

The City Record

Official Publication of the City of Cleveland

April the Thirtieth, Nineteen Hundred and Ninety-Seven

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

Containing	PAGE
City Council	3
The Calendar	16
Board of Control	20
Civil Service	25
Board of Zoning Appeals	25
Board of Building Standards and Building Appeals	25
Public Notices	25
Public Hearings	26
City of Cleveland Bids	26
Adopted Resolutions and Ordinances	27
Committee Meetings	35
Index	35

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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 - Martin L. Carmody, Acting 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, Acting 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 Nobilio, Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Robert O. Staib, Director, Mural Building 1925 St. Clair Avenue.
DIVISIONS - Health - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue
 Environment - Joseph W. Jasper, Jr., Commissioner, Mural Building, 1925 St. Clair Avenue
 Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road

DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.
DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
 Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue
 Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.
 Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
 Emergency Medical Service - Bruce Shade, Commissioner, 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 - Michael Cox, 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 - Jack F. Krumhansl, 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, Anthony Costanzo, Sec'y.

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

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

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

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

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

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

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

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

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

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

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge Salvatore R. Calandra	13A
Judge Colleen C. Cooney	14A
Judge C. Ellen 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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WEDNESDAY, APRIL 30, 1997

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CITY COUNCIL

MONDAY, APRIL 28, 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, Sweeney, White.
9:30 A.M.—**Public Health Committee:** Robinson, Chairman; Zone, Vice Chairman; Britt, Gordon, Jackson, Melena, Moran.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Coats, Chairman; _____, Vice Chairman; Britt, Johnson, Melena, Moran, Smith, Sweeney, Westbrook, White.
11:00 A.M.—**Employment, Affirmative Action & Training Committee:** Patmon, Chairman; Robinson, Vice Chairman; Gordon, Jackson, Lewis, Melena, Polensek.

MONDAY

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

TUESDAY

10:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; _____, Vice Chairman; Britt, Coats, Lewis, 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; _____, Vice Chairman; Dolan, Patton, Sweeney, White, Willis.
10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Dolan, Gordon, Jackson, Moran, Patmon, Patton, Zone.

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio April 28, 1997.
The meeting of the Council was called to order, the President, Jay Westbrook in the chair.

Councilmen present: Britt, Coats, Dolan, Gordon, Jackson, Johnson, Lewis, Melena, Moran, Patmon, Patton, Polensek, Robinson, Rybka, Skhra, Smith, Sweeney, Westbrook, White, Willis.

Also present were Mayor White and Directors Sobol Jordan, Carmody, Konieck, Cunningham, Guzman, Denihan, Spellman, Hamilton, Warren, Lynch, Holland, Willis, Morrison, and Acting Directors Jeff Patterson and Joyce Atwell-Joyce.

Absent: Directors Staib and Nolan.

The opening prayer was dispensed with. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 701-97.
From the Department of Public Service re: Notification of Contract Increase Ridge Road Compost Facility. Received.

File No. 702-97.
From the Office of Equal Opportunity re: Certified MBE's and FBE's Reporting Period: First Quarter, 1997. Received.

File No. 703-97.
From Office of Equal Opportunity re: MBE's/FBE's deleted from OEO's database: First Quarter, 1997. Received.

File No. 704-97.
From Cuyahoga County Board of Commissioners re: annexation of a portion of land in the City of Cleveland to the Village of Linndale. Received.

File No. 731-97.
Oath of Office for Alfred T. Miller, Jr. Acting Commissioner, Division of Parking. Received.

File No. 732-97.

From Michael Charney, Treasurer of Save Our Children's Future Committee. — 1,752 petition papers. Receipt issued by Clerk of Council. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 733-97. Reverend Olive Watkins.
Res. No. 734-97. Louis J. Sliwa.
Res. No. 735-97. William James Ware, Sr.
Res. No. 736-97. Mrs. Jewitt.
Res. No. 737-97. Mrs. Whitehead.

