the Director of Law and shall include such additional provisions as said Director deems necessary to benefit and protect the public interest.

Be it further resolved that all other provisions of said Contract No. 49526 not expressly modified hereby shall remain unchanged and in full force and effect.

Be it further resolved that Resolution No. 273-97, adopted April 14, 1997, is hereby rescinded.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.
Absent: Mayor White.

Resolution No. 1042-97.
By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Proflor Inc., for the public improvement of City Hall Carpet Replacement Phase II, for the Division of Property Management, Department of Parks, Recreation and Properties, received on September 25, 1997, pursuant to the authority of Ordinance No. 1282-96, passed October 14, 1996, for a gross price for the improvement in the aggregate amount of Sixty Two Thousand Three Hundred Five and No/100 Dollars (\$62,305.00), 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.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.

Absent: Mayor White.

Resolution No. 1043-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 121-17-084 located at 2293 East 95 Street in Ward 6; 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, Donner L. Davis, 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 6 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Donner L. Davis for the sale and development of Permanent Parcel No. 121-17-084 located at 2293 East 95 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: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.

Absent: Mayor White.

Resolution No. 1044-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 008-07-037 located at 3065 West 16 Street in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commis-

sioner 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, Pamela Ann Ulery, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Pamela Ann Ulery for the sale and development of Permanent Parcel No. 008-07-037 located at 3065 West 16 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: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.

Absent: Mayor White.

Resolution No. 1045-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 016-25-057 located at 3634 West 45 Street in Ward 16; 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, Ann M. Crew and Jeffrey S. Crew, Sr., 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 16 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Ann M. Crew and Jeffrey S. Crew, Sr. for the sale and development of Permanent Parcel No. 016-25-057 located at 3634 West 45 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: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.

Absent: Mayor White.

Resolution No. 1046-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 142-26-087 located at 14806 Naples Avenue in Ward 1; 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, Amistad Development Corp. or designee, 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 1 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Amistad Development Corp. or designee for the sale and development of Permanent Parcel No. 142-26-087 located at 14806 Naples Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.

Absent: Mayor White.

Resolution No. 1047-97.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 106-16-030, 106-16-031 and 106-16-032 under said Land Reutilization Program; and

Whereas, Ordinance No. 2110-97 passed November 24, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Lillie Ann Brown-Oden has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2110-97 passed November 24, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute art official deed for and on behalf of the City of Cleveland with Lillie Ann Brown-Oden for the sale and development of Permanent Parcel Nos. 106-16-030, 106-16-031 and 106-16-032, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.

Absent: Mayor White.

Resolution No. 1048-97.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1257-97, passed by the Council of the City of Cleveland July 16, 1997, the firm of Ralph Tyler Companies ("Consultant"), upon the nomination of the Director of Public Service from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Public Service, is hereby selected as the firm to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City of Cleveland in order to provide the professional services necessary to design the Aetna Road improvements.

Be it further resolved that the Director of Public Service hereby is authorized to enter into a written contract with Ralph Tyler Companies based upon their original proposal dated July 18, 1997 and their revised proposals dated September 2, 1997 and November 10, 1997 provided that the compensation to be paid shall not exceed \$354,958.00, which

contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultants by Ralph Tyler Companies for the design services authorized above hereby is approved:

SUBCONTRACTORS

Central Engineering, Inc.
22700 Royalton Road
Strongsville, OH 44136
(MBE - 15%)

Prime Engineering, Inc.
1038 Ghent Road
Akron, OH 44333
(MBE/FBE - 3%)

Oxbow Engineering, Inc.
10 West Erie Street, Suite 201
Painesville, OH 44077
(FBE - 10%)

Yeas: Directors Sobol Jordan, Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan and Warren.

Nays: None.

Absent: Mayor White.

Resolution No. 1049-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by The Albert M. Higley Company, contractor for the concrete foundation for the new Cleveland Browns Stadium, pursuant to Ordinance No. 304-96 passed on March 8, 1996, and Board of Control Resolution No. 539-97, adopted July 7, 1997, for the Department of Parks, Recreation & Properties, is hereby approved:

Western Waterproofing
(FBE) - \$26,336

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

Nays: None.

Absent: None.

Resolution No. 1050-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Ozanne Construction Company, Inc., contractor for the general requirements for the new Cleveland Browns Stadium, pursuant to Ordinance No. 304-96 passed on March 8, 1996, and Board of Control Resolution 426-97, adopted June 4, 1997, for the Department of Parks, Recreation & Properties, is hereby approved:

IQC Cleaning
(MBE) - \$45,936

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

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, JANUARY 5, 1998

9:30 A.M.

Calendar No. 97-262: 6915 Madison Ave., N.W.

Gayl M. Bevier, owner, appeals under Sections 329.01 (e) and 329.02 (d) from the refusal to approve a lot split for the 40' x 124' lot located in a General Retail District and occupied by a two-story frame two-family dwelling house at 6915 Madison Ave.; said refusal being by the Commissioner of Engineering and Construction and the Director of City Planning under authority of Section 355.04 of the Codified Ordinances.

Calendar No. 97-263: 7805 Lorain Avenue

Eldon Ebel, dba Antique Emporium, appeals, under Section 76-6 of the Charter of the City of Cleveland and Section 676.12 of the Codified Ordinances from the refusal to issue a Second Hand Dealer License for the premises at 7805 Lorain Ave.; said refusal being by the Commissioner of Assessments and Licenses upon recommendation of the Director of Public Safety (Division of Police) under authority of Chapter 676 of the Codified Ordinances.

Calendar No. 97-264: 3280 West 105th Street

GMS Investments Inc. c/o Clyde Gazda, owner, and C. Gazda Heating and Air Conditioning Co. Inc. c/o Clyde Gazda, tenant, appeals to erect a 24' x 24' one-story frame storage building (Furnaces) accessory to the 44' x 32' nonconforming heating and air conditioning contractor's office and shop building, all on a 50' x 130' corner lot located in a General Retail District on the northwest corner of W. 105th St. and Bernard Ave. at 3280 W. 105th

St.; said storage building being contrary to the retail limitations of Section 343.11 and the expansion limitations of Section 359.01 of the Codified Ordinances.

HUNTER MORRISON,
Acting Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, DECEMBER 22, 1997

NO MEETING

**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."

WEDNESDAY, JANUARY 7, 1998

Site Structures 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, passed by the Council of the City of Cleveland.
A **NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS.** A PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 30, 1997, 9:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

Site Lighting 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, passed by the Council of the City of Cleveland.
A **NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS.** A PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 30, 1997, 10:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

Signage Package 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, passed by the Council of the City of Cleveland.
A **NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS.** A PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 30, 1997, 11:00 A.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT.

December 17, 1997 and December 24, 1997

THURSDAY, JANUARY 8, 1998

FRE Conduit and Fittings, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

Pre-Sort Mail Service, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 2225-96, passed by the Council of the City of Cleveland, December 16, 1996.

Life Safety Rope Upgrade, for the various divisions of the Department of Public Safety, as authorized by Ordinance No. 1167-97, passed by the Council of the City of Cleveland, August 13, 1997.

Continental Airlines Structural Steel, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

A DEPOSIT OF TWO HUNDRED FIFTY DOLLARS (\$250.00) CERTIFIED CHECK OR MONEY ORDER WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. DOCUMENTS ARE AVAILABLE FROM MORSE DIESEL INTERNATIONAL, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135 PHONE (216) 265-4880. BIDS WILL BE RECEIVED AT CONTINENTAL AIRLINES, INC., R.O.C. BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135 TO THE ATTENTION OF BILL FRASER UNTIL 3:00 P.M. THURSDAY, JANUARY 8, 1998.

December 17, 1997 and December 24, 1997

WEDNESDAY, JANUARY 14, 1998

Upgrading Terminal HVAC Systems - Phase I - Refrigerant, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 2241-94, passed by the Council of the City of Cleveland, May 8, 1995.

A **MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 30, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.**

Upgrading Terminal HVAC Systems - Phase I - Air Handlers, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 2241-94, passed by the Council of the City of Cleveland, May 8, 1995.

A **MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 23, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.**

December 17, 1997 and December 24, 1997

THURSDAY, JANUARY 8, 1998

Spring Road Relief Sewer Phase II, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1630-96, passed by the Council of the City of Cleveland, September 9, 1996.

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

A **MANDATORY PRE-BID MEETING WILL BE HELD ON MONDAY, JANUARY 5, 1998, 10:30 A.M. AT OFFICE OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND OHIO 44108.**

December 24, 1997 and December 31, 1997

FRIDAY, JANUARY 9, 1998

Toro Mower Parts, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1737-97, passed by the Council of the City of Cleveland, November 17, 1997.

December 24, 1997 and December 31, 1997

FRIDAY, JANUARY 16, 1998

Meters and Metering Equipment, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

December 24, 1997 and December 31, 1997

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1662-97.
By Councilman Smith (by request).
An emergency resolution declaring the intention to vacate portions of W. 44th Pl., and The 1st Alley North of Detroit & East of W. 44th Pl., and The 1st Alley North of Detroit & West of W. 44th Pl.

Whereas, this Council is satisfied that there is good cause for vacating portions of West 44th Place, and The First Alley North of Detroit and East of West 44th Place, and The First Alley North of Detroit and West of West 44th Place, as hereinafter described, and

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

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

Section 1. WEST 44TH PLACE Being 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.
FIRST ALLEY NORTH OF DETROIT AVENUE AND EAST OF WEST 44TH PLACE Being all that portion of 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.
FIRST ALLEY NORTH OF DETROIT AVENUE AND WEST OF WEST 44TH PLACE Being all that portion of 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.

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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1746-97.

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

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

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

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

Section 1. That Section 2 of Resolution No. 483-95, passed June 5, 1995, is hereby amended to read as follows:

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

CLEVELAND THEATRE DISTRICT

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

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

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

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

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

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

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

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

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

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

Section 3. That it is hereby determined and declared necessary and conducive to the public health, convenience and welfare of the City of Cleveland and the inhabitants to provide additional security for the Cleveland Theater District, additional cleaning and maintenance of the public rights-of-way and Star Plaza within the Cleveland Theater District and collective marketing of

the Cleveland Theater District for a five year period commencing after the passage of the ordinance to be recited in this matter.

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

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

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

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

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

Section 9. The second through fifth annual installments in the amounts of \$330,264.00 each shall be payable in cash within thirty (30) days after each of the next four anniversaries of the date of passage of the City's ordinance of assessment. All cash payments remaining unpaid at the expiration of each of said thirty (30) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

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

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

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

Adopted December 15, 1997.
Awaiting the approval or disapproval of the Mayor.

Res. No. 1870-97.
By Councilmen Skrha, Rybka and Coats (by departmental request).

An emergency resolution eliminating any restriction on the naming of "One Erieview Plaza".

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, with regard to the building located at 1360 East 9th Street on the southwesterly corner of East 9th Street and St. Clair Avenue, the building's designation as "One Erieview Plaza," by Ordinance No. 1701-65, passed June 18, 1965, shall not restrict the building owner from naming the building so long as such name does not replace the proper street address on either East 9th Street or St. Clair Avenue.

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 December 15, 1997.
Awaiting the approval or disapproval of the Mayor.

Res. No. 2208-97.
By Councilman Britt.
An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 8502 Quincy Avenue, and repealing Res. No. 328-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 8502 Quincy Avenue, by Res. No. 328-96, adopted March 4, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 8502 Quincy Avenue, be and the same is hereby withdrawn and Res. No. 328-96, 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 December 15, 1997.
Awaiting the approval or disapproval of the Mayor.

Res. No. 2209-97.
By Councilman Westbrook.
An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 9601 Lorain Ave.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 5545106, Maripet Inc., 9601 Lorain Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No. 64165010005, 9601 Lorain Avenue Inc., 9601 Lorain Avenue, 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 and D6 Liquor Permit from Permit No. 5545106, Maripet Inc., 9601 Lorain Ave., 1st Fl. & Bsmt., Cleveland, Ohio 44102, to Permit No.

64165010005, 9601 Lorain Avenue Inc., 9601 Lorain Avenue, Cleveland, Ohio 44102 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted December 15, 1997.
Awaiting the approval or disapproval of the Mayor.

Res. No. 2210-97.
By Councilman Skrha.
An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 3133 Payne Avenue, and repealing Res. No. 915-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 3133 Payne Avenue, by Res. No. 915-97, adopted May 19, 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 3133 Payne Avenue, be and the same is hereby withdrawn and Res. No. 915-97, 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 December 15, 1997.
Awaiting the approval or disapproval of the Mayor.

Res. No. 2211-97.
By Councilman Westbrook.
An emergency resolution authorizing the Clerk of Council to accept gifts of property from Penske Logistics.

Whereas, Penske Logistics desires to give the Council property having an aggregate value of less than Ten Thousand Dollars (\$10,000.00) to be used by the Office of Council;

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

Section 1. That the Clerk of Council is hereby authorized to accept the gift of personal property from

Penske Logistics to be used by the Office of Council, which gifts has a value of less than Ten Thousand Dollars (\$10,000.00).

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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 383-97.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase sites for land assembly and future redevelopment at various locations in the City of Cleveland, for the Department of Community Development.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

P.P. No. 003-23-038 through 041, and 068, 069 and 070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 205, 206, 207, 214, 218, 222, 225, 229 and a part of "The Barnwell Lot", so called, and the Northerly 14 feet of Sublot No. 232, also a part of Gould Court, N.W. (16.5 feet wide) vacated by Ordinance No. 2818-68, passed December 16, 1968, as shown by the Willeyville Allotment of part of Original One Hundred Acre Lot No. 70 as recorded in Volume 2 of Maps, Page 16 of Cuyahoga County Records and being about 524.90 feet front on the Westerly side of West 24th Street (66 feet wide), 156.75 feet along the Southerly side of Bridge Avenue, (N.W. 66 feet wide), about 156.75 feet deep along the Southerly line and 524.90 feet along West 24th Place (16.5 feet wide) in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Hick School
2409 Bridge Avenue, S.W.

Section 2. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

P.P. No. 137-20-001

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

Sublot Nos. 69, 103, 104 and 140 and all of Sublot Nos. 41 through 68, 83 through 102 and 120 through 139 in the Corlett and Revere Land Company's Subdivision of part of Original One Hundred Acre Lot No. 460 as shown by the recorded Plat in Volume 59 of Maps, Page 14 of Cuyahoga County Records, and all of Sublot Nos. 13 through 32 and parts of Sublot Nos. 1, 2, 3 and 33 in the Guarantee Allotment Company's Subdivision of part of Original One Hundred Acre Lot No. 460 as shown by the recorded Plat in Volume 44 of Maps, Page 25 of Cuyahoga County Records bounded and described as follows:

Beginning on the easterly side of East 116th Street (120 feet wide), now known as Martin Luther King Drive, at the northwesterly corner of Sublot No. 41; thence southerly along the Easterly side of Martin Luther King Drive to a point in the southerly line of Sublot No. 3 in the Guarantee Allotment Company's Subdivision, said point also being on the northerly side of Angelus Avenue (40 feet wide) distant westerly 67.28 feet from the southerly corner of said Sublot No. 3; thence easterly along the northerly side of Angelus Avenue to a point distant 29 feet easterly from southwesterly corner of Sublot No. 33, said point also being in the westerly line of East 120th Street; thence northerly along said East 120th Street to a point in the southerly line of Corlett Avenue which is also the northerly line of Sublot No. 69 in the Corlett and Revere Land Company's Subdivision aforesaid, said point being distant 30 feet easterly from the northwesterly corner of Sublot No. 69; thence westerly along the southerly line of Corlett Avenue to the northwesterly corner of Sublot No. 41 and the place of beginning, be the same more or less, but subject to all legal highways included in above legal description is a portion of Revere Avenue, S.E. (50 feet wide) now vacated by the City of Cleveland and a portion of "Revere Square" now vacated by the City of Cleveland.

