

The City Record

Official Publication of the City of Cleveland

November the Fifth, 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

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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

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
 Linda Willis, 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 Fl., 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 - A. Schneider, 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 - William F. Cunningham, Jr., 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 Nobile, 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, 2001 Payne Ave.

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

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; 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 Nobile, 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 Connally	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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CITY COUNCIL

MONDAY, NOVEMBER 3, 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, 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

October 29, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 29, 1997, at 11:30 a.m., with Director Sobol Jordan presiding.

Present: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Directors Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Absent: Mayor White.

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

On motion, the following resolutions were adopted.

Resolution No. 885-97.

By Director Carmody.

Whereas, by Board of Control Resolution No. 750-97, adopted September 17, 1997, the bid of The I.C.I. Glidden Paint Company was determined to be the lowest and best for the City's requirement contract for various items of paint and paint supplies, for various divisions of City government, Department of Finance; and

Whereas, in said resolution, several items were omitted, from the list of items to be purchased now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 750-97, adopted September 17, 1997, hereby is amended by adding items 7 thru 10 and 33 to the items for which The I.C.I. Glidden Company was lowest and best bidder.

Be it further resolved that all other provisions of said Resolution No. 750-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 886-97.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of September, 1997 in the amount \$13,262.66, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 887-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that all bids received on September 11, 1997 for manholes, castings and grating, item nos. 23 and 27, for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Section 129.26 of the Codified Ordinances of the City of Cleveland, Ohio 1976, are hereby rejected.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 888-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of East Jordan Iron Works, Inc., for an estimated quantity of manholes, castings and grating, items nos. 21, 22, 25, 26, and 28, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on September 11, 1997, pursuant to the authority of Section 129.26 of the

Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Eleven Thousand Twenty and no/00 Dollars (\$11,020.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 09342 which shall be certified against such contract in the sum of Three Thousand Two Hundred and no/100 Dollars (\$3,200.00).

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

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 889-97.

By Director Konicek.

Resolved by the Board of Control of the City of Cleveland that the bid of Altec Industries, Inc., for the following: one (1) self-loading, self-propelled trailer mounted arm-driver underground cable handler, all items, for the Division of Cleveland Public Power, Department of Public Utilities, received on the 26th day of September 1997, pursuant to the authority of Ordinance No. 1006-95, passed June 19, 1995, and Ordinance No. 1935-96, passed December 16, 1996, which on the basis of the order quantity would amount to \$107,500.00 is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 890-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Victory White Metal Company for an estimated quantity of fire hydrants and fire hydrant parts (items 13 and 14) for the Division of Water, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 6th day of August, 1997, pursuant to the authority of Section 129.25 of the Codified Ordinance of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Forty Thousand Dollars (\$40,000.00) (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 01287 which shall be certified against such contract in the sum of Five Thousand Dollars (\$5,000.00).

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

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 891-97.

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Able Contracting Group, Inc. (FBE), for an estimated quantity of labor and materials for the installation, maintenance, and repair of fencing (Items Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54) 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 27th day of August, 1997, pursuant to the authority of Ordinance No. 340-97 passed April 14, 1997, which on the basis of the estimated quantity would amount to Three Hundred Fifty-One Thousand Six Hundred Thirty-Three and 50/100 Dollars (\$351,633.50), 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. 13424 which shall be certified against such contract in the sum of Seventy Thousand Three Hundred and no/100 Dollars (\$70,300.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Able Contracting Group, Inc. for the labor and materials for the installation, maintenance, and repair of fencing for the various divisions of the Department of Port Control is hereby approved:

**SUBCONTRACTOR
SERVICE & SUPPLIES**

Crawford Fence & Guardrail, Inc.
16912 Miles Ave.
Cleveland, Ohio 44125
(MBE)
(\$149,500/43%)

Installation, maintenance
repairs of fence
guard rail

Yeas: None.
Nays: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander
Absent: None.

Resolution No. 892-97.

By Director Cunningham.

Whereas, Hermes Race Systems wishes to promote and conduct the annual Turkey Trot Run (the "Event") at Burke Lakefront Airport (the "Airport"); and

Whereas, the City is willing to grant to Hermes Race Systems the right to promote and conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of the Department of Port Control is hereby authorized to enter into a concession agreement (the "Agreement") granting Hermes Race Systems the right to conduct the Event on the second floor of the Airport terminal building from 6:00 a.m. to noon on November 27, 1997 and such period of time before and after the Event for preparation and clean up. Hermes Race Systems shall pay no rent to the City. However, Hermes Race Systems shall reimburse the City for the cost of providing one (1) City employee to perform custodial work related to the conduct of the Event; shall arrange for the operation of the Event and other concessions appropriate and incidental to the Event; and shall be responsible for providing traffic control, security, and clean-up.