CONGRATULATORY RESOLUTIONS

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

Res. No. 738-97. Michael S. McDermott.
Res. No. 739-97. Pastor Otis F. Newton.
Res. No. 740-97. The Urban League.
Res. No. 741-97. Mrs. Ida Mason.
Res. No. 742-97. Rev. & Mrs. Larry W. Howard.
Res. No. 743-97. Benedictine Bengals. Division II State Basketball Champions.

RESOLUTIONS OF APPRECIATION

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

Res. No. 744-97. Michael Sierputowski.
Res. No. 745-97. Dale A. Alexander.

RESOLUTIONS OF RECOGNITION

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

Res. No. 746-97. Honorable Judge Sara J. Harper.
Res. No. 747-97. Capt. Kenneth J. Cowan.
Res. No. 748-97. Capt. Oliver L. Wimbush.
Res. No. 749-97. Capt. William E. Little, Jr.
Res. No. 750-97. Edward Turner, CAFAPresident.
Res. No. 751-97. Lt. Dennis Ragins.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 710-97.
By Councilmen Jackson and Westbrook (by departmental request).
An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support

Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs in the City of Cleveland.

Section 2. That the cost of said contract shall be in an amount not to exceed \$480,000.00, and shall be paid from Fund No. 14 SF 022 and 14 SF 023, Request No. 23067.

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

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

Ord. No. 711-97.

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

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

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

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

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

Section 1. That the Director of Public Safety is hereby authorized to expend Community Development Block Grant funds in the amount of One Million Seven Hundred Thousand Dollars (\$1,700,000.00), from Fund No. 14 SF 023 Request No. 23068, for the Community Response Unit and the Street Crime Unit in conjunction with the Community Development Block Grant Program, Year XXIII, and pursuant to the following schedule:

Personnel	\$1,700,000.00
Other	-0

and that said Director and the Director of Community Development are hereby authorized to memorialize said expenditure through a memorandum of understanding.

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

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

Ord. No. 712-97.

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and Federal Home funds for the operation of the Low Interest Loan and Grant Programs and to enter into contract with various agencies to implement these programs.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXIII and Federal HOME grant funds, from the United States Government; and

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

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

Section 1. That the Director of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$7,043,000 from Fund No. 14 SF 022 and Fund No. 14 SF 023, and Federal Home Program funds from Fund No. 13 SF 865, for the operation of the Low Interest Loan and Grant Programs, including all related services, and to enter into contracts under those programs. The Low Interest Loan and Grant Programs include Housing Emergency Loan Program (HELP), Repair-A-Home (RAH), Afford-A-Home (AAH), Senior Home Owners Assistance Program (SHAP), Paint Refund Program, Housewarming, Furnace Repair and Home Maintenance Assistance Program (HMAP).

Section 2. That the Director of Community Development is authorized to expend and to enter into one or more contracts with various non-profit agencies to implement the Low Interest Loan and Grant Programs in the City of Cleveland.

Section 3. That the Director of Community Development is authorized to accept monies in repayment under said programs and to utilize said repayments, up to \$300,000 balance from the Housing Trust Fund projects, and other program income in a revolving fund for making additional expenditures under these programs.

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

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

Ord. No. 713-97.

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with various agencies to provide housing, commercial, industrial and real estate development activities.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the following agencies to provide housing, commercial, industrial and real estate development activities:

City-wide Development Assistance Program

- Cleveland Neighborhood Development Corporation
- Cleveland Housing Network: Receivership Project
- Cleveland Restoration Society
- Cleveland Tenants Organization
- Hispanic Business Association
- Living in Cleveland Center
- Lutheran Housing Corporation:
- Tool Loan Program
- Lutheran Housing Corporation:
- Furnace Repair Program
- Neighborhood Housing Services of Cleveland, Inc.