John Adams High School
3817 Martin Luther King Drive

Section 3. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

P.P. Nos. 124-08-001 and 124-08-003

Parcel No. 1
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lots Nos. 70 to 76 inclusive, in Ruffini, Sterling and Taintor's Allotment of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records and bounded and described as follows:
Beginning on the Southerly line of Quincy Avenue, S.E. at its intersection with the Westerly line of East 72nd Street;

Thence Westerly along the Southerly line of Quincy Avenue, S.E., 230 feet to the Easterly line of East 71st Street;

Thence Southerly along the Easterly line of East 71st Street, 65 feet 11-1/2 inches to the Northeasterly

line of The Cleveland and Pittsburgh Railroad Company's Right of Way;

Thence Southeasterly along the Northeasterly line of said Right of Way, 292 feet 3 inches to the Northerly line of Sherman Avenue, S.E., (formerly Sherman Street);

Thence Easterly along, the Northerly line of Sherman Avenue, S.E., 45 feet 5-1/4 inches to the Westerly line of East 72nd Street;

Thence Northerly along the Westerly line of East 72nd Street, 293 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

National Screw & Manufacturing Site
East 75th Street and Quincy Avenue

P.P. No. 124-08-004

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lots Nos. 39 to 50 inclusive, 84 to 93 inclusive and part of Stanton Alley, now vacated, in Ruffini, Sterling and Taintor's Allotment of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Sherman Avenue, S.E., (formerly Sherman Street) at its intersection with the Westerly line of East 75th Street;

Thence Westerly along the Southerly line of Sherman Avenue, S.E., 562 feet, 10 inches to the Northeasterly line of The Cleveland and Pittsburgh Railroad Company's Right of Way;

Thence Southeasterly along the Northeasterly line of said Right of Way, about 303 feet 3 inches to the Northerly line of Stanton Avenue, S.E., thence Easterly along said Northerly line of Stanton Avenue, S.E.; 361 feet 6-1/2 inches to the Westerly line of East 75th Street;

Thence Northerly along the Westerly line of East 75th Street, 252 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. 124-08-002

Parcel No. 3

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lots Nos. 51 to 69 inclusive, 77 to 83 inclusive, and part of Sherman Court, S.E., now vacated in Ruffini, Sterling, and Taintor's Allotment of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Quincy Avenue, S.E., at its intersection with the Westerly line of East 75th Street;

Thence Westerly along the Southerly line of Quincy Avenue, S.E., 517 feet 4-1/2 inches to the Easterly line of East 72nd Street;

Thence Southerly along the Easterly line of East 72nd Street, 293 feet to the Northerly line of Sherman Avenue, S.E., (formerly Sherman Street);

Thence Easterly along the Northerly line of Sherman Avenue, S.E., 519 feet 5-1/4 inches to the Westerly side of East 75th Street;

thence Northerly along the Westerly side of East 75th Street, 293 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. 124-09-027 thru 029

Parcel No. 4
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lots Nos. 19 to 24, both inclusive in Ruffini, Sterling & Taintor Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records, and all of Sub Lots Nos. 5, 6, 7, 14, 15 and 16 in the Towson & Grimshaw Allotment of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 11 of Cuyahoga County Records, and part of Sub Lot No. 8 in Selah Chamberlain's Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the Easterly line of East 75th Street (formerly Judson Street), with the Northerly line of Stanton Avenue, S.E.

Thence Easterly along the Northerly line of Stanton Avenue, S.E., 583 feet to the Southwesterly corner of land conveyed to The City of Cleveland, by deed dated November 29, 1919 and recorded in Volume 2387, Page 55 of Cuyahoga County Records;

Thence Northerly along the Westerly line of land so conveyed, which is also along the Westerly line of a proposed alley, 126 feet to the Southeastery corner of land conveyed to The City of Cleveland, by deed dated August 5, 1919 and recorded in Volume 2214, Page 273 of Cuyahoga County Records;

Thence Westerly along the Southerly line of land conveyed as last aforesaid, which is also along the center line of a proposed 12 feet alley, 82 feet to the Northerly prolongation of the Easterly line of said Sub Lot No. 14;

Thence Southerly along said Northerly prolongation, which is also the Easterly end of Stanton Court, S.E., 6 feet to the Southerly line of Stanton Court, S.E.;

Thence Westerly along the Southerly line of Stanton Court, S.E., 503 feet to the Easterly line of East 75 Street;

Thence Southerly, along the Easterly line of East 75th Street, 120 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. Nos. 124-09-030 thru 034
124-09-048 thru 051

Parcel No. 5
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub Lots Nos. 13 to 18, both inclusive, in Ruffini, Sterling and Taintor Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records, and Sub Lots Nos. 2, 3, 4, 17, 18 and 19 in the Towson & Grimshaw Allotment to part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 11 of Cuyahoga County Records and

part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the Southerly line of Sherman Avenue, S.E. with the Easterly line of East 75th Street (formerly Judson Street);

Thence Easterly along the Southerly line of Sherman Avenue, S.E., about 592.20 feet to the Northeastery corner of land conveyed to the National Screw and Manufacturing Company by deed dated January 18, 1952 and recorded in Volume 7441, Page 32 of Cuyahoga County Records;

Thence Southerly along the Easterly line of land so conveyed, 58 feet to the Southeastery corner thereof;

Thence Westerly along the Southerly line of land so conveyed, about 7 feet to the Northeastery corner of land conveyed to The National Screw and Manufacturing Company by deed dated January 17, 1952 and recorded in Volume 7441, Page 26 of Cuyahoga County Records;

Thence Southerly along the Easterly line of land conveyed by the last aforesaid deed, 62 feet to the Northerly line of land conveyed to The City of Cleveland, by deed dated August 5, 1919 and recorded in Volume 2214, Page 273 of Cuyahoga County Records;

Thence Westerly along the Northerly line of land so conveyed to the City of Cleveland, which is also the Northerly line of a proposed 12 foot alley, and along the Northerly line of Stanton Court, S.E. 585.04 feet to the Easterly line of East 75th Street;

Thence Northerly along the Easterly line of East 75th Street, 120 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. 124-08-005

Parcel No. 6
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sub Lots Nos. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, and 94 in Ruffini, Sterling and Taintor Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 5 of Cuyahoga County Records, and part of Sub Lot No. 8 in Towson and Grimshaw Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 4 of Maps, Page 11 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of Stanton Avenue, S.E., at its intersection with the Northeastery line of the Pennsylvania Railroad Company's Right of Way, said place of beginning being also on the Southerly line of Stanton Avenue, S.E., at the most Westerly corner of said Sub Lot No. 94;

Thence Easterly along the Southerly line of Stanton Avenue, S.E., about 655 feet to the Northeastery corner of said Sub Lot No. 8;

Thence Southerly along the Easterly line of said Sub Lot No. 8, 134 feet to the Northeastery corner of land conveyed to The National Malleable Casting Company by deed dated October 1, 1904 and recorded in Volume 941, Page 418 of Cuyahoga County Records;

Thence Westerly and Northwestery along the Northerly and Northeastery line of land so conveyed, to the Northeastery line of the Pennsylvania Railroad Company's Right of Way.

Thence Northwestery along the Northeastery line of said Right of Way, 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. 124-09-027

Parcel No. 7
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sub Lot No. 8 in Selah Chamberlain Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point in the Northerly line of Stanton Avenue, S.E., 147.16 feet West of the Westerly line of East 79th Street;

Thence Northerly parallel with East 79th Street, 94 feet to the Southerly line of land, conveyed by Henry Cooper, et al, to August Beidasch, et al, by deed recorded in Volume 1795, Page 314 of Cuyahoga County Records;

Thence Westerly along the Southerly line of land so conveyed about 2.84 feet to the Southwesterly corner thereof;

Thence Northerly along the Westerly line of land so conveyed to August Beidasch, et al, 38 feet;

Thence Westerly along said August Beidasch, et al, about 7 feet to a point 82 feet Easterly of the Westerly line of said Sub Lot No. 8;

Thence Southerly parallel with the Westerly line of said Sub Lot No. 8 about 132 feet to the Northerly line of Stanton Avenue, S.E.;

Thence Easterly along the Northerly line of Stanton Avenue, S.E., about 9.84 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 124-09-027

Parcel No. 8
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sub Lot No. 8, in Selah Chamberlain's Subdivision of part of Original 100 Acre Lot No. 333, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a point on the Westerly line of said Sub Lot No. 8, 120 feet Southerly from the Southerly line of Sherman Avenue, S.E.;

Thence Southerly 6 feet to the center of an alley;

Thence Easterly along the center of said alley, 82 feet to a point;

Thence Northerly 6 feet to the point which is the Northerly line of said alley;

Thence Westerly along the Northerly line of said alley, 82 feet, to the place of beginning, be the same more or less, but subject to all legal highways.

East 72nd Street (40 feet wide) vacated by Ord. No. 633-74 - passed 4/29/74

Sherman Ct. (12 feet wide) vacated by Ord. No. 972-43 - passed 9/20/43
Sherman Ave. (50 feet wide) vacated by Ord. No. 633-74 - passed 4/29/74

East 75 Street (50 feet wide) vacated by Ord. No. 633-74 - passed 4/29/74

Stanton Ave. (50 feet wide) vacated by Ord. No. 633-74 - passed 4/29/74

Stanton Ct. (12 feet wide) vacated by Ord. No. 633-74 - passed 4/29/74

The above listed streets or portions thereof, abutting the legal descriptions contained herein and now vacated by the City of Cleveland by Ordinances as shown, are intended to be acquired with the above parcels.

Section 4. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

P.P. No. 124-20-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 24, 25, 26, 27, 28 and 29 in the F.J. Chapple Subdivision of part of Original One Hundred Acre Lot No. 328 as shown by the recorded Plat in Volume 19 of Maps, Page 30 of Cuyahoga County Records and part of Original One Hundred Acre Lot No. 328, bounded and described as follows:

Beginning at the intersection of the Westerly line of Kinsman Road, (66 feet wide) with the Northerly line of Grand Avenue, (44 feet wide); thence Southwesterly along the Northerly line of Grand Avenue to the southerly corner of Sublot No. 24 in the F.J. Chapple Subdivision as aforesaid; thence Northerly along the Westerly line of Sublot No. 24 and its prolongation, 250 feet to a point in a parcel of land conveyed to Michael Wooldridge and others by deed dated March 11, 1853 and recorded in Volume 61, Page 376 of Cuyahoga County Records; thence Easterly along the northerly line of land so conveyed to Michael Wooldridge and others to the Westerly line of Kinsman Road, (66 feet wide); thence Southeasterly along the Westerly side of Kinsman Road, to the place of beginning, be the same more or less, but subject to all legal highways.

Wooldridge School
6200 Kinsman

Section 5. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

P.P. No. 129-03-027 through 042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 2 through 13, both inclusive, 39 through 48 both inclusive, as shown by the East Boulevard Subdivision of part of Original One Hundred Acre Lot No. 420 as recorded in Volume 54 of Maps, Page 9 of Cuyahoga County Records and the Westerly 2.5 feet of a vacated walkway, vacated by the City of Cleveland by Ordinance No. 103660, passed March 23, 1936, and being 208.60 feet front on the Easterly line of East Boulevard, (130 feet wide), now known as Mar-

tin Luther King Jr. Drive, about 594.76 feet deep along the Southerly line of Mt. Overlook Avenue, S.E. (40 feet wide), about 614.43 feet deep along Larchmere Boulevard, S.E., (66 feet wide), and about 239.51 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Anthony Wayne School
11711 Larchmere Boulevard

Section 6. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

P.P. No. 110-04-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 44, 45, 46, 47, 48, 49, 66, 67, 68, 69, 70, 71 and the southerly 16 feet of Sublot No. 50 in the Burrows & Putt's Allotment of part of Original One Hundred Acre Lot No. 364 as shown by the recorded Plat in Volume 16 of Maps, Page 29 of Cuyahoga County Records, and being 216 feet front on the Westerly side of East 124th Street and extending back 250 feet on the Southerly line, 250 feet on a broken Northerly line and 200 feet in the rear along the Easterly side of East 123rd Street, as appears by said plat, be the same more or less, but subject to all legal highways.

Hazeldell School
654 East 124th Street

Section 7. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

P.P. No. 020-09-123

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 123, 124, 125, 126, 127, 128, 129, 157, 158, 159, 160, 161, 162 and 163 in The Clark Manchester Company's Homesite Allotment Nos. 3 and 5 of part of Original Rockport Township Lot No. 1, Section No. 1, as shown by the recorded Plat in Volume 54 of Maps, Page 36 of Cuyahoga County Records, and being 279.99 feet front on the Northerly side of Longmead Avenue, and extending back 324.17 on the Westerly line 321.96 feet on the Easterly line, and having a rear line of 280 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Longmead School
12712-17 Longmead Avenue

Section 8. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

P.P. No. 005-29-001

Parcel No. 1.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of the Denison Allotment of a part of Original Brooklyn Township Lot No. 13 as shown by the recorded plat in Volume 17 of Maps, Page 24 of Cuyahoga County Records, and also all of that part of the second Denison Allotment lying East of the Easterly line of West 93rd Street as shown by the recorded plat in Volume 15 of Maps, Page 21 of Cuyahoga County Records, together forming a parcel of land bounded on the West by the Easterly line of West 93rd Street (50 feet wide), on the East by the Westerly line of West 89th Street (40 feet wide), on the South by the Northerly line of Willard Avenue, S.W. (60 feet wide) and on the North by the Northerly lines of the aforementioned Denison Allotments.

P.P. No. 005-29-045

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 32 in the Elijah F. Davis' Subdivision of part of Original Brooklyn Township Lot No. 13 as shown by the recorded plat in Volume 7 of Maps, Page 8 of Cuyahoga County Records, and being 40 feet front on the Easterly side of West 93rd Street (formerly Davis Avenue), and extending back of equal width 132 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 005-28-060

Parcel No. 3

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 44 in L.T. and R.F. Denison Allotment of part of Original Brooklyn Township Lots Nos. 13 and 14, as shown by the recorded plat in Volume 13 of Maps, Page 41 of Cuyahoga County Records and being 38 feet front on the Southerly side of Willard Avenue, N.W., (formerly Evergreen Street) and extending back of equal width 130 feet to a 12-foot alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 005-28-059

Parcel No. 4

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublots Nos. 107, 108 and 109 in the Denison Allotment of part of Original Brooklyn Township Lots Nos. 13 and 14 as shown by the recorded plat in Volume 17 of Maps, Page 13 of Cuyahoga County Records and together forming a parcel of land having a frontage of 116.72 feet on the Southerly side of Willard Avenue, N.W., and extending back 130 feet on the Easterly line, 130 feet on the Westerly line and having a rear line of 116.28 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 9. That the Director of Community Development is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such properties and to employ and pay all fees for title companies, surveys escrows, appraisers' environmental audits and all other costs necessary for the acquisition of such properties.

Section 10. That the consideration to be paid for such properties shall not exceed their fair market value and shall take into account the condition of the properties including environmental considerations, and the cost of the City to maintain and insure the properties.

Section 11. The Director of Community Development shall require that each of the properties be in a safe and secure condition when conveyed to the City.

Section 12. With respect to Longmead School, the Director of Community Development is authorized to continue the existing occupancy of a daycare center at no cost to the City. In the event that the property is needed for development, the Director shall give the occupant at least six months' notice.

Section 13. That notwithstanding and as an exception to the provisions of Ordinance No. 56-94, passed June 13, 1994, costs of acquisition of land shall be paid from Fund No. 10 SF 501, RL 23327.

Section 14. 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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1081-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 998 Parkwood Drive to Toya J. Johnson.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-13-027, as more fully described in Section 2 below, to Toya J. Johnson.

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

P.P. No. 109-13-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 121 in Amor and Carpen-

ter's Subdivision of part of Original One Hundred Acre Lot No. 370 as shown by the recorded plat in Volume 30 of Maps, Page 26 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly side of Parkwood Drive, N.E., at its intersection with the Northerly side of Amor Avenue, N.E.; thence Westerly along the Northerly side of Amor Avenue N.E., 152.13 feet to the Southwesterly corner of said Sublot No. 121; thence Northerly along the Westerly line of said Sublot No. 121, 47.50 feet to the Northwesterly corner of said Sublot; thence Easterly along the Northerly line of said Sublot No. 121, 126.38 feet to the Westerly side of Parkwood Drive, N.E.; thence Southerly along the Westerly side of Parkwood Drive, N.E., about 52.50 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1169-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to employ one or more professional nursing services to provide nursing services for the Division of Correction, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized to employ by contract one or more professional nursing services for the

purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide nursing services for the Division of Correction, Department of Public Health.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 01-50-03-0320, Request No. 21830.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1284-97.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering services necessary to design a truck parking area to provide spill prevention at Cleveland Hopkins International Airport.

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, provided the City of Cleveland sells the general airport revenue bonds authorized by Ordinance No. 923-97, passed June 9, 1997, the Director of Port Control is hereby authorized and directed to employ by contract one or more engineers or one or more firms of engineers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design a truck parking area to provide spill prevention at Cleveland Hopkins International Airport.

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

Section 2. That the costs for such services herein contemplated shall be paid from the proceeds of the sale of the general airport revenue bonds of the City of Cleveland authorized by Ordinance No. 923-97, passed June 9, 1997, and from any fund or subfunds to which any federal grants for said contract are credited, Request No. 22519.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1285-97.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering and environmental services necessary to design the construction of the consolidated airfield maintenance facility and associated appurtenances at Cleveland Hopkins International Airport.