Be it further resolved that the Agreement shall be prepared by the Director of Law and shall contain such provisions as deemed necessary to benefit and protect the public interest.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 893-97.

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Spirit Communication & Contracting, Inc. for an estimated quantity of the rental of snow removal equipment and snow removal equipment with operators (Items Nos. 1, 2, 3, 4, 5, 6, 7, and 8) 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 4th day of September, 1997, pursuant to the authority of Ordinance No. 801-97 passed June 16, 1997, which on the basis of the estimated quantity would amount to Eighty-Five Thousand Nine Hundred Forty and no/100 Dollars (\$85,940.00), 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. 13425 which shall be certified against such contract in the sum of Seventeen Thousand Two Hundred and no/100 Dollars (\$17,200.00).

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

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

**SUBCONTRACTOR
SERVICE & SUPPLIES**

L. T. Services Inc.
P. O. Box 34-7056
Parma, Ohio 44134
(FBE)
(\$25,782/30%)

Triaxle trucks

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 894-97.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that all bids received on October 23, 1997 for Phase IV, Maplewood tunnel and Springdale improvements for consolidated rental car facility at Cleveland Hopkins International Airport for the Division of Cleveland Hopkins International Airport, Department of Port Control pursuant to the authority of Ordinance No. 561-97 passed by the Council of the City of Cleveland on June 2, 1997 be and the same are hereby rejected.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 895-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Ganley Chrysler Plymouth for an estimated quantity of Chrysler, Dodge, Plymouth and Jeep parts and labor (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service for the period of one (1) year beginning with the date of execution of a contract received on October 3, 1997, pursuant to the authority of Ordinance No. 1153-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately Sixty Thousand and no/100 Dollars (\$60,000.00) (1%-15 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 105896 which shall be certified against such contract in the sum of Three thousand five hundred and no/100 Dollars (\$3,500.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods

and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 896-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Jack Doheny Supplies Ohio, Inc. for an estimated quantity of Elgin Sweeper Parts and Labor (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service for the period of two (2) years beginning with the date of execution of a contract received on October 3, 1997, pursuant to the authority of Ordinance No. 1149-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to approximately One Hundred Fifty Thousand and no/100 Dollars (\$150,000.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 105897 which shall be certified against such contract in the sum of Fifteen Thousand and no/100 Dollars (\$15,000.00).

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

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 897-97.

By Director Staib.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Section 141.37 of the Codified Ordinances of Cleveland, Ohio, 1976, Neil M. Conway, Ph.D. ("Consultant") is hereby determined, after inquiry and investigation, to be the person best qualified to render professional services for management of the City's high-complexity blood lead testing laboratory in the Division of Environment, Department of Public Health.

Be it further resolved that the Director of Public Health is hereby authorized to enter into a written contract with Neil M. Conway, Ph.D. ("Consultant") for a period not to exceed twelve (12) months, provided that the compensation to said Consultant shall not exceed \$14,000, which contract shall be prepared by the Director of Law and shall contain such other provisions as said Director deems necessary to protect and benefit the public interest.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 898-97.

By Director Denihan.

Whereas by Resolution No. 866-97, adopted October 15, 1997, pursuant to the authority of Ordinance No. 118-97, passed March 24, 1997, this Board of Control approved the bid of Reynolds & Reynolds, Inc. as the lowest and best for the purchase of various citation forms, (Item Nos. 2, Minor Misdemeanor Citations and Item 3, repeat cost of producing Minor Misdemeanor Citations (\$56.96 per thousand), for the Division of Police, Department of Public Safety; and

Whereas, in said Resolution No. 866-97, the base requisition commodity identified was incorrect; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 866-97, adopted October 15, 1997, affirming and approving the bid of Reynolds & Reynolds, Inc. as the lowest and best for the purchase of various citations forms, Items Nos. 2, Minor Misdemeanor Citations and Item 3, repeat cost of producing Minor Misdemeanor Citations (\$57.96 per thousand) hereby is amended by changing the base requisition from "Uniform Traffic Tickets" to "Minor Misdemeanor Citations", where appearing.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 899-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of West Shore Radiator Works for an estimated quantity of traffic signal and sign material and equipment, item no. 4, for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on September 18, 1997, pursuant to the authority of Ordinance No. 266-97, passed April 14, 1997, which on the basis of the estimated quantity would amount to Twenty-One Thousand, Four Hundred Forty and no/100 Dollars (\$21,440.00), 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. 86911 32,000 Sq. Ft. of refurbished existing aluminum signage, per specifications, which shall be certified against such contract in the sum of Twenty-One Thousand, Four Hundred Forty and no/100 Dollars (\$21,440.00).