CDC Competitive Grant Program

- Amistad Development Corporation
- Bellaire Puritas Development Corporation
- Broadway Area Housing Corporation
- Buckeye Area Development Corporation
- Burten, Bell, and Carr Development Corporation
- Clark Metro Development Corporation
- Collinwood Community Services Center/Collinwood Area Development Corporation
- Collinwood Village Development Corporation/Waterloo Trade Association
- Cudell Improvement, Inc.
- Detroit-Shoreway Community Development Organization
- Fairfax Renaissance Development Corporation
- Famieco Foundation
- Flats Oxbow Association
- Glenville Development Corporation
- Historic Gateway Development Corporation
- Historic Warehouse District Development Corporation
- Hough Area Partners in Progress, Inc.
- Kammas Corner Development Corporation
- Midtown Corridor, Inc.
- Miles Ahead, Inc.
- Mt. Pleasant Now Development Corporation
- Nolasco Housing Corporation
- Northeast Shores Development Corporation
- Northeastern Neighborhood Development Corporation
- Ohio City Near West Development Corporation
- Old Brooklyn Community Development Corporation
- Shaker Square Development Corporation
- Slavic Village Broadway Development Corporation
- Southeast Improvement Association
- St. Clair-Superior Coalition
- St. Vincent Quadrangle
- Tremont West Development Corporation
- Union-Miles Development Corporation
- Westown Community Development Corporation

Section 2. That the cost of said contracts shall be in an amount not to exceed \$2,200,000.00, and shall be paid from Fund Nos. 14 SF 023, Request Nos. 23070 and 23071.

Section 3. That the Director of Community Development is authorized to accept program income and to deposit that program income in Fund No. 14 to be used a revolving fund to finance additional housing, commercial, industrial and real estate development activities.

Section 4. That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that generated program income in an amount not to exceed that generated program income and to be paid from the revolving fund in Fund 14.

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

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

Ord. No. 714-97.

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Housing Network, or its designee, for the acquisition and rehabilitation of low income housing units.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with Cleveland Housing Network, or its designee, for the acquisition and rehabilitation of approximately one hundred and thirty (130) units of low income housing.

Section 2. That the cost of said contract shall be in an amount not to exceed \$2,000,000.00, and shall be paid from Fund Nos. 13 SF 865, Request No. 23072.

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

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

Ord. No. 715-97.

By Councilmen Jackson and Westbrook (by departmental request).

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

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

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

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

Section 1. That the Director of Aging is hereby authorized to expend Community Development Block Grant funds in the amount of Ninety-Eight Thousand Dollars (\$98,000.00), from Fund No. 14 SF023 Request No. 23065 for the Senior Homeowners Assistance Program ("SHAP") and the CHORE Program in conjunction with the Community Development Block Grant Program, Year XXIII.

Section 2. That said Director and the Director of Community Development are hereby authorized to memorialize said expenditure through a memorandum of understanding.

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

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

Ord. No. 716-97.

By Councilmen Jackson and Westbrook (by departmental request).

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

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the Federation for Community Planning, fiscal agent for the Summer Sprout Program, to operate a community gardening program.

Section 2. That the cost of said contract shall be in an amount not to exceed \$58,000.00, and shall be paid from Fund No. 14 SF 023, Request No. 23066.

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

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

Ord. No. 717-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2029 East 65th Street to Rochelle Roth.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 118-12-012, as more fully described in Section 2 below, to Rochelle Roth.

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

P.P. No. 118-12-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 50.00 feet front of Parcel No. 12, as show on the Euclid Improvement Company's plat of the Dedication of East 65th Street (60 feet wide) of part of Original One Hundred Acre Lot Nos. 337 and 338, as shown on said Dedication plat recorded in Volume 41, Page 26 of Cuyahoga County Records, also a part of said East 65th Street and East 66th Place (14 feet wide) both now vacated by Ordinance No. 1384-93, passed by the Council of the City of Cleveland August 12, 1993 and being bounded and described as follows:

Beginning at a point in the centerline of East 65th Street, vacated as aforesaid, at its intersection with the Westerly prolongation of the Southerly line of said Parcel No. 12 in the Euclid Improvement Company's Plat of Dedication; thence Easterly, along said Westerly prolongation of the Southerly line of said Parcel No. 12, and along said Southerly line of Parcel No. 12 and along the Easterly prolongation thereof, about 144.59 feet to a point in the centerline of said vacated East 66th Place; thence Northerly, along the centerline of vacated East 66th Place as aforesaid, 50.00 feet to a point therein, said point being at the intersection of the Easterly prolongation of the Northerly line of said Southerly part of Parcel No. 12 as first aforesaid; thence Westerly, along said Easterly prolongation of said Northerly line, and along said Northerly line and along its Westerly prolongation about 144.59 feet to a point in the centerline of vacated East 65th Street, said point being 50.00 feet Northerly, measured along said centerline from the place of the beginning; thence Southerly, 50.00 feet along said centerline, to the place of beginning, be the same more or less but subject to all legal highways.

This description prepared from plats of record in the Survey Department and deeds, by Steve Salay, Register Ohio Professional Surveyor No. 5505.

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

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

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

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

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

Ord. No. 718-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3220, 3224, 3226, 3230, 3232, 3234, 3238, 3242, 3250 East 90th Street to Rehoboth Outreach Church of Christ.

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

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

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

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

Section 1. That pursuant to section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 127-10-055, 127-10-056, 127-10-057, 127-10-058, 127-10-059, 127-10-060, 127-10-061, 127-10-062, and 127-10-064, as more fully described in Section 2 below, to Rehoboth Outreach Church of Christ.

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

P. P. No. 127-10-055

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 75 in John Rock's Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 14 of Maps, Page 23 of Cuyahoga County Records and being 30 feet front on the Westerly side of East 90th Street and extending back 100 feet deep on the Northerly line, 105 feet deep on the Southerly line and having a rear line of 30.47 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 127-10-056

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 74 in John Rock's Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 14 of Maps, Page 23 of Cuyahoga County Records and being 30 feet front on the Westerly side of East 90th Street and extending back 105 feet deep on the Northerly line, 110 feet deep on the Southerly line and having a rear line of 30.47 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 127-10-057

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 73 in John Rock's Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 14 of Maps, Page 23 of Cuyahoga County Records and being 30 feet front on the Westerly side of East 90th Street and extending back 110 feet deep on the Northerly line, 115 feet deep on the Southerly line and having a rear line of 30.47 feet, as appears by said plat.

Excepting therefrom the real property being appropriated in Case No. 836861, Doc. 835, Probate Court, Division of Court of Common Pleas of Cuyahoga County, Ohio, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 127-10-058

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 72 in John Rock's Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 14 of Maps, Page 23 of Cuyahoga County Records and being 30 feet front on the Westerly side of East 90th Street and extending back 115.00 feet deep on the Northerly line, 120 feet deep on the Southerly line and having a rear line of 30.47 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 127-10-059

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

Sublot No. 71 in John Rock's Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 14 of Maps, Page 23 of Cuyahoga County Records and being 30 feet front on the Westerly side of East 90th Street and extending back 120 feet deep on the Northerly line, 125 feet deep on the Southerly line and having a rear line of 30.47 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P. P. No. 127-10-060

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 70 in John Rock's Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 14 of Maps, Page 23 of Cuyahoga County Records and being 30 feet front on the Westerly side of East 90th Street and extending back 125 feet deep on the Northerly line, 130 feet deep on the Southerly line and having a rear line of 30.47 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P. P. No. 127-10-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 69 in John Rock's Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 14 of Maps, Page 23 of Cuyahoga County Records and being 30 feet front on the Westerly side of East 90th Street and extending back of equal width 130 feet on the Northerly and Southerly line and having a rear line of 30 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 127-10-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 68 in John Rock's Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 14 of Maps, Page 23 of Cuyahoga County Records and being 30 feet front on the Westerly side of East 90th Street and extending back of equal width 130 feet deep on the Northerly and Southerly line and having a rear line of 30 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 127-10-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 66 in John Rock's Subdivision of part of Original One Hundred Acre Lot No. 432, as shown by the recorded plat in Volume 14 of Maps, Page 23 of Cuyahoga County Records and being 30 feet front on the Westerly side of East 90th Street and extending back of equal width 130 feet deep on the Northerly and Southerly line and having a rear line of 30 feet, as appears by said plat.