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, provided the City of Cleveland sells the general airport revenue bonds authorized by Ordinance No. 923-97, passed June 9, 1997, the Director of Port Control is hereby authorized and directed to employ by contract one or more engineers and/or one or more environmental consultants or one or more firms of environmental consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the construction of the consolidated airfield maintenance facility and associated appurtenances at Cleveland Hopkins International Airport. Provided that the Director of Port Control has furnished a copy of the request for proposals to each of the members of the Committee on Aviation and Transportation prior to the solicitation of proposals and provided further that the Director has made a presentation to said Committee which identifies the consultants recommended by the Department of Port Control to perform such services and includes a written summary of all of the proposals received as a result of the Department's canvass, the selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by means of a request for proposals by the Director of Port Control for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein autho-

ized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from the proceeds of the sale of the general airport revenue bonds of the City of Cleveland authorized by Ordinance No. 923-97, passed June 9, 1997, and from any fund or subfunds to which any federal grants for said contract are credited, Request No. 22514.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1286-97.

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

An emergency ordinance determining the method of making the public improvement of replacing various electric feeders, upgrading various electrical vaults and installing associated appurtenances, and authorizing the Director of Port Control 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 various electric feeders, upgrading various electrical vaults and installing associated appurtenances, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the costs for such public improvement herein contemplated shall be paid from the proceeds of the sale of the general airport revenue bonds of the City of Cleveland authorized by Ordinance No. 923-97, passed June 9, 1997, and from any fund or subfunds to which any federal grants for said improvement are credited, Request No. 22512.

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1289-97.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide engineering and environmental services necessary to provide updated airfield mapping at Cleveland Hopkins International Airport.

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, provided the City of Cleveland sells the general airport revenue bonds authorized by Ordinance No. 923-97, passed June 9, 1997, the Director of Port Control is hereby authorized and directed to employ by contract one or more engineers or one or more firms of engineers and one or more environmental consultants and/or one or more firms of environmental consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide updated airfield mapping at Cleveland Hopkins International Airport. Provided that the Director of Port Control has furnished a copy of the request for proposals to each of the members of the Committee on Aviation and Transportation prior to the solicitation of proposals and provided further that the Director has made a presentation to said Committee which identifies the consultants recommended by the Department of Port Control to perform such services and includes a written summary of all of the proposals received as a result of the Department's canvass, the selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by means of a request for proposals by the Director of Port Control for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from the proceeds of the sale of the general airport revenue bonds of the City of Cleveland authorized by Ordinance No. 923-97, passed June 9, 1997, and from any fund or subfunds to which any federal grants for said contract are credited, Request No. 22515.

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1312-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1132 East 98 Street to Arthur Lee Young.

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. 109-07-043, as more fully described in Section 2 below, to Arthur Lee Young.

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

P. P. No. 109-07-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 14 in Superior Park Subdivision No. 3 of Part of Original One Hundred Acre Lot Nos. 376 and 377, as shown by the recorded plat in Volume 37 of Maps, Page 17 of Cuyahoga County Records and being 50 feet front on the Westerly side of East 98th Street and extending back of equal width 120 feet deep, to the Easterly line of East 98th Place, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to covenants and restrictions recorded in Volume 1309, Page 5 of Cuyahoga County Records.

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

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such

terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1316-97.

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

An emergency ordinance establishing a Community Reinvestment Area in the area of Starkweather Avenue, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

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

Whereas, the area located at Starkweather Avenue is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

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

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating said Community Reinvestment Area will encourage development in the area located at Starkweather Avenue and will, furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore,

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

Section 1. That based upon information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area located at 1201 Starkweather Avenue (Permanent Parcel Nos. 004-21-015 and 004-21-097) is a blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

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

Section 3. That the renovation of a building at 1201 Starkweather will create four condominium units, six

new single-family detached townhomes and one duplex unit in the Community Reinvestment Area is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of ten (10) years for 100% of the assessed taxes for the construction activities described above.

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1320-97.

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

An emergency ordinance authorizing the Director of Economic Development to accept delivery of deed to certain real property within the Broadway Urban Redevelopment Area and authorizing the Commissioner of Purchases and Supplies to reconvey title to such property to Third Federal Savings Bank for private redevelopment.

Whereas, by Ordinance No. _____, passed _____, 1997, this Council designated the Broadway Urban Redevelopment Area ("Area") and approved the Broadway Urban Redevelopment Plan ("Plan"), for purposes of Ohio Revised Code Sections 5709.41 and 5709.42; and

Whereas, when authorized by Council by appropriate legislation, improvements within the Area may be declared to be a public purpose and the owner thereof may be required to make annual service payments in lieu of taxes to the county treasurer; and

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

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

Section 1. That the Director of Economic Development is hereby authorized to accept delivery of deeds conveying title to real property known as Permanent Parcels Nos. 132-05-003 through 132-05-021, as more fully described in Council File No. 1320-97-A, for purposes of compliance with Revised Code Section 5709.41.

Section 2. That the Commissioner of Purchases and Supplies, on the direction of the Board of Control, is authorized to reconvey title to said property to Third Federal Savings Bank, for purposes of private redevelopment.

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

Section 4. That the Directors of Economic Development and Law are hereby authorized to execute such other documents, certifications, and agreements as are necessary and appropriate to effect the transaction described herein.

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

Passed December 15, 1997.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 1455-97.
By Councilmen Gordon, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1514, 1518, 1602 Elston Avenue to David Auldie Kennedy.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 009-16-072, 009-16-073, and 009-16-075, as more fully described in Section 2 below, to David Auldie Kennedy.

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. 009-16-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in The S. H. Kleinman Realty Company's Chelsea Subdivision of part of Original Brooklyn Township Lot No. 75, as shown by the recorded plat in Volume 70 of Maps, Page 20 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Elston Avenue, S.W., and extending back between parallel lines 140 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions recorded in Volume 70 of Maps, Page 20 of Cuyahoga County Records, including a 20 foot building line.

Also subject to restrictions recorded in Volume 2503, Page 114, of Cuyahoga County Records.

Further subject to Zoning Ordinances, if any.

P. P. No. 009-16-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 18 in The S. H. Kleinman Realty Company's Chelsea Subdivision of part of Original Brooklyn Township Lot No. 75, as shown by the recorded plat in Volume 70 of Maps, Page 20 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Elston Avenue, S.W., and extending back between parallel lines 140 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Restrictions recorded in Volume 70 of Maps, Page 20 of Cuyahoga County Records.

Covenants and restrictions recorded in Volume 2503, Page 114 of Cuyahoga County Records.

Zoning Ordinances, if any

P.P. No. 009-16-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in The S. H. Kleinman Realty Company's Chelsea Subdivision of part of Original Brooklyn Township Lot 75 as shown by the recorded plat in Volume 70 of Maps, Page 20 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Elston Avenue S.W. and extending back between parallel lines 140 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.

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

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and

shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

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

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

Passed December 15, 1997.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 1462-97.
By Councilmen Rybka, Willis and Westbrook (by departmental request).
An emergency ordinance to amend Section 331.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 876-97, passed June 16, 1997, relating to measurement.

Whereas, this Council finds that certain types of uses have a negative secondary effect on the areas in which they are located, which effects are increased if these uses are concentrated together;

Whereas, the City of Cleveland shares its borders with many other jurisdictions;

Whereas, some of these certain types of uses are located outside of the City of Cleveland, but near to its borders;

Whereas, this Council desires to restrict the impact of the negative secondary effects by regulating the concentration of these uses, even if a use is located across the City's jurisdictional boundary;

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

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

Section 1. That Section 331.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 876-97, passed June 16, 1997, is hereby amended to read as follows:

Section 331.04 Measurement

In all instances where this Zoning Code requires a separation of use districts, lots, buildings or uses by a specified distance, such distance shall be measured in a geometrical straight line using a scaled map, or a survey if deemed necessary. Unless otherwise specified in this Zoning Code, such line shall be measured to run from the nearest point on the nearest lot line of the lot or lots upon which the regulated use and any accessory parking are located to either the nearest point on the nearest lot line of the lot or lots upon which a use and any accessory parking are located from which the regulated use is required to be separated or the nearest point on the nearest boundary of the district from which the regulated use is required to be separated, whichever

er terminal point is applicable. Such measurement shall be made without regard to intervening structures, objects, uses, the street grid, landforms, waterways, or any other topographic feature. The calculation and application of distance requirements for separation of uses shall consider uses across the City's boundary in the application of divisions (c)(3) and (4) of Section 347.07, division (b) and division (c) of Section 347.12, and divisions (d) (2) of Section 347.15. The calculation shall consider uses and districts across the City's boundary in all other circumstances only if the City and bordering jurisdiction have entered into an agreement whereby each will consider uses and districts across the common boundary. The Director of City Planning shall have authority to enter into such an agreement upon notification of the councilpersons whose ward is affected.

Section 2. That existing Section 331.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 876-97, passed June 16, 1997, is hereby repealed.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1464-97.

By Councilmen Smith, Rybka and Westbrook (by departmental request).
An emergency ordinance determining the method of making the public improvement of repairing and refurbishing the spectator deck at Cleveland Hopkins International Airport, and authorizing the Director of Port Control 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 repairing and refurbishing the spectator deck, for the Division of Cleveland Hopkins International Airport, Department of Port Control, 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 Port Control is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding 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 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 60 SF 104, Request No. 22618.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1465-97.
By Councilmen Skhra, Rybka, Willis and Westbrook (by departmental request).

An emergency ordinance to amend Section 349.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1876-94, passed February 27, 1995, relating to surface parking lots in designated downtown area districts.

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

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

Section 1. That Section 349.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1876-94, passed February 27, 1995, is hereby amended to read as follows:

Section 349.14 Surface Parking Lots in Designated Downtown Area Districts

(a) **Purposes.**

(1) The principal purpose of this section is to preserve the urban architectural character of the most intensively developed portions of downtown Cleveland by limiting the establishment and expansion of surface parking lots within these districts.

(2) A secondary purpose is to reduce auto emissions and traffic congestion in the downtown area by discouraging creation of additional parking.

(3) Furthermore, this section is intended to accomplish these purposes without discouraging new development.

(b) **Applicability.** This section shall apply only to land or property located within the districts hereafter described and thereafter referred to as the 'designated districts':

(1) The Downtown Core Parking District, Warehouse Parking District, Erieview Parking District, and Gateway Parking District, as established in division (b) of Section 457.035 of the Codified Ordinances; and

(2) The Cleveland State University Parking District, described as follows:

Beginning at the point of intersection of the center line of Payne Avenue N.E. with the center line of East 18 Street; thence southerly along said center line of East 18 Street to its intersection with the center line of Brownell Court, S.E.; thence easterly along said center line of Brownell Court, S.E. to its intersection with a line located one hundred thirty two (132) feet east

of the easterly line of East 18 Street; thence southerly along said line which is parallel to and one hundred thirty two (132) feet east of said easterly line of East 18 Street to its intersection with the center line of Prospect Avenue, S.E.; thence westerly along said center line of Prospect Avenue, S.E. to its intersection with the center line of East 18 Street; thence southerly along said center line of East 18 Street to its intersection with the center line of East 14 Street; thence southerly along said center line of East 14 Street to the center line of the Inner Belt Freeway; thence Easterly and Northerly along the center line of the Inner Belt Freeway to its intersection with the center line of Payne Avenue N.E. thence westerly along the center line of Payne Avenue NE; to the place of beginning.

(c) **Definition.** For purposes of this section, a "surface parking lot" is an off-street parking area which is located at street-grade level and which is not enclosed within a garage structure. The unenclosed roof surface of a garage shall not be considered a "surface parking lot" if such surface is located at least one story above grade level on at least one of its frontages.

(d) **Prohibition.** Notwithstanding other provisions of the Zoning Code, no surface parking lot shall be established or expanded within the designated districts except as approved by the City Planning Commission in accordance with this section.

(e) **Planning Commission Determination.** The City Planning Commission shall approve building permit applications for the establishment or expansion of surface parking lots in the designated districts only in accordance with the following provisions:

(1) **Temporary Parking Lots.** If the City Planning Commission or Landmarks Commission, as applicable, has approved demolition of a building within the designated district(s) and has approved, in accordance with the regulations of Sections 341.04 and 341.05 or Section 161.05, as applicable, plans for a new building or other non-parking use to replace such building, the subject property may be used as a surface parking lot for a maximum period of one (1) year following the demolition of the building. If all necessary redevelopment permits have not been obtained within one year of the commencement of surface parking use, the property shall be landscaped as open space or shall be converted to another appropriate non-parking use in accordance with a site plan approved by the Commission.

The Commission may, however, approve a request by the owner to extend use of the parking lot for a single period not greater than one (1) year in duration if the Commission determines that the owner has made a "good faith effort" to secure the approved redevelopment. During the time period of such extension, the Commission and the owner shall undertake discussions regarding efforts to facilitate appropriate redevelopment of the property. At the conclusion of the extension period, the property either shall be landscaped as open space or shall be converted to another appropriate non-parking use in accordance with a site plan approved by the Commission or, alternatively, the owner

may seek a variance from the Board of Zoning Appeals in accordance with the provisions of division (h) of this section.

(2) **Accessory Parking.** Establishment or expansion of a surface parking lot within the designated districts shall be permitted if the City Planning Commission determines that the lot will be used exclusively for accessory parking spaces to serve a new use or uses proposed for a development, expansion or redevelopment project which has been approved by the City Planning Commission or Landmarks Commission, as applicable, but which has not yet been completed. The number of parking spaces in such accessory lot shall not be greater than 120% of the number of spaces which would be required for such use by the City's Zoning Code.

(3) **Action Areas.** The City Planning Commission shall approve an application for a surface parking lot if the subject property has been designated for surface parking as part of an "action area" (as defined in Section 315.03) of a community development plan adopted by Council in the manner set forth in Title V of the Codified Ordinances.

(4) **Vacant Lots.** On any vacant lot which was vacant on the initial effective date of this section, a surface parking lot shall be permitted, in accordance with all applicable City regulations.

(f) **Existing Surface Lots.** Within the designated districts, surface parking lots legally established or approved prior to the initial effective date of this section shall be considered legal nonconforming uses and may be maintained, repaired and improved in accordance with otherwise applicable City regulations. No such lot shall be expanded without approval of the City Planning Commission, in accordance with the provisions of this section.

(g) **Variances for Establishment of Parking Lots.** In the case of a request for a variance to permit establishment of a surface parking lot which is prohibited by regulations of this section, the Board of Zoning Appeals shall grant such variance only if it determines that denial of the variance would deprive the owner of all reasonable economic use of the subject property. In making this determination, the Board may seek the advice of experts in relevant fields and shall consider the potential for long-term as well as short term economic gain.

(h) **Variances for Temporary Lots.** In the case of a request for a variance to extend the use of a parking lot approved under division (e) (1) of this section, the Board of Zoning Appeals shall grant such extension only if it determines that redevelopment of the subject property has been delayed by circumstances which are beyond the control of the owner and which would be present regardless of the particular ownership of the property. In such cases, the Board shall not grant an extension for a period greater than one (1) year in duration. The property owner may return to the Board for consideration of further extensions if said circumstances persist

Section 2. That existing Section 349.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1876-94, passed February 27, 1995, is hereby repealed.

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1648-97.

By Mayor White and Councilman Johnson.

An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Finance to enter into contract with the Cleveland Board of Education to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 1997-98 school year.

Whereas, pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax and increases in the motor vehicle lessor tax and the admissions tax can be used to fund recreational, cultural and extracurricular programs within the Cleveland School System; and

Whereas, the Joint Board established by Ordinance No. 1025-A-95 has recommended that a portion of the tax proceeds be used to fund a number of recreational, cultural and extracurricular programs for City school children during the 1997-98 school year, including dance, drama, instrumental, vocal, cheerleading, aquatic, sports and academic enrichment programs; 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 Directors of Parks, Recreation and Properties and Finance are hereby authorized to enter into contract with the Board of Education of the Cleveland City School District to conduct various recreational, cultural and extracurricular programs for the benefit of City school children, in accordance with the program description contained in File No. 1648-97-A, for an amount not to exceed \$2,000,000.00, payable from the fund or funds to which are credited the proceeds of the taxes levied pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, under such terms and conditions as are acceptable to the Director of Law.

Section 2. That the agreement authorized by this ordinance shall provide that the Cleveland School System shall submit to City Council a comprehensive report detailing the programs conducted pursuant to the agreement three times a year, at the beginning of the school year, the middle of the school year and the end of the school year.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1653-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6810 Kinsman Road and 6822-28 Kinsman Road to Casell Moore.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 125-17-048 and 125-17-051, as more fully described in Section 2 below, to Casell Moore.