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, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 900-97.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Hamilton Farms for an estimated quantity of horse supplies (all items) for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on September 4, 1997, pursuant to the authority of Ordinance No. 119-97, passed March 24, 1997, which on the basis of the estimated quantity would amount to Twenty-Eight Thousand, Five Hundred Twenty and no/100 Dollars (\$28,520.00), 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: 107736

HORSE SUPPLIES

60 Tons of Hay, Item # 1 as specified
5 Tons of Straw, Item #2 as specified
15 Tons of Grain, Item #3 as specified
10 Cartons of Salt Block as specified
which shall be certified against such contract in the sum of Thirteen Thousand, Six Hundred Thirty and no/100 Dollars (\$13,630.00).

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, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 901-97.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that all bids received on October 16, 1997 for General Office Renovations and Furniture for City Hall, Departments of Personnel and Human Resources and Civil Service Commission for the Division of Property Management, Department of Parks, Recreation and Properties pursuant to the authority of Ordinance No. 1282-96, passed by the Council of the City of Cleveland on October 14, 1996, be and the same are hereby rejected.

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 902-97.

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. 120-05-094 located at 1352 East 120th Street in Ward 9; and

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

Whereas, Lindsey Nathaniel Craig and Kimberly Smith Craig, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has consented to the proposed sale;

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

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the building and Housing 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 Lindsey Nathaniel Craig and Kimberly Smith Craig for the sale and development of Permanent Parcel No. 120-05-094 located at 1352 East 120th 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, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 903-97.

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. 108-13-101 located at 10515 Elk Avenue in Ward 8; and

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

Whereas, Zachary L. Fitzpatrick, 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 8 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Zachary L. Fitzpatrick for the sale and development of Permanent Parcel No. 108-13-101 located at 10515 Elk Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 904-97.

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. 113-14-010, 113-14-076, 113-14-082 and 113-14-123 under said Land Reutilization Program; and

Whereas, Ordinance No. 1315-97, passed October 20, 1997 authorized the sale of said parcels subject to the direction of Board of Control; and

Whereas, Northeast Shores Development Corp. 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. 1315-97, passed October 20, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Northeast Shores Development Corp. for the sale and development of Permanent Parcel Nos. 113-14-010, 113-14-076, 113-14-082 and 113-14-123, 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, Cunningham, Guzman, Acting Director Jasper, Smith, Miller, Directors Hamilton, Nolan, Warren, and Acting Director Alexander.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date stated 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, NOVEMBER 17, 1997

9:30 A.M.

Calendar No. 97-236: 4728-32 Lorain Avenue

John Higdon, owner, appeals to convert to a rooming house with seven rooming occupancies on the first floor and ten rooming occupancies on the second floor of the 27' x 80' two-story masonry store-and-suite building on the west part of an 80' x 132' parcel and to maintain as a used car sales lot with a garage and office for car sales on the easterly and rear part of said parcel located in a Local Retail District at 4728-32 Lorain Avenue; the west side yard of said rooming house being 0' instead of 8' in width as required by Section 357.09 and said used car sales lot being contrary to the local retail limitations of Section 343.01 and not in conformance with the 60' lot width required by Section 347.11 and the 18" high barrier requirements of Section 343.11 and the 4' frontage landscape strip required by Sections 352.10 and 352.11 and contrary to the expansion limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 97-237: 7411 St. Clair Avenue, N.E.

Roy Lang, owner, and John Ervin, tenant, appeal, to change use to a

recreational/athletic center (Karate studio and weight room) the first and second floors of the 45' x 144' irregular shaped one-and-three-story masonry nonconforming furniture store and storage building on a 45' x 144' irregular shaped corner lot located in a Local Retail District on the northwest corner of East 75th Street and St. Clair Avenue at 7411 St. Clair Avenue; said use being contrary to the local retail limitations of Section 343.01 and not in conformance with the off-street parking requirements of Sections 349.03 and 349.04 but subject to the substitution limitations of Section 359.01 of the Codified Ordinances.