Excepting therefrom the real property being appropriated in Case No. 836861, Doc. 835, Probate Court,

Division of Court of Common Pleas of Cuyahoga County, Ohio, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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

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

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

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

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

Ord. No. 719-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2990 East 77 Street to James G. and Viola Workman.

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

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

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

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

Section 1. That pursuant to section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 125-19-030, as more fully described in Section 2 below, to

James G. and Viola Workman.

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

P.P. No. 125-19-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 35 Whiting and Burt's Allotment of part of Original One Hundred Acre Lot No. 327 as shown by the recorded plat in Volume 5 of Maps, Page 6 of the Cuyahoga County Records, and being 40 feet front on the West-erly side of East 77th Street (formerly Wakabash Street), and extending back of equal width 135 feet, as appears by said plat.

Also subject to zoning ordinances, if any.

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

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

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

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

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

Ord. No. 720-97.

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Housing Network, or its designee, to provide development loan assistance in the form of a Community Development Block Grant float loan for the purchasing, rehabilitating or constructing of low income rental housing.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with Cleveland Housing Network, or its designee, to provide development

loan assistance in the form of a Community Development Block Grant float loan in the amount of \$3,500,000.00 for the purchase, rehabilitation or construction of low income rental housing in the City of Cleveland.

Section 2. That the contract shall include the requirement that plans for all new housing construction be approved by the ward participating community development corporation (CDC) and that any changes to such plans must be approved by the CDC and the requirement that tenants for housing projects financed through the herein authorized loan shall be chosen from referrals by the CDC to Cleveland Housing Network, where such referrals are provided.

Section 3. That the terms of said loan shall be determined by the Director of Community Development in accordance with regulations, state and local law, and said Director is authorized to amend said terms from time to time, as he deems necessary to remain consistent with said laws and regulations.

Section 4. That the cost of said contract shall be paid from Fund No. 14 SF810, Request No. 23073.

Section 5. That the Director of Community Development shall obtain an irrevocable, unconditional letter of credit to secure repayment of said loan. Any security instrument shall be approved by the Director of Law.

Section 6. That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in the CDBG fund.

Section 7. That the Director of Community Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from the CDBG fund.

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

Section 9. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 721-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Holden Park Trust for the Rockefeller Lagoon 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 Parks, Recreation and Properties is

hereby authorized to apply for and accept a grant in the amount of \$350,000.00, from Holden Park Trust, to conduct the Rockefeller Lagoon Project, for the purposes set forth in the application and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 721-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 722-97.

By Councilmen Polensek and Westbrook.

An emergency ordinance to amend the title of Ordinance No. 872-96, passed June 18, 1996; to supplement said ordinance by adding new Section 3; to renumber existing Section 3 to new Section 4, relating to authorizing the Director of Public Safety to apply for and accept a grant from the Byrne Memorial for the Teen Court Program.

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

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

Section 1. That the title of Ordinance No. 872-96, passed June 18, 1996, is hereby amended to read as follows:

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Byrne Memorial for the Teen Court Program; and to enter into contract with the YMCA to implement the program.

Section 2. That the existing title of Ordinance No. 872-96, passed June 18, 1996, is hereby repealed.

Section 3. That Ordinance No. 872-96, passed June 18, 1996, is hereby supplementing by adding new Section 3 to read as follows:

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

Section 4. That existing Section 3 of Ordinance No. 872-96, passed June 18, 1996, is hereby renumbered to new "Section 4."