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. 125-17-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the North-easterly 120 feet of Sublot No. 15 in the William Meyer and John Thomas Allotment of part of Original One Hundred Acre Lot No. 329, as shown by the recorded plat in Volume 7 of Maps, Page 4 of Cuyahoga County Records, and being 40 feet front on the Southwesterly side of Kinsman Road, S.E., (formerly Kinsman Street), 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.

Also subject to zoning ordinances, if any.

P.P. No. 125-17-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 17, 18 and 19 in William Meyer and John Thoman's Allotment of part of Original One Hundred Acre Lot No. 329, as shown by the recorded plat in Volume 7 of Maps, Page 4 of Cuyahoga County Records, and bounded and described as follows:

Beginning, on the Southwesterly line of Kinsman Road, S.E. at the most Easterly corner of land conveyed to Maria Gedeon by deed dated March 23, 1908, and recorded in Volume 1145, Page 519 of Cuyahoga County Records; thence Southeasterly along the Southwesterly line of Kinsman Road, S.E., about 81.16 feet to the most Easterly corner of Sublot No. 19; thence Southwesterly along the Southeasterly line of Sublot No. 19, about 120.20 feet to the most Easterly corner of land conveyed to the City of Cleve-

land by deed dated October 31, 1959 and recorded in Volume 9925, Page 241 of Cuyahoga County Records; thence Northwesterly along the Northeasterly line of land so conveyed, about 81.20 feet to the Southeasterly line of land conveyed to Maria Gedeon as first aforesaid; thence Northeasterly along said Southeasterly line, about 120.20 feet to the place of beginning, as appears by said plat.

Also subject to Zoning Ordinances, if any.

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

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1654-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9119 Laisy Avenue to Clentana Y. Stewart.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 127-12-017, as more fully described in Section 2 below, to Clentana Y. Stewart.

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

P.P. No. 127-12-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 42 in T. E. Burton's Allotment of part of Original 100 Acre Lot No. 440, as shown by the recorded plat in Volume 12 of Maps, Page 1 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Laisy Avenue and extending back of equal width 121 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1656-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3435 East 70 Street to John T. Russell, Jr.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 125-33-052, as more fully described in Section 2 below, to John T. Russell, Jr.

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. 125-33-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 59 in the J. Gallop Subdivision of part of Original One Hundred Acre Lot No. 322, as shown by the recorded plat in Volume 6 of Maps, Page 16 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 70th Street (formerly Homewood Avenue), and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1657-97.
By Councilmen Sweeney, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12216 Lena Avenue to Kenneth M. and Lorraine M. Busler.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 020-10-017, as more fully described in Section 2 below, to Kenneth M. and Lorraine M. Busler.

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. 020-10-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 41 in the Clark-Manchester Company's Homesite Allotment Nos. 3 and 5 of part of Original Rockport Township Lot No. 1, Section No. 1 as shown by the recorded plat in Volume 54 of Maps, Page 36 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Lena Avenue, S.W., and extending back of equal width 174 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1778-97.
By Councilmen Melena, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3160 West 50 Street to James E. and Ruth Ann Ogle.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 016-11-061, as more fully described in Section 2 below, to James E. and Ruth Ann Ogle.

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. 016-11-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 88 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lot No. 47, as shown by the recorded plat in Volume 3 of Maps, Pages 10 and 16 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 50th Street and extending back between parallel lines 125 feet deep, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and

shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1779-97.
By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the 1997-98 Fire - EMT Training Grant; and to enter into contract with Cuyahoga Community College to implement the program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$50,925.00, from the Ohio Department of Public Safety, to conduct the 1997-98 Fire - EMT Training Grant, for the purposes set forth in the application and according thereto; that the Director of Public Safety 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. 1779-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Safety is hereby authorized to enter into contract with Cuyahoga Community College, for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1788-97.
By Councilmen Skrha, Patmon, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance establishing Community Reinvestment Areas in the areas of the Notre Dame Academy Building located on Ansel Road and the Gordon Building located on East 71st Street, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

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

Whereas, the areas located at the Notre Dame Academy Building located at 1325 Ansel Road and the Gordon Building located at 1053 East 71st Street are areas in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

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

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating said Community Reinvestment Areas will encourage development in the areas located at the Notre Dame Academy Building located at 1325 Ansel Road and the Gordon Building located at 1053 East 71st Street and will, furthermore, eliminate blight and prevent the recurrence thereof in the Areas; now, therefore,

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

Section 1. That based upon the information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the areas located at the Notre Dame Academy Building located at 1325 Ansel Road (Permanent Parcel No. 107-12-180) and the Gordon Building located at 1053 East 71st Street (Permanent Parcel No. 105-27-097) are blighted and deteriorated areas in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

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

Section 3. That the construction of approximately 80 units of apartments located between the two Areas identified in Section 1 of this ordinance are hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owners of such real property in the Community Reinvestment Areas described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12)

years for 100% of the assessed taxes for the construction activities described above.

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1858-97.
By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with the AIDS Funding Collaborative, or its designated fiscal agent, to provide services for people living with HIV/AIDS, for the Division of Health, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to enter into contract with the AIDS Funding Collaborative, or its designated fiscal agent, for provisions of monies to the Free Clinic of Greater Cleveland and the AIDS Taskforce of Greater Cleveland for professional services necessary for HIV/AIDS programs, in the total sum of \$50,000, payable from Fund No. 01-99-98-0380, Request No. 21821, for the Division of Health, Department of Public Health.

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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1859-97.
By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1998 State Aids Community Based Care Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$58,500, from the Ohio Department of Health, to conduct the 1998 State Aids Community Based Care Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1859-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1860-97.
By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the United States Environmental Protection Agency for the "Illegal Dumping; Don't Dump Here" Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$17,500, from the United States Environmental Protection Agency, to conduct the "Illegal Dumping; Don't Dump Here" Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant. That the Director of Public Health shall coordinate the Health Department's efforts in reducing illegal dumping with the efforts of the Department of Public Service and the Division of Police.

Section 2. That the application for said grant, File No. 1860-97-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$875.00, to be paid from Fund No. 01-50-06-0901, is hereby approved in all respects.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1861-97.
By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of inmate clothing, bedding and shoes, for the Division of Correction, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to 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 inmate clothing, bedding and shoes in the "estimated sum of \$32,000, to be" purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Correction, Department of Public Health. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 2182)

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1862-97.
By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a Lease By Way of Concession with Innovative Foods, Inc. for operation of food and beverage concessions at Gordon Park and Brookside Park.

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into a Lease By Way of Concession with Innovative Foods, Inc. for the use and occupancy of one permanent concession stand at Gordon Park and one at Brookside Park in connection with its operation of a food and beverage concession at each location for a period not to exceed three years beginning on September 5, 1997. The annual rent shall be \$5,000 per year for operation of the concession stand at Gordon Park or 5% of the total gross profits per month, whichever equals a higher amount and \$6,000 per year for operation of the concession stand at Brookside Park or 5% of the total gross profits per month, whichever equals a higher amount. Each concession stand shall be equipped with machinery and equipment at the Lessee's expense, and the Lessee shall pay all costs for metered utilities used in operation of the concession stands. The term shall commence on September 5, 1997, and unless sooner terminated, shall expire three years thereafter, provided that either party may terminate the Agreement by giving 30 days written notice of such intent to the other party.

Section 2. That the Lease By Way of Concession authorized herein shall be prepared by the Director of Law, and shall contain such additional provisions as he deems necessary to protect and benefit the public interest.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1863-97.
By Councilmen Britt, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2637 East 110th Street to Gary Torme Powell.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facili-

tate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 128-03-122, as more fully described in Section 2 below, to Gary Torme Powell.

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

P.P. No. 128-03-122

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in Stastny's Subdivision of part of Original One Hundred Acre Lot No. 419, as shown by the recorded plat in Volume 32 of Maps, Page 24 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 110th Street, (formerly Ferncliffe Street), and extending back of equal width 130 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1865-97.
By Councilmen Smith, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance establishing a Community Reinvestment Area in the area of 2528-32 Lorain Avenue, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

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

Whereas, the area located at 2528-32 Lorain Avenue, is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

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

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating said Community Reinvestment Area will encourage development in the area located at 2528-32 Lorain Avenue and will, furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore,

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

Section 1. That based upon the information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area located at 2528-32 Lorain Avenue (Permanent Parcel No. 003-38-031) is blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

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

Section 3. That the renovation of the second, third and fourth floors of the Bender Building in the Community Reinvestment Area is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 75% of the assessed taxes for the construction activities described above.

Section 4. That the Director of Community Development shall annually, not later than June 1 of each year during the period of the exemption from real property taxation, report to the Community and Economic Development Committee regarding the rate of return on equity participation generated by the property. Where the annual average rate of return for the entire period beginning on the date the exemption becomes effective until December 31 immediately preceding the report

exceeds Fifteen Percent (15%), the Director shall make a recommendation to the Committee regarding reducing or eliminating the exemption.

Section 5. That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 et seq. of the Ohio Revised Code and this ordinance. That this exemption from real property taxation is contingent upon all applicable requirements of Section 3735.65 et seq. of the Ohio Revised Code and this ordinance having been met.

Section 6. That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

Section 7. 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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1866-97.
By Councilmen Smith, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance establishing a Community Reinvestment Area in the area of 1895-1905 West 25th Street, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

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

Whereas, the area located at 1895-1905 West 25th Street is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

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

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating said Community Reinvestment Area will encourage development in the area located at 1895-1905 West 25th Street and will, furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore,

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

Section 1. That based upon the information and data presented to this Council and the information

contained in Council File No. 1776-A-90-A, it is hereby found and determined that the areas located at 1895-1905 West 25th Street (Permanent Parcel No. 003-23-033) is blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

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

Section 3. That the construction of approximately 12 residential apartments in the Community Reinvestment Area is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 75% of the assessed taxes for the construction activities described above.

Section 4. That the Director of Community Development shall annually, not later than June 1 of each year during the period of the exemption from real property taxation, report to the Community and Economic Development Committee regarding the rate of return on equity participation generated by the property. Where the annual average rate of return for the entire period beginning on the date the exemption becomes effective until December 31 immediately preceding the report exceeds Fifteen Percent (15%), the Director shall make a recommendation to the Committee regarding reducing or eliminating the exemption.

Section 5. That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 et seq. of the Ohio Revised Code and this ordinance. That this exemption from real property taxation is contingent upon all applicable requirements of Section 3735.65 et seq. of the Ohio Revised Code and this ordinance having been met.

Section 6. That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

Section 7. 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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1867-97.
By Councilmen Smith, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Metzner Building, L.L.C. to provide economic development assistance to partially finance the renovation of a building located at 1899 West 25th Street, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with the Metzner Building, L.L.C. to provide economic development assistance to partially finance the renovation of a building located at 1899 West 25th Street, Cleveland, Ohio.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1867-97-A.

Section 3. That the costs of said contract shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 24251.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

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

Passed December 15, 1997.
 Awaiting the approval or disapproval of the Mayor.

Ord. No. 1878-97.
By Councilmen Lewis, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7715 Aberdeen Avenue to Alfonso Condus.

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

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 105-33-091, as more fully described in Section 2 below, to Alfonso Condus.

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

P.P. No. 105-33-091

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 49 in Morison and Massie's Allotment of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 16 of Maps, Page 20 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Aberdeen Avenue, N.E., and extending back 102.80 feet on the Westerly line, 102.81 feet on the Easterly line, and having a rear line of 35 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed December 15, 1997.
 Awaiting the approval or disapproval of the Mayor.

Ord. No. 1879-97.
By Councilmen Lewis, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7706 Cornelia Avenue to Willie P. Williams.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 105-33-065, as more fully described in Section 2 below, to Willie P. Williams.

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

P.P. No. 105-33-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 67 in the Morison and Massie's Subdivision of part of Original One Hundred Acre Lot No. 345; and the Re-Allotment of Sublot Nos. 73 to 89 and a part of Sublot No. 69 in the J. H. Hardy's Subdivision of a part of said Original One Hundred Acre Lot No. 345, said Sublot No. 67 being further described as being 36 feet front on the Southerly side of Cornelia Street, extending back of equal width 112.50 feet and a rear line of 36 feet, as shown by the recorded plat in Volume 16 of Maps, Page 20 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain

such provisions as may be necessary to protect and benefit the public interest.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1880-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1157 East 78th Street to Gregory A. Carter.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 105-32-160, as more fully described in Section 2 below, to Gregory A. Carter.

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

P.P. No. 105-32-160

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 52 in Beckwith, Fuller and Stone's Allotment of part of Original One Hundred Acre Lot No. 348, as shown by the recorded plat in Volume 9 of Maps, Page 23 and 24 of Cuyahoga County Records, and being 50 feet front on the Easterly side of East 78th Street, and extending back between parallel lines 100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to Zoning ordinances, if any.

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

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1882-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8024 Medina Avenue to Willa Bailey and Gail Thomas.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-07-110, as more fully described in Section 2 below, to Willa Bailey and Gail Thomas.

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. 107-07-110

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in D.H. Kimberley's Subdivision of part of Original One Hundred Acre Lot No. 375, as shown by the recorded plat in Volume 18 of Maps, Page 11 of Cuyahoga County Records, and being 30 feet front on the Southerly side of Medina Avenue, N.E. and extending back between parallel lines 72.50 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.

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1883-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8208 Medina Avenue to Bonnie J. Jones.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-06-135, as more fully described in Section 2 below, to Bonnie J. Jones.

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. 107-06-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No.

19 in D.H. Kimberley's Subdivision of part of Original One Hundred Acre Lot No. 375 as shown by the recorded plat in Volume 18 of Maps, Page 11 of Cuyahoga County Records, and being 30 feet front on the Southerly side of Medina Avenue, N.E. (formerly Medina Street) and extending back of equal width 72.50 feet deep, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1933-97.
By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair, maintain and service MSA breathing apparatus, gas testers and explosive meters, for the Division of Fire, 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 years for the necessary items of labor and materials necessary to repair, maintain and service MSA breathing apparatus gas testers and explosive meters in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Fire, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20615)

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1935-97.
By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair water mains and appurtenances, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written 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 water mains and appurtenances 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 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 a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of

the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23410)

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1936-97.
By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Utilities to make alterations and modifications in Contract No. 49485, for the Public Square sewer replacement project with Terrace Construction Co. for the Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make the following alterations and modifications in Contract No. 49485 for the Public Square sewer replacement project with Terrace Construction Co., for the Department of Public Utilities:

SUBSIDIARY ADDITIONS

1. Removal of pipe encased with asbestos containing material	\$6,442.88
2. Protection of fiber cable during excavating and sheeting	2,794.97
3. Perform test hole to determine the location of where the sewers on Superior Avenue and the West Roadway connected	5,426.22
4. Removal and reconstruction of 16" steam line and expansion manhole	+ 3,053.79
Subsidiary Additions	\$17,717.86
Subsidiary Additions	\$17,717.86
Less amount remaining in contract	- 1,239.65
TOTAL SUBSIDIARY ADDITIONS	\$15,238.54
Original Contract Amount	\$421,432.00
Total Subsidiary Additions	+ 15,238.54
REVISED CONTRACT AMOUNT	\$436,670.54

which alteration has been recommended in writing by the said Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Public Utilities and the Contractor. This alteration will cause an increase in the amount of the original contract in the amount of \$15,238.54, to be paid from Fund Nos. 53 SF 095 and 53 SF 017.

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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1938-97.

By Councilman Skrha.

An emergency ordinance to vacate a portion of East 3rd Street (formerly Hickox Street) hereinafter described.

Whereas, on the 2nd day of June, 1997, the Council of the City of Cleveland adopted Resolution No. 439-97 declaring its intention to vacate a portion of East 3rd Street (formerly Hickox Street) hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 439-97 has been served upon the owners of all the property abutting East 3rd Street (formerly Hickox 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 9th day of October 1997, the Board of Revision of Assessments approved the vacation of East 3rd Street (formerly Hickox 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 East 3rd Street (formerly Hickox 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 East 3rd Street (formerly Hickox Street), between the Southerly line of Euclid Avenue and the Northerly line of Prospect Avenue, lying within the periphery of a circle and being Westerly of a line 16.50 feet Westerly of the Easterly line of said East 3rd Street as established by Ordinance passed by the Council of the City of Cleveland on March 13, 1838.

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 East 3rd Street (formerly Hickox Street), 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 its approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1964-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2221 East 71 Street to Rudolph and Gladys Y. Westbrook.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-135, as more fully described in Section 2 below, to Rudolph and Gladys Y. Westbrook.