HUNTER MORRISON,
Acting Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 3, 1997

At the Meeting of the Board of Zoning Appeals on, Monday, October 27, 1997, the following appeals were heard by the Board, and, on Monday, November 3, 1997 were decided by the Board.

The following appeals were **Granted:**

Calendar No. 97-223: 3102 Oak Park Avenue, S.W.

George & Donna Buch, owners, appealed, to enclose the 25' x 7' 8" open front porch.

Calendar No. 97-225: 1047 East 68th Street

Rini L. Grant, owner, appealed, to erect a 20' x 20' one-story masonry private garage. (conditional grant)

Calendar No. 97-227: 3350-3358 West 50th Street

Bradford and Linda Davison, appealed, under Section 329.01(e) and Section 329.02(d) from the refusal to approve a lot consolidation and lot split.

The following appeals were **Refused:**

Calendar No. 97-226: 1201 East 185th Street

Douglas Zeman, owner, appealed, to erect a 7' x 19' 10" x 27' 4" high double-faced freestanding business sign on a double pole.

Calendar No. 97-213: 4474 South Hills Drive, S.W.

Ron Trepka, owner, appealed, to erect a 50' high metal self supporting radio tower.

HUNTER MORRISON,
Acting Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
October 29, 1997

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

Docket A-309-97.

RE: Appeal of Joseph C. O'Neill, Owner of the Property located on the premises known as 1035 East 72nd Place from a CONDEMNATION NOTICE/MS & GARAGE of the Commissioner of the Division of Building and Housing dated July 30, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE/MS & GARAGE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to abate the violations or dispose of the property; the property is to remain boarded and secured and the grounds debris free during that period of time, and to require that the property be inspected every two weeks (2 wks.), by the Appellant, during that period of time to maintain security. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE/MS & GARAGE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by February 12, 1998. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-313-97.

RE: Appeal of Charles F. Curry Company, Owner of the Residential Property located on the premises known as 3551 West 100th Street from a CONDEMNATION NOTICE/MS of the Commissioner of the Division of Building and Housing dated July 11, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 3551 West 100th Street to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-314-97.

RE: Appeal of Simmons First National Bank, Mortgagee of the Residential Property located on the premises known as 3768 East 144th Street from a CONDEMNATION NOTICE/MS of the Commissioner of the Division of Building and Housing dated July 29, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE/MS and LETTER OF

INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to obtain permits and abate the violations, and to require that the property be inspected by the Appellant twice monthly. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE/MS and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by May 12, 1998. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-316-97.

RE: Appeal of KeyBank, N.A., Mortgagee of the Residential Property located on the premises known as 10728 Superior Avenue from a CONDEMNATION NOTICE of the Commissioner of the Division of Building and Housing dated July 24, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant four months (4 mos.) in which to obtain permits and abate the violations; the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by March 12, 1998. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-317-97.

RE: Appeal of Vincent B. Weaver, Owner of the Property located on the premises known as 13523 Glen-side Road from a 30 DAY CONDEMNATION NOTICE/MS of the Commissioner of the Division of Building and Housing dated July 23, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's 30 DAY CONDEMNATION NOTICE/MS and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months

(3 mos.) in which to obtain permits and abate the violations; the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the 30 DAY CONDEMNATION NOTICE/MS and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by February 12, 1998. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-323-97.

RE: Appeal of Paul & Cesare Noce, Owners of the Property located on the premises known as 720 East 152nd Street from a NOTICE OF VIOLATION — ELECTRICAL of the Commissioner of the Division of Building and Housing dated August 7, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three months (3 mos.) in which to obtain permits and abate the violations, and to require that the vacant properties be boarded and secured and the grounds debris free during that period of time; the property is REMANDED at this time to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-324-97.

RE: Appeal of Paul & Cesare Noce, Owners of the Property located on the premises known as 706-10 East 152nd Street (aka 15120 Cardinal Avenue) from a VACATE ORDER of the Commissioner of the Division of Building and Housing dated August 5, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's VACATE ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to obtain permits and abate the violations, and to require that the vacant properties be boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the VACATE ORDER and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of

the premises by means of demolition if abatement of the violations is not completed by February 12, 1998. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-325-97.

RE: Appeal of Paul & Cesare Noce, Owner of the Property located on the premises known as 712-16 East 152nd Street (aka 710-16 East 152nd Street) from a CONDEMNATION NOTICE/VACATE ORDER of the Commissioner of the Division of Building and Housing dated August 5, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE/VACATE ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to obtain permits and abate the violations, and to require that the vacant properties be boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE/VACATE ORDER and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by February 12, 1998. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-330-97.