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

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

Ord. No. 723-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with Environmental Careers Organization, Inc. for professional services to recruit, select and place summer interns, for the Division of Environment, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to enter into contract with Environmental Careers Organization, Inc. for professional services necessary to recruit, select and place not to exceed three (3) summer interns in temporary positions in the Division of Environment for a period not to exceed ten (10) weeks, including payment of the interns' salaries and payroll taxes, on the basis of the proposal dated April 24, 1997, in the approximate sum of \$18,300.00, payable from Fund Nos. 13 SF 458 and 01-05-06-0380, Request No. 21829.

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

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

Ord. No. 724-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various data entry services to convert 1996 wage and tax statements from paper documents and magnetic tape to machine readable magnetic tapes, for the Division of Taxation, Department of Finance.

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 of keying and conversion of 1996 wage and tax statements from paper documents and magnetic tape to machine readable magnetic tapes per CCA specifications, including furnishing media, transportation and security in the approximate amount as purchased during the preceding year, to be purchased by the

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21206)

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

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

Ord. No. 725-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of plumbing materials and supplies, for the various divisions of City government.

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 plumbing materials and supplies in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22981)

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

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

**Ord. No. 726-97.
By Councilman Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to provide payroll processing services.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide payroll processing services, including but not limited to customization and start-up. The contract herein authorized shall provide for payroll processing services for a period not to exceed five (5) years commencing on January 1, 1999.

The selection of said 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 2. That the costs for such services herein contemplated shall be paid from Fund No. 01-15-02-0380, Request No. 21334.

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

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

Ord. No. 727-97.

By Councilmen Patmon and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept allocations of grants from the State of Ohio Bureau of Employment Services under Titles II and III of the Job Training Partnership Act and to appropriate such funds to provide for administration of the JTPA program by the Department of Personnel and Human Resources.

Whereas, the Job Training Partnership Act of 1982, Public Law 97-300, as amended by the Job Training Reform Amendments of 1992, Public Law 102-367, ("JTPA"), is a New Federalism program, the purpose of which is to ". . . establish programs to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased educational and occupational skills, and decreased welfare dependency, thereby improving the quality of the workforce and enhancing the productivity and competitiveness of the Nation"; and

Whereas, in accordance with the JTPA, the Governor of the State of Ohio has designated service delivery and substate areas for the JTPA throughout Ohio and the Governor has designated the geographic boundaries of the City of Cleveland ("City") as a Service Delivery Area ("SDA") and Substate Area ("SSA") No. 20; and

Whereas, in accordance with the agreement required by the JTPA and approved by the Governor, for the JTPA Program Years ("PY") '96 and '97, for the period July 1, 1996 through June 30, 1998, between the Chairman of the Private Industry Council of Cleveland ("PICC") and the City, the City has been designated the JTPA grant recipient and administrative entity; and, substate grantee in SDA/SSA No. 20; and

Whereas, the Secretary of the United States Department of Labor has issued allotments of the JTPA funds to the Ohio Bureau of Employment Services which has issued allocations under the JTPA Titles II and III to the City for PY '97, subject to approval of the comprehensive job training and substate plan; and

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to accept the following allocations of grants from the State of Ohio Bureau of Employment Services under the JTPA, Title II-Training Services For The Disadvantaged, and Title III, for delivery of allowable program services to eligible individuals, and to credit said grants to the fund and subfunds designated herein:

<u>GRANT NAME</u>	<u>FUND</u>	<u>AMOUNT</u>
Title II Part A 77% Adult Training Program	15 SF 071	\$ 3,047,677.00
Title II Part A 5% Services For Older Individuals	15 SF 072	200,307.00
Title II Part C 8% State Education Coordination and Grants	15 SF 076	288,894.00
Title II Part C 82% Youth Training Program	15 SF 075	448,944.00
Title II Part B Summer Youth Employment and Training Program	15 SF 064	3,756,601.00
Title III Employment and Training Assistance for Dislocated Workers	15 SF 073	\$ 1,270,804.00
	TOTAL	\$ 9,013,227.00

The Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to accept and receive the funds under said grant.