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. 118-24-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 59 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 71st Street (formerly Giddings Avenue) and extending back of equal width 160 feet deep to an alley (now known as East 72nd Place) in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1965-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating Luke Easter Park and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.

Whereas, the Director of Law has entered into settlement agreements for the settlement and dismissal of Common Pleas Court Case Nos. 307473 and 307474 for monetary consideration ("Settlement Agreements"), and

Whereas, a portion of monies received pursuant to the Settlement Agreements have been earmarked to make site improvements to Luke Easter Park; 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 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating Luke Easter Park for the 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 the fund or funds to which are credited the monies accepted pursuant to the Settlement Agreements and said monies are hereby appropriated for the purposes set forth in Section 1 of this ordinance.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1967-97.
By Councilmen Smith and Westbrook (by departmental request).
An emergency ordinance authorizing and directing the Director of Port Control to enter into an agreement with Lehigh Municipal Leasing for a lease or lease with option to purchase not to exceed two electric passenger carriers, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed 24 months.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written agreement with Lehigh Municipal Leasing for a lease or lease with option to purchase, for a period not to exceed 24 months, exercisable by the Director of Port Control, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, not to exceed two (2) electric passenger carriers for the purpose of transporting passengers within the Cleveland Hopkins International Airport terminal, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of said contract shall be paid from Fund No. 60 SF 001, Request No. 22599.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1968-97.
By Councilmen Patton, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at corner of Ansel and St. Clair to Hill House.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-02-004, 107-02-005, 107-02-006, as more fully described in Section 2 below, to Hill House.

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. 107-02-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 96 in W.H. Lawrence's Allotment of part of Original One Hundred Acre Lots Nos. 367 and 375, as shown by the recorded plat in Volume 15 of Maps, Page 2 of Cuyahoga County Records.

P.P. No. 107-02-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 95 in W.H. Lawrence's Allotment of part of Original One Hundred Acre Lots Nos. 367 and 375, as shown by the recorded plat in Volume 15 of Maps, Page 2 of Cuyahoga County Records.

P.P. No. 107-02-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 94 in W.H. Lawrence's Allotment of part of Original One Hundred Acre Lots Nos. 367 and 375, as shown by the recorded plat in Volume 15 of Maps, Page 2 of Cuyahoga County Records.

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

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

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2013-97.
By Councilmen Patton and Westbrook (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to test and dispose of PCB oils and contaminated materials, and to retrofill or filter contaminated transformers, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to test and dispose of PCB oils and contaminated materials, and to retrofill or filter contaminated transformers 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 Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (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 22191)

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2015-97.
By Councilmen Patton and Westbrook (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair or replace sidewalks, curbs, driveways and various concrete or asphalt areas, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials necessary to repair or replace sidewalks, curbs, driveways and various concrete or asphalt areas 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 Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire 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 Finance. (RL 22186)

Section 3. That this ordinance is hereby declared to be an emergency

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 2018-97.
By Councilmen Patton and Westbrook (by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to install or repair underground duct line, street-lighting bases and pull boxes, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two (2) years for the necessary items of labor and materials necessary to install and repair duct line, streetlighting bases and pull boxes

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 Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (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 22185)

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2019-97.

By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Utilities to make alterations and modifications in Contract No. 49347 for Phase II of the Doan Brook Project, with Able/SS Inc., for the Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make the following alterations and modifications in Contract No. 49347 with Able/SS Inc. for Phase II of the Doan Brook Project, for the Department of Public Utilities:

Additional Items

1. Installation of Ornamental Fence	\$38,533.30
2. Tree Planting and Landscaping	15,214.10
3. Local Portion of Repairs to Outside Culvert	<u>+1,124.89</u>
Additional Item Total	\$54,872.29
Less Amount Approved and Paid by Issue II	\$15,182.20
Less Amount Approved and Paid by WPC	<u>+3,912.61</u>
Total Credits	\$19,094.81
Additional Item Total	\$54,872.29
Total Credits	<u>-19,094.81</u>
Total Subsidiary Additions	\$35,777.48
Original Contract Amount	\$940,890.50
Total Subsidiary Additions	<u>+35,777.48</u>
REVISED CONTRACT AMOUNT	\$976,667.98

which alteration has been recommended in writing by the said Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Directors of Public Utilities and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$35,777.48 to the paid from Fund No. 54 SF 001.

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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2020-97.
By Councilmen Patton, Rybka and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing and reconstructing the Erieside and West 3rd Street area pump station, force mains and sanitary sewer, 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 constructing and reconstructing the Erieside and West 3rd Street area pump station, force mains and sanitary sewer, 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. 23018.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2021-97.
By Councilmen Patton, Rybka, and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing or reconstructing the West 10th Street and St. Clair Avenue sewer, 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 constructing or reconstructing the West 10th Street and St. Clair Avenue sewer, 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. 23017.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2025-97.
By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of vehicle seat repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, 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 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 two (2) years for the necessary items of vehicle seat repair in the estimated sum of \$50,000, 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 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 22907)

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2034-97.
By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to service and maintain elevators and escalators, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, for a period not to exceed three years.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three years for the necessary items of labor and materials necessary to service and maintain elevators and escalators 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 Convention Center and Stadium, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than three 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 20241)

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2035-97.
By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support Housing to provide compensating balance loan funds to Cleveland Action to Support Housing for use in its Multi-Family Pilot Project.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with Cleveland Action to Support Housing (CASH), a private, non-profit agency administering housing rehabilitation, new construction and commercial redevelopment loan programs in the City of Cleveland, for provision of compensating balance loan funds at a zero percent (0%) rate for five (5) years to CASH for use in its Multi-Family Pilot Project.

Section 2. That the cost of said contract shall be in an amount not to exceed \$200,000 and shall be paid from Fund No. 13 SF 864, Request No. 23093.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2036-97.
By Councilmen Patmon, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1000-97, passed June 16, 1997, relating to the sale of real property as part of the Land Reutilization Program and located at 10401, 10405, 10409 Barrett Avenue and 564 and 570 East 105 Street.

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 title and Section 1 of Ordinance No. 1000-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10401, 10405 and 10409 Barrett Avenue and 564 and 570 East 105th Street to Shore Bank Enterprise Group.

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. 108-10-071, 108-10-072, 108-10-073, 108-10-075 and 108-10-076, as more fully described in Section 2 below, to Shore Bank Enterprise Group.

Section 2. That existing the title and Section 1 of Ordinance No. 1000-97, 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.

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2040-97.
By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1998 State Child Lead Poison Prevention Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$75,844, from the Ohio Department of Health, to conduct the 1998 State Child Lead Poison Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 2040-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2041-97.
By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the Healthy Start Initiative, Maternal Child Health Bureau, U.S. Department of Health and Human Services for Phase II of the Healthy Family Healthy Start Program, Phase II; and to enter into contract with various entities to implement the program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept grants for

Phase II of the Healthy Family Healthy Start Program, from the Healthy Start Initiative, Maternal Child Health Bureau, U.S. Department of Health and Human Services, each year for a period of five (5) years, in the approximate amount of \$2,521,000 for the first project year, for the purposes set forth in the applications and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That the application for the first project year of said grants, File No. 2041-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That for each of the project years described above, the Director of Public Health is authorized to enter into a contract or contracts with various entities, including but not limited to Neighborhood Centers Association, Cleveland Public Schools, Northeast Ohio Neighborhood Health Service, and Case Western Reserve University, for the implementation of the program, as described in the applications including the application for the first project year contained in the file, and that said contracts are payable from the fund or funds to which are credited the grant proceeds accepted annually pursuant to Section 1 of this ordinance.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2042-97.
By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed five insulated food distribution carts, for the Division of Correction, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed five (5) insulated food distribution carts, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Correction, Department of Public Health.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 006, Request No. 22979.

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

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2043-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept grants in the approximate amount of \$511,423 from the U.S. Environmental Protection Agency and \$1,149,050 from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment in accordance with the purposes set forth in the respective application; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That the applications for said grant, File No. 2043-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the

sum of \$392,995, from Fund No. 01-50-06-0901 in order to receive the grant from the U.S. Environmental Protection Agency.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2077-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of various items of software, computer equipment, including maintenance, for the Division of Correction, Department of Public Health; and authorizing said director to employ one or more software development consultants to provide professional services to develop software necessary to assist the Division of Correction.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: software, not to exceed thirty five (35) workstations, not to exceed six (6) printers, not to exceed two (2) print servers, not to exceed two (2) servers and such other associated incidental equipment necessary for a network, including maintenance thereon for a period not to exceed three (3) years,

to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Correction, Department of Public Health.

Section 2. That the Director of Public Health is hereby authorized and directed to employ by contract one or more software development consultants or one or more firms of software development consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to develop software for the operation of a computer network for the Division of Correction, Department of Public Health.

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

Section 3. That the cost of said services herein contemplated shall be paid from Fund Nos. 01-50-03-0414, 01-50-03-0970, and 10 SF 006, Request No. 22999.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2078-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.

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 pay as Moral Claims the sums set forth opposite and names of the following claimants and charged against the fund numbers opposite the names of the claimants:

<u>Claimant</u>	<u>Claim No.</u>	<u>Amount</u>	<u>Division</u>	<u>Fund</u>
Felicia Thomas	10249	\$634.86	Water Pollution Control	54 SF 001
Joslyn HiVoltage Corp.	10336	\$1,500.00	Water Pollution Control	54 SF 001
Bernice Celebucki	10338	275.00	Water Pollution Control	54 SF 001
Gust Mylonos	10350	900.00	Water Pollution Control	54 SF 001
Flora Rains	10367	206.00	Water Pollution Control	54 SF 001
Nancy Smith	10370	479.79	Water Pollution Control	54 SF 001
Thomas Yamamoto	10376	191.02	Water Pollution Control	54 SF 001
St. Colman Church	10441	1,250.00	Water Pollution Control	54 SF 001
Milan Perisic	10369	98.00	Water	52 SF001

Alfred Murray	10268	985.00	Police	01-60-02-0720
Jeffrey Daniel	10326	128.40	Police	01-60-02-0720
Centerior Energy	10348	548.00	Police	01-60-02-0720
Anthony Haney	10377	85.60	Police	01-60-02-0720
Lewis Poole	10380	1,579.40	Police	01-60-02-0720
Catholic Education Head Start	10387	100.00	Police	01-60-02-0720
Willie Baker, Jr.	10399	3,006.80	Police	01-60-02-0720
Sergio Perez, Jr.	10421	657.44	Police	01-60-02-0720
James R. Miller, Jr.	10423	250.00	Police	01-60-02-0720
Sharon Campbell	10434	301.80	Police	01-60-02-0720
Edward Kamal	10372A	275.00	Police	01-60-02-0720
Herman Menefee	10372B	275.00	Police	01-60-02-0720
John Scott, Jr.	10444	5,200.00	Police	01-60-02-0720
Great Lakes Power Products	10341	1,250.00	Fire	01-60-03-0720
Lee M. Moser	10413	945.46	Fire	01-60-03-0720
Terri Hammons- Brown	10433	936.48	Emergency Medical Service	01-60-04-0720
Carl and Julia Thompson	10356	1,500.00	Park Maintenance and Properties	01-70-10-0720
Mary L. Cox	10365	274.87	Park Maintenance and Properties	01-70-10-0720
Stanley Fair	10375	220.00	Park Maintenance and Properties	01-70-10-0720
Gary L. Colonius	10391	94.95	Park Maintenance and Properties	01-70-10-0720
Angela Larachuenta	10394	309.58	Park Maintenance and Properties	01-70-10-0720
Daniel and Melanie Hancock	10396	285.00	Park Maintenance and Properties	01-70-10-0720
December Dantzler	10400	175.00	Park Maintenance and Properties	01-70-10-0720
Barry S. Collins	10402	141.77	Park Maintenance and Properties	01-70-10-0720
Paul Fitzgerald & Information Radio	10405	278.43	Park Maintenance and Properties	01-70-10-0720
Harbi Abuzahreigh	10409	281.00	Park Maintenance and Properties	01-70-10-0720
Dorothy Robbins	10410	265.00	Park Maintenance and Properties	01-70-10-0720
Ovetta Bass	10411	84.86	Park Maintenance and Properties	01-70-10-0720
Gloria Price	10414	250.00	Park Maintenance and Properties	01-70-10-0720
Marilyn Skotzke	10435	19.21	Park Maintenance and Properties	01-70-10-0720
Deborah Brown	10437	73.47	Park Maintenance and Properties	01-70-10-0720
Dominick Gruhadauria, Jr.	10440	139.10	Park Maintenance and Properties	01-70-10-0720
Margaret Robinson	10386	338.90	Recreation	01-70-04-0720
Bertha Walker	10257	1,800.00	Park Maintenance (Urban Forestry)	01-70-02-0720
Miguel Bauzo	10294	675.00	Park Maintenance (Urban Forestry)	01-70-02-0720
Bill Malcom	10312	325.00	Park Maintenance (Urban Forestry)	01-70-02-0720
Louise White	10340	500.00	Park Maintenance (Urban Forestry)	01-70-02-0720
Stephen Zupan	10352	639.90	Municipal Clerk of Courts	01-01-16-0720
Song & Thomas Ferguson	10343	160.50	Waste Collection	01-40-03-0720
Gladys Moravcik	10359	240.75	Waste Collection	01-40-03-0720
Barbara Fetterman	10363	235.40	Waste Collection	01-40-03-0720
Sindy A. Sloan	10419	176.55	Waste Collection	01-40-03-0720
Ronald Sanzo	10425	363.78	Waste Collection	01-40-03-0720

Section 2. That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance. In addition, the Commission awarded certain services to be rendered by the Division of Building and Housing with regard to the demolition of the property located at 951 East 144th Street for claimant Dwight Yancy, Claim No. 10351.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2097-97.**By Councilman Westbrook (by departmental request).****An emergency ordinance to make temporary appropriation for the current payrolls and other ordinary expenses of the City of Cleveland for the period from January 1, 1998 until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 1998.**

Whereas, it is desired to postpone the passage of the annual appropriation ordinance until an amended certificate is received, based on the actual balances as the same may be determined by the Director of Finance and the County Budget Commission: 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. To provide for the current payrolls, sinking fund and other ordinary expenses of the City of Cleveland for the period from January 1, 1998, until the effective date of the Annual Appropriation Ordinance for the fiscal year ending December 31, 1998, there be and there is hereby appropriated for the period from January 1, 1998, to the effective date of the Annual Appropriation Three hundred seventy four million one hundred nine thousand two hundred thirty five dollars (\$374,109,235) out of taxes due the City of Cleveland and any other revenues accrued or occurring during said period of time and said funds are respectively appropriated as follows:

GENERAL FUND

LEGISLATIVE BRANCH

COUNCIL AND CLERK OF COUNCIL		\$1,066,923
I. Personnel and Related Expenses	\$734,500	
II. Other Expenses	332,424	
TOTAL LEGISLATIVE BRANCH	\$1,066,923	\$1,066,923

MUNICIPAL COURT

JUDICIAL DIVISION		\$4,786,294
I. Personnel and Related Expenses	\$3,696,734	
II. Other Expenses	1,089,560	
CLERK'S DIVISION		\$2,878,745
I. Personnel and Related Expenses	1,899,017	
II. Other Expenses	979,728	
HOUSING DIVISION		\$470,784
I. Personnel and Related Expenses	\$441,060	
II. Other Expenses	29,724	
TOTAL MUNICIPAL COURT	\$8,135,823	\$8,135,823

EXECUTIVE BRANCH

OFFICE OF THE MAYOR		\$541,205
I. Personnel and Related Expenses	\$441,528	
II. Other Expenses	99,678	
TOTAL EXECUTIVE BRANCH	\$541,205	\$541,205

DEPARTMENT OF PUBLIC SAFETY

PUBLIC SAFETY ADMINISTRATION		\$3,460,828
I. Personnel and Related Expenses	\$3,127,335	
II. Other Expenses	333,493	
DIVISION OF POLICE		\$52,616,701
I. Personnel and Related Expenses	\$47,865,964	
II. Other Expenses	4,750,737	
DIVISION OF FIRE		\$24,114,040
I. Personnel and Related Expenses	\$22,565,217	
II. Other Expenses	1,548,823	
DIVISION OF EMERGENCY MEDICAL SERVICES		\$5,425,805
I. Personnel and Related Expenses	\$4,795,835	
II. Other Expenses	629,970	
DIVISION OF TRAFFIC ENGINEERING		\$1,435,800
I. Personnel and Related Expenses	\$913,154	
II. Other Expenses	522,646	
DIVISION OF DOG POUND		\$288,732
I. Personnel and Related Expenses	\$178,685	
II. Other Expenses	110,047	
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$87,341,905	\$87,341,905