RE: Appeal of Sharon L. Hoey, Owner of the Residential Property located on the premises known as 10515-17 Arthur Avenue from a VACATE ORDER of the Commissioner of the Division of Building and Housing dated July 29, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three months (3 mos.) in which to obtain permits and abate the violations, and to uphold the VACATE ORDER; the property is to remain boarded and secured and vacant until a Certificate of Occupancy is issued by the Division of Building and Housing. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

Docket A-332-97.

RE: Appeal of Muhammad R. Abdullah, Owner of the Residential Property located on the premises known as 2615 East 61st Street from a VOIDED PERMIT of the Commissioner of the Division of Building and Housing dated July 29, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to reinstate the VOIDED PERMIT for a period of six months (6 mos.) in which to complete abatement of the violations and to require that additional permits be obtained as required to complete the building rehabilitation; and to require that a progress report from the inspector be submitted to the Board within two months (2 mos.). The property is REMANDED at this time to the Division of Building and Housing for supervision. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-333-97.

RE: Appeal of Gail E. Swade, Owner of the Residential Property located on the premises known as 4467 West 149th Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing and from a dated September 3, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the ten foot (10 ft.) requirement and permit the pool to remain located where it is, five feet (5 ft.) from the adjacent property, and to waive the late filing fees. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-338-97.

RE: Appeal of John Jackson, Owner of the Residential Property located on the premises known as 3631 East 117th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated July 21, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three months (3 mos.) in which to abate the violations; the property is REMANDED at this time to the Division of Building and Housing for supervision. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Bowes and seconded by Mr. Sullivan for Approval and Adoption of

the Resolution as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

A-106-97—O & O Properties
A-296-97—David Fields
A-299-97—Colombo Enterprises, Inc.
A-300-97—Lee Sullivan
A-302-97—Ted Page
A-331-97—W & W Leasing
A-345-97—James S. Gernick

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

* * *

Separate motions were entered by Mr. Williams and seconded by Mr. Sullivan for Approval and Adoption of the Resolution as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

A-292-97—John L. Cornelius
A-295-97—Prince Howard
A-298-97—John Beningo
A-353-97—Bishop E.F. Perry

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

* * *

Separate motions were entered by Mr. Bowes and seconded by Mr. Williams for Approval and Adoption of the Resolution as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

A-297-97—Ina Shumpert
A-354-97—Cleveland Hopkins Airport

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Bowes and seconded by Mr. Sullivan for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

October 15, 1997

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

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

1857

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Council Committee
On City Planning**

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Monday, November 24, 1997
1:00 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Monday, November 24, 1997, at 1:00 P.M., to consider the following ordinances now pending in the Council:

Ord. No. 945-96.

By Councilman Johnson.
An ordinance establishing the Buckeye Business Revitalization District and to repeal Ordinance No. 589-91 passed June 3, 1991. (Map Change No. 1906, Sheet No. 9)
REMARKS BY DIRECTOR OF CITY PLANNING: This legislation expands the existing Buckeye Business Revitalization District by including both sides of Buckeye, from MLK Blvd. to a point about 200 ft. west of South Moreland Blvd.

Ord. No. 1745-97.

By Councilman Rybka.
An ordinance to change the Use District of lands bounded by Waterman Avenue, S.E., E. 63 Street, Roland Avenue, S.E., and E. 61 Street. (Map Change No. 1960, Sheet No. 5)

Ord. No. 1764-97.

By Councilman Johnson.
An ordinance to change the Use, Area and Height Districts of lands bounded by East 89 Street, Cumberland Avenue, S.E., East 93 Street, and Buckeye Road. (Map Change No. 1953, Sheet No. 5)

Ord. No. 1869-97.

By Councilman Zone.
An ordinance to change the Use and Area Districts of lands on the easterly side of West 118 Street north of Lorain Avenue to Geraldine Avenue, N.W. (Map Change No. 1962, Sheet No. 2)

Ord. No. 1947-97.

By Councilman Rybka.
An ordinance to change the Use and Area Districts of lands from Aetna Road, S.E., south to the 15' unnamed alley between East 71 Street and East 73 Place. (Map Change No. 1963, Sheet No. 6)

All interested persons are urged to be present or to be represented at the above time and place.

EDWARD W. RYBKA,
Chairman

Committee on City Planning

November 5 and November 12, 1997

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, NOVEMBER 12, 1997

Phase IV, Maplewood Tunnel & Springdale Improvements for the Consolidated Rental Car Facility, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 571-97, passed by the Council of the City of Cleveland. PLANS AND SPECIFICATIONS MAY BE OBTAINED IN ROOM 128, CITY HALL, DIVISION OF PURCHASES AND SUPPLIES FOR THE NON-REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, NOVEMBER 6, 1997, AT 2:30 P.M. IN THE SHERATON HOTEL, CLEVELAND HOPKINS AIRPORT.

October 29, 1997 and November 5, 1997

WEDNESDAY, NOVEMBER 19, 1997

Towing Unattended Vehicles From Roadways, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 543-96, passed by the Council of the City of Cleveland, May 6, 1996.

A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, NOVEMBER 5, 1997, AT 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

Labor and Materials to Maintain and Repair Boilers, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 1466-97, passed by the Council of the City of Cleveland, September 22, 1997.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, NOVEMBER 6, 1997, AT 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

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.

October 29, 1997 and November 5, 1997

FRIDAY, NOVEMBER 21, 1997

Labor and Materials to Repair Rear-Loading Packer Bodies, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1018-96, passed by the Council of the City of Cleveland, June 18, 1996.

One (1) Cab and Chassis with Enclosed Dump Body, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

One (1) Cab and Chassis with Street Flusher Body, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

Photographic Equipment, for the Department of Community Development, as authorized by Ordinance No. 1303-97, passed by the Council of the City of Cleveland, October 6, 1997.

October 29, 1997 and November 5, 1997

THURSDAY, NOVEMBER 20, 1997

Fire Hydrants and Fire Hydrant Parts (Items 5-12), for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

November 5, 1997 and November 12, 1997

WEDNESDAY, NOVEMBER 26, 1997

Lifepak 10 Monitor/Defibrillators, for the Division of EMS, Department of Public Safety, as authorized by Ordinance No. 1167-97, passed by the Council of the City of Cleveland, August 13, 1997.

Body Armor, for the Division of EMS, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

Jacobson Mower Parts, for the various divisions of the Department of Finance, as authorized by Ordinance No. 643-96, passed by the Council of the City of Cleveland, May 13, 1996.

Labor and Materials to Maintain and Replace Interior Plants and Landscaping Exterior Sites (Phase I), for the various divisions of the Department of Port Control, as authorized by Ordinance No. 627-96, passed by the Council of the City of Cleveland, June 10, 1996.

Cleaning of the West Side Market, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 816-97, passed by the Council of the City of Cleveland, June 2, 1997.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, NOVEMBER 19, 1997, AT 10:00 A.M. AT THE WEST SIDE MARKET, 1979 WEST 25TH STREET. ATTENDEES SHOULD MEET AT THE MARKET OFFICE ON SECOND FLOOR — WEST END OF THE BUILDING.

November 5, 1997 and November 12, 1997

WEDNESDAY, DECEMBER 3, 1997

Labor and Materials to Repair Fencing, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 340-97, passed by the Council of the City of Cleveland, April 14, 1997.

Electrical Parts and Equipment to Maintain, Repair and Modify Airfield, Parking and Terminal Lighting Systems (Phase II), for the various divisions of the Department of Port Control, as authorized by Ordinance No. 1273-97, passed by the Council of the City of Cleveland.

November 5, 1997 and November 12, 1997

THURSDAY, DECEMBER 4, 1997

Installing a Sprinkler System, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 224-97, passed by the Council of the City of Cleveland, April 14, 1997.

A MANDATORY PRE-BID MEETING HAS BEEN SCHEDULED FOR THURSDAY, NOVEMBER 20, 1997, 10:30 A.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

Rental of Tree Trimming Equipment and Tree Trimming Equipment with Operators, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 800-97, passed by the Council of the City of Cleveland, June 16, 1997.

November 5, 1997 and November 12, 1997

FRIDAY, DECEMBER 5, 1997

One (1) Mobile Sign Unit, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 1271-97, passed by the Council of the City of Cleveland, September 22, 1997.

A PRE-BID MEETING HAS BEEN SCHEDULED FOR WEDNESDAY, NOVEMBER 19, 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, CLEVELAND, OHIO 44135.

Labor and Materials to Maintain and Repair Escalators and Elevators, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 1468-97, passed by the Council of the City of Cleveland, September 22, 1997.