COMMUNITY RELATIONS BOARD		
COMMUNITY RELATIONS BOARD		\$295,670
I. Personnel and Related Expenses	\$270,419	
II. Other Expenses	25,252	
TOTAL COMMUNITY RELATIONS BOARD	\$295,670	\$295,670
DEPARTMENT OF PUBLIC SERVICE		
PUBLIC SERVICE ADMINISTRATION		\$100,481
I. Personnel and Related Expenses	\$91,845	
II. Other Expenses	8,636	
DIVISION OF ARCHITECTURE		\$188,564
I. Personnel and Related Expenses	\$170,380	
II. Other Expenses	18,184	
DIVISION OF WASTE COLLECTION & DISPOSAL		\$11,386,694
I. Personnel and Related Expenses	\$6,311,938	
II. Other Expenses	5,074,756	
DIVISION OF ENGINEERING AND CONSTRUCTION		\$1,684,502
I. Personnel and Related Expenses	\$1,460,954	
II. Other Expenses	223,548	
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$13,360,241	\$13,360,241
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
PARKS, RECREATION AND PROPERTIES ADMINISTRATION		\$199,345
I. Personnel and Related Expenses	\$178,892	
II. Other Expenses	20,453	
DIVISION OF RESEARCH, PLANNING & DEVELOPMENT		\$206,222
I. Personnel and Related Expenses	\$160,876	
II. Other Expenses	45,346	
DIVISION OF RECREATION		\$3,009,581
I. Personnel and Related Expenses	\$2,047,632	
II. Other Expenses	961,949	
DIVISION OF PARKING FACILITIES - ON STREET		\$285,696
I. Personnel and Related Expenses	\$272,837	
II. Other Expenses	12,859	
DIVISION OF PROPERTY MANAGEMENT		\$3,643,098
I. Personnel and Related Expenses	\$2,514,639	
II. Other Expenses	1,128,459	
DIVISION OF PARK MAINTENANCE & PROPERTIES		\$3,442,628
I. Personnel and Related Expenses	\$2,623,264	
II. Other Expenses	819,364	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$10,786,570	\$10,786,570
BOXING AND WRESTLING COMMISSION		
BOXING AND WRESTLING COMMISSION		\$2,646
I. Personnel and Related Expenses	\$2,519	
II. Other Expenses	127	
TOTAL BOXING AND WRESTLING COMMISSION	\$2,646	\$2,646
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
DIRECTOR'S OFFICE		\$32,165
I. Personnel and Related Expenses	\$32,165	
DIVISION OF ADMINISTRATIVE SERVICES		\$30,198
I. Personnel and Related Expenses	\$30,198	

DIVISION OF BUILDING & HOUSING		\$2,491,369
I. Personnel and Related Expenses	\$2,157,431	
II. Other Expenses	333,938	
DIVISION OF NEIGHBORHOOD SERVICES		\$28,562
I. Personnel and Related Expenses	\$28,562	
DIVISION OF NEIGHBORHOOD DEVELOPMENT		\$183,874
I. Personnel and Related Expenses	\$89,351	
II. Other Expenses	94,523	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT	\$2,766,168	\$2,766,168
REGULATORY BOARDS & COMMISSIONS		
LANDMARKS COMMISSION		\$36,557
I. Personnel and Related Expenses	\$28,057	
II. Other Expenses	8,500	
BOARD OF BUILDING STANDARDS & APPEALS		\$44,769
I. Personnel and Related Expenses	38,795	
II. Other Expenses	5,974	
BOARD OF ZONING APPEALS		\$128,478
I. Personnel and Related Expenses	\$121,815	
II. Other Expenses	6,663	
BOARD OF EXAMINERS OF PLUMBERS AND ELECTRICIANS		\$38,850
I. Personnel and Related Expenses	\$35,582	
II. Other Expenses	3,269	
FAIR CAMPAIGN FINANCE COMMISSION		\$6,083
II. Other Expenses	\$6,083	
TOTAL REGULATORY BOARDS	\$254,737	\$254,737
DEPARTMENT OF ECONOMIC DEVELOPMENT		
ECONOMIC DEVELOPMENT ADMINISTRATION		\$412,837
I. Personnel and Related Expenses	\$399,486	
II. Other Expenses	13,351	
OFFICE OF EQUAL OPPORTUNITY		\$248,160
I. Personnel and Related Expenses	\$193,791	
II. Other Expenses	54,369	
CITY PLANNING COMMISSION		\$490,584
I. Personnel and Related Expenses	\$468,816	
II. Other Expenses	21,768	
PORT CONTROL-HARBOR DEVELOPMENT		\$19,876
I. Personnel and Related Expenses	\$19,876	
II. Other Expenses	—	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$1,171,457	\$1,171,457
DEPARTMENT OF PUBLIC HEALTH		
HEALTH ADMINISTRATION		\$111,336
I. Personnel and Related Expenses	\$39,708	
II. Other Expenses	71,628	
DIVISION OF CORRECTION		\$2,517,602
I. Personnel and Related Expenses	\$1,844,768	
II. Other Expenses	672,834	
DIVISION OF HEALTH		\$1,014,233
I. Personnel and Related Expenses	\$741,242	
II. Other Expenses	272,990	
DIVISION OF THE ENVIRONMENT		\$681,870
I. Personnel and Related Expenses	\$563,634	
II. Other Expenses	118,236	
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$4,325,041	\$4,325,041

DEPARTMENT OF AGING		
DEPARTMENT OF AGING		\$80,958
I. Personnel and Related Expenses	\$63,713	
II. Other Expenses	17,246	
TOTAL DEPARTMENT OF AGING	\$80,958	\$80,958
SUPPORT FUNCTIONS		
FINANCIAL AND LEGAL ADMINISTRATION		
DEPARTMENT OF FINANCE		
FINANCE ADMINISTRATION		\$106,990
I. Personnel and Related Expenses	\$86,204	
II. Other Expenses	20,786	
DIVISION OF ACCOUNTS		\$508,319
I. Personnel and Related Expenses	\$234,118	
II. Other Expenses	274,201	
DIVISION OF ASSESSMENTS & LICENSES		\$294,761
I. Personnel and Related Expenses	\$249,367	
II. Other Expenses	45,395	
DIVISION OF TREASURY		\$112,986
I. Personnel and Related Expenses	\$92,275	
II. Other Expenses	20,711	
DIVISION OF PURCHASES & SUPPLIES		\$204,645
I. Personnel and Related Expenses	\$165,661	
II. Other Expenses	38,984	
BUREAU OF INTERNAL AUDIT		\$199,410
I. Personnel and Related Expenses	\$61,916	
II. Other Expenses	137,494	
DIVISION OF FINANCIAL REPORTING AND CONTROL		\$330,947
I. Personnel and Related Expenses	\$270,077	
II. Other Expenses	60,870	
TOTAL DEPARTMENT OF FINANCE	\$1,758,057	\$1,758,057
OFFICE OF BUDGET & MANAGEMENT-BUDGET ADMIN.		\$154,277
I. Personnel and Related Expenses	\$131,339	
II. Other Expenses	22,939	
LAW		\$2,841,724
I. Personnel and Related Expenses	\$1,633,815	
II. Other Expenses	1,207,909	
TOTAL FINANCIAL AND LEGAL ADMINISTRATION	\$4,754,059	\$4,754,059
PERSONNEL ADMINISTRATION		
OFFICE OF PERSONNEL		\$720,512
I. Personnel and Related Expenses	\$388,257	
II. Other Expenses	332,255	
CIVIL SERVICE COMMISSION		\$560,061
I. Personnel and Related Expenses	\$218,854	
II. Other Expenses	341,207	
TOTAL PERSONNEL ADMINISTRATION	\$1,280,573	\$1,280,573
NON DEPARTMENTAL		
TRANSFERS TO OTHER FUNDS		\$5,131,139
II. Other Expenses	\$5,131,139	
OTHER ADMINISTRATIVE		\$6,922,952
II. Other Expenses	\$6,922,952	
TOTAL NON DEPARTMENTAL	\$12,054,091	\$12,054,091
TOTAL SUPPORT FUNCTIONS	\$18,088,723	\$18,088,723
TOTAL GENERAL FUND	\$148,218,068	\$148,218,068

SPECIAL REVENUE FUND		
RESTRICTED INCOME TAX FUND		\$32,141,503
I. Capital	\$15,500,000	
II. Debt Service	16,641,503	
STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND		\$12,612,143
I. Personnel and Related Expenses	\$5,289,079	
II. Other Expenses	7,323,064	
TOTAL SPECIAL REVENUE FUNDS	\$44,753,646	\$44,753,646
INTERNAL SERVICE FUNDS		
INFORMATION SYSTEMS SERVICES-TELECOMMUNICATIONS		\$1,221,219
I. Personnel and Related Expenses	\$135,906	
II. Other Expenses	1,085,313	
INFORMATION SYSTEMS SERVICES		\$1,734,123
I. Personnel and Related Expenses	\$383,487	
II. Other Expenses	1,350,636	
DIVISION OF MOTOR VEHICLE MAINTENANCE		6,875,714
I. Personnel and Related Expenses	\$1,618,862	
II. Other Expenses	5,256,852	
DIVISION OF PRINTING AND REPRODUCTION		\$395,411
I. Personnel and Related Expenses	\$160,946	
II. Other Expenses	234,465	
CITY STOREROOM AND CENTRAL WAREHOUSE		\$216,426
I. Personnel and Related Expenses	\$32,126	
II. Other Expenses	184,300	
TOTAL INTERNAL SERVICE FUNDS	\$10,442,893	\$10,442,893
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC UTILITIES		
UTILITIES ADMINISTRATION		\$871,148
I. Personnel and Related Expenses	\$295,365	
II. Other Expenses	575,783	
DIVISION OF FISCAL CONTROL		514,349
I. Personnel and Related Expenses	\$470,654	
II. Other Expenses	43,695	
DIVISION OF WATER		\$80,275,323
I. Personnel and Related Expenses	\$22,378,516	
II. Other Expenses	57,896,807	
DIVISION OF WATER POLLUTION CONTROL		\$7,493,634
I. Personnel and Related Expenses	\$2,625,955	
II. Other Expenses	4,867,678	
DIVISION OF CLEVELAND PUBLIC POWER		\$36,554,128
I. Personnel and Related Expenses	\$7,534,545	
II. Other Expenses	29,019,582	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$125,708,581	\$125,708,581

DEPARTMENT OF PORT CONTROL		
AIRPORTS-OPERATIONS		\$27,208,733
I. Personnel and Related Expenses	\$21,839,831	
II. Other Expenses	5,368,901	
AIRPORT DEVELOPMENT FUND		—
II. Other Expenses	—	
TOTAL DEPARTMENT OF PORT CONTROL	\$27,208,733	\$27,208,733
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
DIVISION OF CEMETERIES		\$650,158
I. Personnel and Related Expenses	\$440,052	
II. Other Expenses	210,106	
GOLF COURSE FUND		\$766,361
I. Personnel and Related Expenses	\$221,649	
II. Other Expenses	544,712	
DIVISION OF PARKING FACILITIES-OFF STREET PARKING		\$4,021,442
I. Personnel and Related Expenses	\$237,526	
II. Other Expenses	3,783,916	
CONVENTION CENTER & STADIUM		\$1,981,196
I. Personnel and Related Expenses	\$780,899	
II. Other Expenses	1,200,297	
CONVENTION CENTER & STADIUM-MARKET		\$372,095
I. Personnel and Related Expenses	\$119,588	
II. Other Expenses	252,506	
PROPERTY MANAGEMENT-EAST SIDE MARKET		\$188,980
I. Personnel and Related Expenses	\$40,558	
II. Other Expenses	148,422	
TOTAL PARKS, RECREATION & PROPERTIES	\$7,980,231	\$7,980,231
TOTAL ENTERPRISE FUNDS	\$160,897,545	\$160,897,545
AGENCY FUND		
CENTRAL COLLECTION AGENCY		\$1,604,307
I. Personnel and Related Expenses	\$1,001,375	
II. Other Expenses	602,932	
TOTAL AGENCY FUND	\$1,604,307	\$1,604,307
DEBT SERVICE FUND		
SINKING FUND COMMISSION		\$8,192,776
I. Personnel and Related Expenses	\$30,965	
II. Other Expenses	61,811	
III. Debt Service	8,100,000	
TOTAL DEBT SERVICE FUND	\$8,192,776	\$8,192,776
TOTAL OTHER FUNDS	\$217,698,391	\$217,698,391
TOTAL GENERAL FUND	\$148,218,068	\$148,218,068
TOTAL GENERAL AND OTHER FUNDS	\$374,109,235	\$374,109,235

Section 2. That expenditures and payments made under and pursuant to the ordinance appropriating such sum or sums of money shall be charged against the Annual Appropriation Ordinance shall become effective, and to the various departments and divisions in payments or whose officers and employees and operating expenses such sum or sums of money hereunder shall then have been made under the authority of this ordinance after the effective date of said Annual Appropriation Ordinance for the fiscal year ending December 31, 1998.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2098-97.**By Councilman Westbrook (by departmental request).**

An emergency ordinance to transfer the sum of Four Million Three Hundred Seventy Four Thousand Eight Hundred Ninety Nine Dollars (\$4,374,899) within the various divisions of the General Fund, One Million Two Hundred Thousand Dollars (\$1,200,000) within the Special Revenue Fund, Two Hundred Three Thousand Five Hundred Twelve Dollars (\$203,512) within the Internal Service Fund, Three Million Eight Hundred Eighteen Thousand Five Hundred Eighty Four Dollars (\$3,818,584) within the Enterprise Fund and Three Hundred Eighty Six Thousand Five Hundred Seventy Five Dollars (\$386,575) within the Agency Fund.

Whereas, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; 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 sum of Nine million nine hundred eighty three thousand five hundred seventy dollars (\$9,983,570) be the same and hereby transferred as follows:

GENERAL FUND	FROM	TO
LEGISLATIVE BRANCH		
Council and Clerk of Council		
I. Personnel and Related Expenses	\$ 60,000	\$ —
II. Other Expenses	—	300,000
TOTAL LEGISLATIVE BRANCH	\$ 60,000	\$ 300,000
MUNICIPAL COURT		
Judicial Division		
I. Personnel and Related Expenses	\$ 139,469	\$ —
II. Other Expenses	—	41,299
Clerks Division		
I. Personnel and Related Expenses	\$ 150,000	\$ —
II. Other Expenses	—	150,000
Housing Division		
I. Personnel and Related Expenses	\$ 15,725	\$ —
II. Other Expenses	—	15,725
TOTAL MUNICIPAL COURT	\$ 305,194	\$ 207,024
DEPARTMENT OF PUBLIC SAFETY		
Public Safety Administration		
I. Personnel and Related Expenses	\$ 185,305	\$ —
II. Other Expenses	—	—
Division of Police		
I. Personnel and Related Expenses	\$ 600,000	\$ —
II. Other Expenses	—	600,000
Division of Fire		
I. Personnel and Related Expenses	\$ —	\$ 420,871
II. Other Expenses	—	121,953
Division of Emergency Medical Services		
I. Personnel and Related Expenses	\$ 466,850	\$ —
II. Other Expenses	—	127,594
Division of Traffic Engineering		
I. Personnel and Related Expenses	\$ 100,000	\$ —
II. Other Expenses	—	65,913
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$1,352,155	1,336,331
DEPARTMENT OF PUBLIC SERVICE		
Division of Waste Collection and Disposal		
I. Personnel and Related Expenses	\$ 217,575	\$ —
II. Other Expenses	663,000	—
Division of Engineering and Construction		
I. Personnel and Related Expenses	\$ —	\$ 150,938
II. Other Expenses	—	—
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$ 880,575	\$ 150,938

DEPARTMENT OF PARKS, RECREATION
AND PROPERTIES

Parks, Recreation, and Properties Admin.		
I. Personnel and Related Expenses	\$ 15,967	\$ —
II. Other Expenses	—	15,967
Division of Research, Planning, and Dev.		
I. Personnel and Related Expenses	\$ —	\$ 13,471
II. Other Expenses	—	—
Division of Property Management		
I. Personnel and Related Expenses	\$ —	\$ 700,000
II. Other Expenses	—	85,000
Division of Park Maintenance & Properties		
I. Personnel and Related Expenses	\$ —	\$ 170,000
II. Other Expenses	241,470	—
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TOTAL PARKS, RECREATION AND PROPERTIES	\$ 257,470	\$ 984,438

URBAN PLANNING AND DEVELOPMENT

DEPARTMENT OF COMMUNITY DEVELOPMENT

Division of Building and Housing		
I. Personnel and Related Expenses	\$ 119,231	\$ —
II. Other Expenses	—	33,455
Division of Neighborhood Services		
I. Personnel and Related Expenses	\$ 30,054	\$ —
Division of Neighborhood Development		
I. Personnel and Related Expenses	\$ 65,620	\$ —
II. Other Expenses	—	—
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Total Community Development	\$ 214,905	\$ 33,455

DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		
I. Personnel and Related Expenses	\$ 112,593	\$ —
II. Other Expenses	—	—
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TOTAL URBAN PLANNING AND DEVELOPMENT	\$ 327,498	\$ 33,455

DEPARTMENT OF PUBLIC HEALTH

Health Administration		
I. Personnel and Related Expenses	\$ 33,626	\$ —
II. Other Expenses	—	—
Division of Correction		
I. Personnel and Related Expenses	\$ —	\$ 56,723
II. Other Expenses	—	83,861
Division of Health		
I. Personnel and Related Expenses	\$ 97,415	\$ —
II. Other Expenses	—	97,415
Division of Environment		
I. Personnel and Related Expenses	\$ 151,008	\$ —
II. Other Expenses	—	88,049
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TOTAL DEPARTMENT OF PUBLIC HEALTH	\$ 282,049	\$ 326,048

DEPARTMENT OF AGING

Department of Aging		
I. Personnel and Related Expenses	\$ 31,154	\$ —
II. Other Expenses	—	\$ 45,081
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TOTAL DEPARTMENT OF AGING	\$ 31,154	\$ 45,081

SUPPORT FUNCTIONS
FINANCIAL AND LEGAL ADMINISTRATION

DEPARTMENT OF FINANCE

Division of Accounts

I. Personnel and Related Expenses	\$ 65,517	\$ —
II. Other Expenses	—	—

Division of Assessments and Licenses

I. Personnel and Related Expenses	\$ 24,000	\$ —
II. Other Expenses	—	24,000

Division of Financial Reporting & Control

I. Personnel and Related Expenses	\$ 126,000	\$ —
II. Other Expenses	—	—

TOTAL DEPARTMENT OF FINANCE \$ 215,517 \$ 24,000

Office of Budget and Mgmt. — Budget Admin.