A PRE-BID MEETING IS SCHEDULED FOR TUESDAY, NOVEMBER 18, 1997, 10:30 A.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, MAINTENANCE BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

November 5, 1997 and November 12, 1997

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 1159-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with C.A. Picard Surface Engineering, Inc., or its designee, to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to relocate its facility from Westlake to the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, C.A. Picard Surface Engineering, Inc., (the "Enterprise") has proposed to relocate its facilities to the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

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

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

Section 1. That this Council hereby approves the application of C.A. Picard Surface Engineering, Inc., or its designee, for enterprise zone incentives on the basis that C.A. Picard Surface Engineering, Inc. is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with C.A. Picard Surface Engineering, Inc., or its designee to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to relocate its facility from Westlake to the City of Cleveland; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That any substitution of the designee or change in the level of abatement shall require City Council approval.

Section 4. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1159-97-A.

Section 5. That the Director of Economic Development is hereby authorized to charge and accept fees not to exceed maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 6. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

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 October 20, 1997.

Effective October 29, 1997

Ord. No. 1296-97.

By Councilman Britt (By request).
An emergency ordinance authorizing the Director of Public Service to issue a permit to The Cleveland Clinic Foundation to encroach into the public right-of-way for the construction of two (2) bridges, above and across East 96th Street and East 100th 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 Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to The Cleveland Clinic Foundation, 9500 Euclid Avenue, Cleveland, Ohio 44195; its successors and assigns, for the construction, use and maintenance of two (2) bridges for Cleveland Clinic's Health Sciences Center which will encroach

into the public right-of-way above and across East 96th Street and East 100th Street and are more fully described as follows:

CLEVELAND CLINIC BRIDGE CONSTRUCTION ENCROACHMENT/E. 96th ST.

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being an air rights area 15.00 feet in width within the bounds of East 96th Street, 66.00 feet in width, being also a part of Original One Hundred Acre Lot No. 401, and lying between a lower horizontal plane at elevation 695.50 feet, and upper horizontal plane at elevation 711.50 feet, bounded and described as follows:

Beginning on the westerly line of said East 96th Street at the point distance South 1°-51'-33" West, 8.26 feet as measured along said westerly line of East 96th Street from the southerly end of a cut-off corner at the southerly line of Carnegie Avenue S.E., 80.00 feet in width; Course No. 1: thence Due East, 66.04 feet to a point in the easterly line of said East 96th Street, said point being distance South 1°-51'-33" West, 8.26 feet as measured along said easterly line of East 96th Street from the southerly end of a cut-off corner at the aforementioned southerly line of Carnegie Avenue S.E.; Course No. 2: thence South 1°-51'-33" West, 15.01 feet to its intersection with a line drawn parallel with and distant 15.00 feet southerly by rectangular measurement from Course No. 1 herein; Course No. 3: thence Due West along said parallel line, 66.04 feet to a point in the aforementioned westerly line of East 96th Street; Course No. 4: thence North 1°-51'-33" East along said westerly line of East 96th Street, 15.01 feet to the place of beginning, according to a survey by Garrett and Associates, Inc., Registered Engineers and Surveyors, made in January 1997, be the same more or less. Elevations are based on U.S. Government Datum.

CLEVELAND CLINIC BRIDGE CONSTRUCTION ENCROACHMENT/E. 100th ST.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being an air rights area 15.00 feet in width within the bounds of East 100th Street, 60.00 feet in width, being also a part of Original One Hundred Acre Lot No. 401, and lying between a lower horizontal plane at elevation 706.50 feet and upper horizontal plane at elevation 721.50 feet, bounded and described as follows:

Beginning on the westerly line of said East 100th Street at the point distance South 0°-20'-17" West, 11.40 feet as measured along said westerly line of East 100th Street from the southerly end of a curved turnout at the southerly line of Carnegie Avenue S.E., 80.00 feet in width; Course No. 1: thence South 87°-02'-00", East, 60.06 feet to a point in the easterly line of said East 100th Street, said point being distance South 0°-20'-17" West, 24.63 feet as measured along said easterly line of East 100th Street from the southerly end of a cut-off corner at the southerly line of Carnegie Avenue S.E., 86.00 feet in width; Course No. 2: thence South 0°-20'-17" West, 15.02 feet to its intersection with a line drawn parallel with and distant

15.00 feet southerly by rectangular measurement from Course No. 1 herein; Course No. 3: thence North 87°-02'-00" West along said parallel line, 60.06 feet to a point in the aforementioned westerly line of East 100th Street; Course No. 4: thence North 0°-20'-17" East along said westerly line of East 100th Street, 15.02 feet to the place of beginning, according to a survey by Garrett & Associates, Inc., Registered Engineers and Surveyors, made in January, 1997, be the same more or less. Elevations are based on U.S. Government Datum.