I. Personnel and Related Expenses	\$ 17,584	\$ —
II. Other Expenses	—	17,584

Law

I. Personnel and Related Expenses	\$ 550,000	\$ —
II. Other Expenses	—	—

TOTAL FINANCE AND LEGAL ADMINISTRATION \$ 783,101 \$ 41,584

PERSONNEL ADMINISTRATION

Office of Personnel

I. Personnel and Related Expenses	\$ 17,453	\$ —
II. Other Expenses	—	—

Civil Service Commission

I. Personnel and Related Expenses	\$ 20,000	\$ —
II. Other Expenses	58,250	—

TOTAL PERSONNEL ADMINISTRATION \$ 95,703 \$ —

NONDEPARTMENTAL

County Auditor Deductions

II. Other Expenses	\$ —	\$ 200,000
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OTHER ADMINISTRATIVE

II. Other Expenses	\$ —	\$ 750,000
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TOTAL NONDEPARTMENTAL \$ — \$ 950,000

TOTAL SUPPORT FUNCTIONS \$ 878,804 \$ 991,584

TOTAL GENERAL FUND \$4,374,899 \$4,374,899

SPECIAL REVENUE FUND

Restricted Income Tax

I. Capital	\$1,200,000	\$ —
II. Debt Service	—	1,200,000

TOTAL SPECIAL REVENUE FUND \$1,200,000 \$1,200,000

INTERNAL SERVICE FUND

Information Systems Service-Telecommunications

I. Personnel and Related Expenses	\$ 78,012	\$ —
II. Other Expenses	—	78,012

Information Systems Services		
I. Personnel and Related Expenses	\$ 20,000	\$ —
II. Other Expenses	—	20,000
Division of Motor Vehicle Maintenance		
I. Personnel and Related Expenses	\$ 100,000	\$ —
II. Other Expenses	—	100,000
Division of Printing and Reproduction		
I. Personnel and Related Expenses	\$ —	\$ 5,500
II. Other Expenses	5,500	—
TOTAL INTERNAL SERVICE FUND	\$ 203,512	\$ 203,512
ENTERPRISE FUND		
Utilities Administration		
I. Personnel and Related Expenses	\$ 119,124	\$ —
II. Other Expenses	1,309,460	—
Office of Radio Communications		
I. Personnel and Related Expenses	\$ —	\$ 119,124
II. Other Expenses	—	1,309,460
Division of Water		
I. Personnel and Related Expenses	\$ —	\$ 500,000
II. Other Expenses	500,000	—
Division of Water Pollution Control		
I. Personnel and Related Expenses	\$ 450,000	\$ —
II. Other Expenses	—	450,000
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$2,378,584	\$2,378,584
DEPARTMENT OF PORT CONTROL		
Airports - Operations		
I. Personnel and Related Expenses	\$1,400,000	\$ —
II. Other Expenses	—	1,400,000
TOTAL DEPARTMENT OF PORT CONTROL	\$1,400,000	\$1,400,000
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
Division of Cemeteries		
I. Personnel and Related Expenses	\$ 40,000	\$ —
II. Other Expenses	—	40,000
TOTAL DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES	\$ 40,000	\$ 40,000
TOTAL ENTERPRISE FUNDS	\$3,818,584	\$3,818,584
AGENCY FUND		
Central Collection Agency		
I. Personnel and Related Expenses	\$ 386,575	\$ —
II. Other Expenses	—	386,575
TOTAL AGENCY FUND	\$ 386,575	\$ 386,575
TOTAL GENERAL AND OTHER FUNDS	\$9,983,570	\$9,983,570

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2099-97.**By Councilman Westbrook (by departmental request).****An emergency ordinance to make additional appropriation of Fifty Thousand Dollars (\$50,000) of the Internal Service Fund and One Million Fifteen Thousand Seven Hundred Thirty Two Dollars (\$1,015,732) of the Enterprise Fund.**

Whereas, there remains an unappropriated balance in the various funds, the sum of One Million Sixty Five Thousand Seven Hundred Thirty Two Dollars (\$1,065,732) which is available for additional appropriation; 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 there is hereby appropriated the additional revenue as set forth in the Amended Official Certificate of Estimated Resources received from the Budget Commission of Cuyahoga County for the year 1997, dated May 23, 1997, previously unappropriated as follows:

INTERNAL SERVICE FUND	\$ 50,000
ENTERPRISE FUND	1,015,732
TOTAL ALL FUNDS	<u>\$1,065,732</u>

INTERNAL SERVICE FUND

City Storeroom and Central Warehouse		\$ 50,000
I. Personnel and Related Expenses	\$ —	
II. Other Expenses	50,000	
TOTAL INTERNAL SERVICE FUND	\$ 50,000	\$ 50,000

DEPARTMENT OF PARKS, RECREATION AND PROPERTIES

Division of Cemeteries		\$ 150,000
I. Personnel and Related Expenses	\$ —	
II. Other Expenses	150,000	
Convention Center & Stadium-Convention Center		\$ 865,732
I. Personnel and Related Expenses	\$ 383,305	
II. Other Expenses	482,427	
TOTAL DEPARTMENT OF PARKS, RECREATION AND PROPERTIES	\$1,015,732	\$1,015,732
TOTAL ENTERPRISE FUNDS	\$1,015,732	\$1,015,732
TOTAL ALL FUNDS	\$1,065,732	\$1,065,732

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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2105-97.**By Councilmen Rybka, Jackson and Westbrook (by departmental request).****An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Willoughby Holdings, L.L.C., or their designee, to provide economic development assistance to partially finance the purchase of real property, machinery and equipment, located at 6900-6917 Bessemer Avenue, Cleveland, Ohio.**

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Willoughby Holdings, L.L.C., or their designee, to provide economic

development assistance to partially finance the purchase of real property, machinery and equipment, located at 6900-6917 Bessemer Avenue, Cleveland, Ohio.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2105-97-A.

Section 3. That the costs of said contract shall not exceed Two Hundred Fifty Three Thousand Two Hundred Dollars (\$253,200), and shall be paid from Fund No. 17 SF 008, Request No. 24257.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

Section 8. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2204-97.

By Councilmen Jackson (by departmental request).

An emergency ordinance extending the expiration dates for all existing junk dealer licenses and scrap metal processor licenses until March 16, 1998 and providing that any new licenses shall be issued as of March 17, 1998.

Whereas, Ordinance No. 1304-97 has been introduced for the purpose of imposing additional requirements on applicants for a junk dealer license or a scrap metal processor license in order to further protect the public health, safety and welfare; and

Whereas, current Codified Ordinance Section 676.04 provides that all existing junk dealer licenses and scrap metal processor licenses shall expire on August 31, 1997, and new licenses shall be issued as of September 1, 1997; and

Whereas, the expiration date was extended to December 15, 1998 by Ordinance No. 1486-97, passed August 13, 1997; and

Whereas, this Council needs additional time to consider the merits of the proposed amendments to the application process imposed by Ordinance No. 1304-97; and

Whereas, this Council believes that the public health, safety and welfare will be best protected if the existing licenses are extended until March 16, 1998, and that any new licenses shall be issued as of March 17, 1998, so that this Council shall have sufficient time to consider the merits of the new requirements and to insure that all applicants for such licenses comply with any new requirements enacted by this Council; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Section 676.04 of the Codified Ordinances of Cleveland, Ohio, 1976, and in order to protect the public health, safety and welfare, all junk dealers licenses and scrap metal licenses in existence as of the effective date of this ordinance shall expire on March 16, 1998.

Section 2. That, notwithstanding and as an exception to the provisions of Section 676.04 of the Codified Ordinances of Cleveland, Ohio, 1976, and in order to protect the public health, safety and welfare, any new junk dealers licenses or scrap metal licenses shall be effective as of March 17, 1998.

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

Passed December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2205-97.

By Councilman Westbrook.

An emergency ordinance granting and authority to dispense alcoholic beverages in the City Hall Rotunda on January 5, 1998, in connection with a reception for the swearing-in ceremony for Cleveland City Council.

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

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

Section 1. That, notwithstanding and as an exception to Section 617.11 of the Codified Ordinances of Cleveland, Ohio, 1976, permission and authority is hereby granted to dispense alcoholic beverages in the City Hall Rotunda on January 5, 1998, in connection with a reception for the swearing-in ceremony for Cleveland City Council.

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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2206-97.

By Councilman Westbrook.

An emergency ordinance providing for special parking rates at the Willard Park Garage for January 5, 1998, only.

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 requirements of Ordinance No. 310-83, passed March 14, 1983, as amended by Ordinance No. 1412-84, passed June 19, 1984, Codified Ordinance Section 133.25, or any other provision of any ordinance or Codified Ordinance relating to parking fees, the fee for parking at the Willard Park Garage from 6 p.m. to midnight on January 5, 1998, shall be no charge.

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 December 15, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2207-97.

By Councilman Westbrook.

An emergency ordinance to amend Section 443.261 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1145-97, passed July 16, 1997, relating to capping expenses paid by drivers of public hacks.

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

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

Section 1. That Section 443.261 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1145-97, passed July 16, 1997, is hereby amended to read as follows:

Section 443.261 Drivers' Expenses Capped; Reporting

a) Finding. This Council finds that the wages earned by drivers of public hacks are inadequate to insure a sufficient number of taxicabs and capable drivers, and that the public convenience and necessity require the imposition of a cap on the expenses paid by drivers of public hacks.

(b) Definitions. As used in this section: "Drivers' expenses" means all costs, expenses and fees paid by drivers to a company, association or independent operator currently charged or hereafter established for the lease of a public hack, it includes, by way of example and not by way of limitation, the costs of the lease itself, insurance, surcharges, and fuel.

"Base rates" means the drivers' expenses charge by a company, association or independent operator to its drivers on the date of introduction of the ordinance that originally enacted this section.

(c) Drivers' Expenses Capped. For the period commencing on the effective date of this ordinance and ending on February 28, 1998, a company, association or independent operator shall not increase its drivers' expenses over the "base rates" as defined in division (b) of this section. For the period of March 1, 1998 through December 31, 1998, a company, association or independent operator shall not increase its drivers' expenses by more than five per cent (5%) over the "base rates" as defined in division (b) of this section. For the period of January 1, 1998 through December 31, 1999 a company, association or independent operator shall not increase its drivers' expenses by more than additional five per cent (5%) over the "base rates". Thereafter, a company, association or independent operator shall not increase drivers' expenses by more than an additional ten per cent (10%) over the "base rates".

In the case of fuel only, changes in the market price of the commodity may be passed along to drivers, and any such increase shall not be counted toward the caps imposed by this division. Overhead costs associated with the sale of fuel by a company, association or independent operator are subject to the caps imposed by this division.

(d) Reporting. Within ten (10) days after the effective date of this section, each company, association or independent operator shall submit a schedule of its base rates as defined in division (b) of this section.

On or before December 31 in each year subsequent to the effective date of this section, each company, association or independent operator shall submit its then current schedule of rates, identifying any changes in drivers' expenses. The requirements of this paragraph are satisfied by the company, association or independent operator by a certification of the percentage change in drivers' expenses from the previous reporting period.

All reports required by this section shall be certified by an affidavit by the owner of the company, association or independent operator,

on such forms as the Commissioner of Assessments and Licenses shall prescribe.

Section 2. That existing Section 443.261 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1145-97, is hereby repealed.

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

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

Passed December 15, 1997.
Awaiting the approval or disapproval of the Mayor.

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

Index to Council Proceedings

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

Agency Fund

\$4,374,899 -- various divisions of the General -- \$1,200,000 -- within the Special Revenue Fund -- \$203,512 Internal Service Fund -- \$3,818,584 --Enterprise Fund -- --transfer (O 2098-97) 2110

Appropriations

Appropriations , additional -- \$50,0000 Internal Service Fund -- \$1,015,732 Enterprise Fund (O 2099-97) 2114
Temporary appropriation for payroll and other expenses -- January 1, 1998 until effective date of annual appropriation ordinance for fiscal year ending December 31, 1998 (O 2097-97) 2104

Childhood Lead Poisoning Prevention Program

1998 State Child Lead Poison Prevention Program -- apply for and accept grant --\$75,844,00--Ohio Department of Health (O 2040-97) 2101

City Hall

Alcoholic beverages -- permission and authority to dispense alcoholic beverages in City Hall Rotunda on January 5, 1998 in connection with reception for swearing-in ceremony for Cleveland City Council (O 2205-97) 2115

City Planning Commission

Amend Section 2 of Resolution No. 483-95 passed June 5, 1995 -- relating to the formation of the Cleveland Theater District as a special improvement District (R 1746-97) 2078
Amend Section 331.04 -- enacted by Ordinance No. 876-97 passed June 16, 1997 -- relating to measurement (O 1462-97) 2086

City Planning Commission

Amend Section 349.14 -- enacted by Ordinance No. 1876-94, passed February 27, 1995 -- relating to surface parking lots (O 1465-97) 2087
Improvement of repairing and refurbishing the spectator deck (O 1464-97) 2087
Purchase seven sites for land assembly and future redevelopment -- locations in the City of Cleveland (O 383-97) 2080
Vacate portions of W. 44th Pl. -- 1St Alley North -- of Detroit & East of W. 44th Pl. (R 1662-97) 2078

City Planning Department

East 9th Street, 1360 -- designating building known as "One Erieview Plaza" to IMG Center (R 1870-97) 2079

Clerk of Council

Gifts -- accept a property from Penske Logistic -- Clerk of Council (R 2211-97) 2079

Cleveland Action to Support Housing

Compensating balance loan fund -- provide -- Cleveland Action to Support Housing -- Multi-Family Pilot Project -- contract (O 2035-97) 2101

Cleveland Hopkins International Airport

Passenger carriers, electric -- lease with option to purchase -- Lehigh Municipal Leasing
-- Cleveland Hopkins International Airport. (O 1967-97)..... 2098

Cleveland Public Power

PCB oils and contaminated materials, testing and disposing of, and retrofill or filter
contaminated transformers -- purchase labor and materials -- Cleveland Public Power
(O 2013-97) 2098
Sidewalks, curbs, driveways and various concrete areas -- repair or replace --contract
labor and materials -- Cleveland Public Power (O 2015-97) 2098

Cleveland Public Power

Underground duct line, street lighting bases, pull boxes -- labor and materials to install
or repair -- Cleveland Public Power (O 2018-97) 2099

Codified Ordinances

Section 443.261 of Codified Ordinances, amend -- Public Hacks -- capping expenses
-- (O 2207-97)..... 2115
Section 676.04 --junk dealer license, scrap metal processor license -- extend expiration
dates for existing licenses until March 16, 1998 (O 2204-97) 2115

Community Development

Barrett Avenue, 10401, 10405, 10409 and East 105th Street, 564 and 570 -- Shore Bank
Enterprise Group -- amend Ord. No. 1000-97 (O 2036-97) 2101
Compensating balance loan fund -- provide -- Cleveland Action to Support Housing --
Multi-Family Pilot Project -- contract (O 2035-97) 2101
East 70th Street, 3435 -- John T. Russell Jr. (O 1656-97) 2089
East 98th Street, 1132 -- Arthur Lee Young (O 1312-97)..... 2085
Elston Avenue, 1514, 1518, and 1602 -- David Auldie Kennedy (O 1455-97) 2086
Establishing a Community Reinvestment Area in the area of Starkweather Avenue -- pursuant
Section 3735.65 of Ohio Revised Code (O 1316-97) 2085
Kinsman Road, 6822-28 -- Casell Moore (O 1653-97)..... 2088
Laisy Avenue, 9199 -- Clentana Y. Stewart (O 1654-97)..... 2089
Lena Avenue, 12216 -- Kenneth M. and Lorraine M. Busler (O 1657-97) 2090

Community Development

Purchase seven sites for land assembly and future redevelopment -- locations in the City
of Cleveland (O 383-97) 2080
West 50 Street, 3160 -- James E. and Ruth Ann Ogle (O 1778-97) 2090

Community Reinvestment Area

Lorain Avenue, 2528-32 -- Community Reinvestment Area (O 1865-97) 2093
West 25th Street, 1895-1905 -- Community Reinvestment Area (O 1866-97) 2093

Contracts

1998 State Child Lead Poison Prevention Program -- apply for and accept grant
--\$75,844,00--Ohio Department of Health (O 2040-97)..... 2101
Compensating balance loan fund -- provide -- Cleveland Action to Support Housing --
Multi-Family Pilot Project -- contract (O 2035-97) 2101
Doan Brook Project, Phase II -- Contract No. 49347 -- make alterations and modifications
-- Able/SS, Inc. (O 2019-97)..... 2099
Healthy Family Healthy Start Program, Phase II -- apply for and accept grants
-- \$2,521,000 -- Maternal Child Health Bureau, U.S. Department of Health and Human
Services (O 2041-97) 2101
Sewer replacement -- Contract No. 49485 alterations and modifications -- Terrace
Construction Co.-- Public Square Sewer Replacement Project. (O 1936-97) 2096

Convention Center and Stadium Division

Elevators and escalators -- labor and materials to service and maintain -- Convention
Center and Stadium (O 2034-97) 2100

Council

Alcoholic beverages -- permission and authority to dispense alcoholic beverages in City Hall Rotunda on January 5, 1998 in connection with reception for swearing-in ceremony for Cleveland City Council (O 2205-97) 2115

Council

Gifts -- accept a property from Penske Logistic -- Clerk of Council (R 2211-97) 2079

Division of Correction

Inmate clothing, bedding and shoes -- Correction Division -- Health Division (O 1861-97) 2092

Economic Development Department

Accept delivery of deed to certain real property within Broadway Urban Redevelopment -- reconvey title to such property to Third Federal Savings Bank (O 1320-97) 2085
 Amend Section 2 of Resolution No. 483-95 passed June 5, 1995 -- relating to the formation of the Cleveland Theater District as a special improvement District (R 1746-97) 2078
 West 25th Street, 1899 -- Metzner Building, L.L.C. -- economic development assistance -- Economic Development Department (O 1867-97) 2094
 Willoughby Holdings, L.L.C. -- 6900-6917 Bessemer Avenue -- real property, machinery and equipment -- \$253,200 -- partially finance -- contract (O 2105-97) 2114

Enterprise Funds

Appropriations , additional -- \$50,0000 Internal Service Fund -- \$1,015,732 Enterprise Fund (O 2099-97) 2114

Finance Department

\$4,374,899 -- various divisions of the General -- \$1,200,000 -- within the Special Revenue Fund -- \$203,512 Internal Service Fund -- \$3,818,584 --Enterprise Fund -- \$386,575 --transfer (O 2098-97) 2110
 Appropriations , additional -- \$50,0000 Internal Service Fund -- \$1,015,732 Enterprise Fund (O 2099-97) 2114
 Contract -- Cleveland Board of Education to conduct recreational, cultural and extracurricular programs (O 1648-97) 2088

Finance Department

Moral Claims -- pay claimants (O 2078-97) 2102
 Temporary appropriation for payroll and other expenses -- January 1, 1998 until effective date of annual appropriation ordinance for fiscal year ending December 31, 1998 (O 2097-97) 2104

Fire Division

Breathing apparatus, gas testers, and explosive meters -- labor and materials to repair -- Fire Division. (O 1933-97) 2096

General Fund

\$4,374,899 -- various divisions of the General -- \$1,200,000 -- within the Special Revenue Fund -- \$203,512 Internal Service Fund -- \$3,818,584 --Enterprise Fund -- \$386,575 --transfer (O 2098-97) 2110

Grants

1998 State Aids Community Based Care Program -- grant -- Ohio Department of Health (O 1859-97) 2091
 1998 State Child Lead Poison Prevention Program -- apply for and accept grant --\$75,844,00--Ohio Department of Health (O 2040-97) 2101
 Division of Environment -- apply for and accept grants for operation -- \$511,423 from U.S. Environmental Protection Agency, \$1,149,050, \$392,995 City' s matching fund. (O 2043-97) 2102
 Healthy Family Healthy Start Program, Phase II -- apply for and accept grants -- \$2,521,000 -- Maternal Child Health Bureau, U.S. Department of Health and Human Services (O 2041-97) 2101
 Illegal Dumping: Don' t Dump Here Program -- grant -- United States Environmental Protection Agency -- Health Division (O 1860-97) 2091

Health Division

1998 State Aids Community Based Care Program -- grant -- Ohio Department of Health
(O 1859-97) 2091

Health Division

Employ one or more professional nursing services -- Division of Correction
(O 1169-97) 2083
Illegal Dumping: Don't Dump Here Program -- grant -- United States Environmental
Protection Agency -- Health Division (O 1860-97)..... 2091
Inmate clothing, bedding and shoes -- Correction Division -- Health Division
(O 1861-97) 2092
Services for people living with HIV/AIDS -- Free Clinic of Greater Cleveland and AIDS
Taskforce of Greater Cleveland -- Health Division (O 1858-97) 2091

Health and Welfare Department

1998 State Child Lead Poison Prevention Program -- apply for and accept grant
--\$75,844.00--Ohio Department of Health (O 2040-97) 2101
Computer equipment, software and maintenance -- software development consultants
(O 2077-97) 2102
Division of Environment -- apply for and accept grants for operation -- \$511,423 from U.S.
Environmental Protection Agency, \$1,149,050, \$392,995 City's matching fund.
(O 2043-97) 2102
Healthy Family Healthy Start Program, Phase II -- apply for and accept grants
-- \$2,521,000 -- Maternal Child Health Bureau, U.S. Department of Health and Human
Services (O 2041-97) 2101
Insulated food distribution carts -- purchase -- Department of Public Health
(O 2042-97) 2101

House of Corrections

Computer equipment, software and maintenance -- software development consultants
(O 2077-97) 2102

Internal Service Funds

\$4,374,899 -- various divisions of the General -- \$1,200,000 -- within the Special Revenue
Fund --\$203,512 Internal Service Fund -- \$3,818,584 --Enterprise Fund -- \$386,575
--transfer (O 2098-97) 2110

Internal Service Funds

Appropriations , additional -- \$50,0000 Internal Service Fund -- \$1,015,732 Enterprise
Fund (O 2099-97) 2114

Land Reutilization Program

Aberdeen Avenue, 7715 -- Alfonso Condu. (O 1878-97) 2094
Ansel Road and St. Clair Avenue (land located at the corner) -- Hill House
(O 1968-97) 2098
Ansel and St. Clair -- Hill House (O 1788-97) 2091
Barrett Avenue, 10401, 10405, 10409 and East 105th Street, 564 and 570 -- Shore Bank
Enterprise Group -- amend Ord. No. 1000-97 (O 2036-97) 2101
Cornelia Avenue, 7706 -- Willie P. Williams (O 1879-97) 2094
East 110th Street, 2637 -- Gary Torme Powell (O 1863-97) 2092
East 70th Street, 3435 -- John T. Russell Jr. (O 1656-97) 2089
East 71st Street, 2221 -- Rudolph and Gladys Y. Westbrook (O 1964-97) 2097
East 78th Street, 1157 -- Gregory A. Carter (O 1880-97) 2095
East 98th Street, 1132 -- Arthur Lee Young (O 1312-97)..... 2085
Elston Avenue, 1514, 1518, and 1602 -- David Auldie Kennedy (O 1455-97) 2086
Kinsman Road, 6822-28 -- Casell Moore (O 1653-97) 2088
Laisy Avenue, 9199 -- Clentana Y. Stewart (O 1654-97) 2089
Lena Avenue, 12216 -- Kenneth M. and Lorryne M. Busler (O 1657-97) 2090
Medina Avenue, 8024 -- Willa Bailey and Gail Thomas (O 1882-97) 2095
Medina Avenue, 8208 -- Bonnie J. Jones (O 1883-97) 2095
Parkwood Drive, 998 -- Toya J. Johnson (O 1081-97)..... 2083
West 50 Street, 3160 -- James E. and Ruth Ann Ogle (O 1778-97) 2090

Lease by Way of Concession

Innovative Foods, Inc. -- operation of food and beverage concessions -- Gordon Park and Brookside Park -- Parks, Recreation and Properties Department (O 1862-97)	2092
---	------

Leases

Passenger carriers, electric -- lease with option to purchase -- Lehigh Municipal Leasing -- Cleveland Hopkins International Airport. (O 1967-97)	2098
---	------

Licenses

Section 676.04 --junk dealer license, scrap metal processor license -- extend expiration dates for existing licenses until March 16, 1998 (O 2204-97)	2115
---	------

Liquor Permits

Lorain Avenue, 9601 (Ward 18) -- object to transfer of ownership of D5 and D6 permit (R 2209-97)	2079
Payne Avenue, 3133 (Ward 13) -- withdraw objection to transfer of ownership of C1 and C2 permits -- repeal Res. No. 915-97 (R 2210-97)	2079
Quincy Avenue, 8502 (Ward 6) -- withdraw objection to transfer of ownership of C2 and C2X permit -- repeal Res. No. 328-96 (R 2208-97)	2079

Luke Easter Park

Luke Easter Park -- public improvements, pursuant to "Settlement Agreements" (O 1965-97)	2097
--	------

Moral Claims

Moral Claims -- pay claimants (O 2078-97)	2102
---	------

Motor Vehicle Maintenance Division (MVM)

Vehicle seat repair -- Motor Vehicle Maintenance (O 2025-97)	2100
--	------

Ohio Department of Health

1998 State Child Lead Poison Prevention Program -- apply for and accept grant --\$75,844,00--Ohio Department of Health (O 2040-97)	2101
--	------

Ohio Environmental Protection Agency

Division of Environment -- apply for and accept grants for operation -- \$511,423 from U.S. Environmental Protection Agency, \$1,149,050, \$392,995 City's matching fund. (O 2043-97)	2102
---	------

Parks, Recreation and Properties Department

Contract -- Cleveland Board of Education to conduct recreational, cultural and extracurricular programs (O 1648-97)	2088
Elevators and escalators -- labor and materials to service and maintain -- Convention Center and Stadium (O 2034-97)	2100
Innovative Foods, Inc. -- operation of food and beverage concessions -- Gordon Park and Brookside Park -- Parks, Recreation and Properties Department (O 1862-97)	2092
Luke Easter Park -- public improvements, pursuant to "Settlement Agreements" (O 1965-97)	2097

Port Control Department

Determining the method of making the public improvement of replacing various electric feeders, upgrading various electrical vaults and installing associated appurtenances (O 1286-97)	2084
Employ one or more professional consultants -- provide engineering and environmental services -- design the construction of the consolidated airfield maintenance facility (O 1285-97)	2084
Employ one or more professional consultants to provide engineering and environmental services -- provide updated airfield mapping at Cleveland Hopkins International Airport (O 1289-97)	2084
Employ one or more professional consultants to provide engineering services -- design a truck parking area to provide spill prevention (O 1284-97)	2083
Improvement of repairing and refurbishing the spectator deck (O 1464-97)	2087
Passenger carriers, electric -- lease with option to purchase -- Lehigh Municipal Leasing -- Cleveland Hopkins International Airport. (O 1967-97)	2098

Public Hacks

Section 443.261 of Codified Ordinances, amend -- Public Hacks -- capping expenses
-- (O 2207-97).....2115

Purchases

Breathing apparatus, gas testers, and explosive meters -- labor and materials to repair
-- Fire Division. (O 1933-97).....2096

Purchases and Supplies Department

Purchase seven sites for land assembly and future redevelopment -- locations in the City
of Cleveland (O 383-97)2080

Purchases/Contracts

Inmate clothing, bedding and shoes -- Correction Division -- Health Division
(O 1861-97)2092

Recreation Division

Luke Easter Park -- public improvements, pursuant to "Settlement Agreements"
(O 1965-97)2097

Safety Department

Accept grant -- Ohio Department of Public Safety 1997-98 Fire EMT Training Grant
(O 1779-97)2090
Breathing apparatus, gas testers, and explosive meters -- labor and materials to repair
-- Fire Division. (O 1933-97).....2096

Service Department

Amend Section 2 of Resolution No. 483-95 passed June 5, 1995 -- relating to the formation
of the Cleveland Theater District as a special improvement District (R 1746-97)2078
Vacate portions of W. 44th Pl. -- 1St Alley North -- of Detroit & East of W. 44th
Pl. (R 1662-97)2078
Vehicle seat repair -- Motor Vehicle Maintenance (O 2025-97)2100

Sewers

Erieside and West 3rd Street area pump station, force mains and sanitary sewer --
construct and reconstruct-- public improvement (O 2020-97)2100
West 10th Street and St. Clair -- construct and reconstruct -- public improvement
(O 2021-97)2100

Special Revenue Funds

\$4,374,899 -- various divisions of the General -- \$1,200,000 -- within the Special Revenue
Fund --\$203,512 Internal Service Fund -- \$3,818,584 --Enterprise Fund -- \$386,575
--transfer (O 2098-97)2110

Street--Vacation

Vacate portions of W. 44th Pl. -- 1St Alley North -- of Detroit & East of W. 44th
Pl. (R 1662-97)2078

Streets - Vacation

East 3rd Street (formerly Hickox Street) -- vacate a portion. (O 1938-97)2097

Tax Abatement

West 25th Street, 1899 -- Metzner Building, L.L.C. -- economic development assistance --
Economic Development Department (O 1867-97)2094

Terrace Construction Co.

Sewer replacement -- Contract No. 49485 alterations and modifications -- Terrace
Construction Co.-- Public Square Sewer Replacement Project. (O 1936-97)2096

U.S. Environmental Protection Agency

Division of Environment -- apply for and accept grants for operation -- \$511,423 from U.S. Environmental Protection Agency, \$1,149,050, \$392,995 City's matching fund.
 (O 2043-97) 2102

Utilities Department

Doan Brook Project, Phase II -- Contract No. 49347 -- make alterations and modifications -- Able/SS, Inc. (O 2019-97)..... 2099

Utilities Department

Erieside and West 3rd Street area pump station, force mains and sanitary sewer -- construct and reconstruct-- public improvement (O 2020-97) 2100
 PCB oils and contaminated materials, testing and disposing of, and retrofill or filter contaminated transformers -- purchase labor and materials -- Cleveland Public Power (O 2013-97) 2098
 Sewer replacement -- Contract No. 49485 alterations and modifications -- Terrace Construction Co.-- Public Square Sewer Replacement Project. (O 1936-97) 2096
 Sidewalks, curbs, driveways and various concrete areas -- repair or replace --contract labor and materials -- Cleveland Public Power (O 2015-97) 2098
 Underground duct line, street lighting bases, pull boxes -- labor and materials to install or repair -- Cleveland Public Power (O 2018-97) 2099
 Water mains and appurtenances -- labor and materials to repair -- Division of Water (O 1935-97) 2096
 West 10th Street and St. Clair -- construct and reconstruct -- public improvement (O 2021-97) 2100

Water Division

Water mains and appurtenances -- labor and materials to repair -- Division of Water (O 1935-97) 2096

Willard Park Garage

Special Parking Rates at Willard Park Garage for January 5, 1998, only (O 2206-97) 2115