Section 2. That said overhead bridges will be constructed within the public right-of-way of East 96th Street and East 100th Street as aforesaid in Section 1, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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 October 20, 1997.
Effective October 28, 1997

Ord. No. 1323-97.
By Councilman Westbrook (by departmental request).

An emergency ordinance to amend Section 4 of Ordinance No. 1833-96, passed December 2, 1996, relating to the design, development and implementation of a Geographic Information System.

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

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

Section 1. That Section 4 of Ordinance No. 1833-96, passed December 2, 1996, is hereby amended to read as follows:

Section 4. That the costs for such services herein authorized shall be paid from Fund Nos. 20 SF 334, 20 SF 322, 20 SF 312, 52 SF 217, 52 SF 219, 54 SF 001, 58 SF 211, 60 SF 106, and funds legally available and appropriated for the use of the various user Departments and Divisions to pay such costs, Request No. 21924. The cost of the services authorized by this ordinance shall not exceed \$710,000.00. The services authorized by this ordinance shall be in accordance with the document contained in file no. _____, labeled, 'Citywide GISModification to Legislation Funding Breakdown'. The design of the Geographical Information System shall include the needs of this Council. The Director of Finance shall report to this Council at least quarterly on the progress of the project.

Section 2. That existing Section 4 of Ordinance No. 1833-96, passed December 2, 1996, is hereby repealed.

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

Passed October 20, 1997.
Effective October 29, 1997

Ord. No. 1659-97.
By Councilmen Sweeney, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Danly Die Set, a division of Connell Ltd. Partnership, or its designee, and Moreway, Inc., its Lessor, to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to renovate a building at 16065 Industrial Lane and for the purchase of machinery and equipment needed to relocate the enterprise from Parma, Ohio to the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Danly Die Set, a division of Connell Ltd. Partnership (the "Enterprise") has proposed to relocate its facilities, lease and renovate the building at 16065 Industrial Lane, and purchase machinery and equipment needed for its operation in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

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

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

Section 1. That this Council hereby approves the application of Danly Die Set, a division of Connell Ltd. Partnership, or its designee(s), for enterprise zone incentives on the basis that Danly Die Set, a division of Connell Ltd. Partnership is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Danly Die Set, a division of Connell Ltd. Partnership, or its designee(s), and Moreway, Inc., its Lessor, to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to lease and renovate a building at 16065 Industrial Lane and for the purchase of machinery and equipment needed to relocate the enterprise from Parma, Ohio to the Cleveland Area Enterprise Zone; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That any substitution of the designee or change in the level of abatement shall require City Council approval.

Section 4. That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1659-97-A.

Section 5. That the Director of Economic Development is hereby authorized to charge and accept fees not to exceed maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 6. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

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 October 20, 1997.
Effective October 29, 1997.

Ord. No. 1744-97.
By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of computer hardware, software and supplies, office furniture, equipment, data processing services, employee training, and building equipment and maintenance for various divisions of City government; and authorizing said director to employ one or more computer consultants and data processors to provide professional services, in conjunction with the Year 2000 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 Finance 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 computer hardware, software and supplies, office furniture, equipment, data processing services, employee training, and building equipment,

including parts and maintenance, in conjunction with the Year 2000 computer compliance project, in the sum of not to exceed \$6,000,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government, City Council and Cleveland Municipal Court. 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. The Year 2000 project authorized by this ordinance shall be conducted in accordance with the document contained in file no. 1744-97-A labeled, 'Briefing for Finance Committee, Year 2000 Project, October 13, 1997.' The Director shall report to this Council at least quarterly on the progress of the project, with the first such report due on November 15, 1997.

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 23236)

Section 3. That the Director of Finance is hereby authorized and directed to employ by contract one or more computer and/or data processing consultants or one or more firms of computer and/or data processing consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to assist the City of Cleveland, City Council and Cleveland Municipal Court in implementing the Year 2000 computer compliance project.

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 Finance from a list of

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

Section 4. That the costs for such services herein contemplated shall be paid from Fund Nos. 52 SF 001, 54 SF 001, 57 SF 001, 58 SF 001, 81 SF 001, 60 SF 001, 10 SF 165, 10 SF 006 and 50 SF 001, Request No. 23236.

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 October 20, 1997.
Effective October 29, 1997.

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