Section 2. That the following sums from each grant specified in Section 1 herein are hereby appropriated as follows to provide for administration of the JTPA program:

A.	<u>Adult Training Program</u>	
	Personnel and Related Expenses	\$ 1,050,000.00
	Other Expenses	\$ 1,997,677.00
	Total	\$ 3,047,677.00
B.	<u>Services for Older Individuals</u>	
	Personnel and Related Expenses	\$ 50,000.00
	Other Expenses	\$ 150,307.00
	Total	\$ 200,307.00
C.	<u>State Education Coordination and Grants</u>	
	Personnel and Related Expenses	\$ 100,000.00
	Other Expenses	\$ 188,894.00
	Total	\$ 288,894.00
D.	<u>Youth Training Program</u>	
	Personnel and Related Expenses	\$ 100,000.00
	Other Expenses	\$ 348,944.00
	Total	\$ 448,944.00
E.	<u>Summer Youth Employment and Training Program</u>	
	Personnel and Related Expenses	\$ 450,000.00
	Other Expenses	\$ 3,306,601.00
	Total	\$ 3,756,601.00
F.	<u>Employment and Training Assistance For Dislocated Workers</u>	
	Personnel and Related Expenses	\$ 250,000.00
	Other Expenses	\$ 1,020,804.00
	Total	\$ 1,270,804.00

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action & Training, Finance.

Ord. No. 728-97.
By Councilmen Patmon and Westbrook (by departmental request).
An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into contracts for training services for the disadvantaged and employment and training assistance for dislocated workers under the Job Training Partnership Act; and to enter into contracts for delivery of the Adult Training Program under the Job Training Partnership Act.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to enter into contracts for training services for the disadvantaged and employment and training assistance for dislocated workers under the Job Training Partnership Act with the following educational institutions: Breakwall Corporation dba Total Technical Institute, Cleveland Institute of Dental-Medical Assistants; Cuyahoga Community College; King College of Business, Inc. dba Sawyer College

of Business; and Meadowmark Computer Training, Inc.

Section 2. That the cost of the contracts authorized in Section 1 shall not exceed Three Hundred Two Thousand Three Hundred and Fifty Dollars (\$302,350.00), and will be paid from Fund Nos. 15 SF 041, 15 SF 051, 15 SF 061, 15 SF 062, and 15 SF 063.

Section 3. That the Director of Personnel and Human Resources is hereby authorized to enter into contracts with the following service delivers in amounts not to exceed those listed below, for the delivery of the Adult Training Program, Title II Part A - 77%, Customized Occupational Skills Training activities:

Geric Home Health Care, Inc.	\$ 148,675.00
Orion Consulting, Inc.	\$ 140,876.00

Section 4. That the cost of the contracts authorized in Section 3 shall not exceed Two Hundred Eighty Nine Thousand Five Hundred Fifty One Dollars (\$289,551.00), and will be paid from Fund Nos. 15 SF 041, 15 SF 051, and 15 SF 061, Request No. 22939.

Section 5. That this ordinance is hereby declared to be an emergency

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action & Training, Finance.

Ord. No. 729-97.
By Councilmen Patton and Westbrook (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to provide underwater inspection, cleaning, debris removal and repairs to various underwater submerged water facilities, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

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

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

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

requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials necessary to provide underwater inspection, cleaning, debris removal and repairs to various underwater submerged water facilities in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23396)

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

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

FIRST READING ORDINANCES REFERRED

Ord. No. 730-97.

Councilman Polensek.

An ordinance establishing the East 185 Street Business Revitalization District (BRD) (Map Change No. 1938, Sheet No. 7).

Whereas, the Board of Trustees of Northeast Shores Development Corporation has submitted a written request dated December 16, 1996 to the City Planning Commission to establish a Business Revitalization District in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

Whereas, such request is accompanied by a map identifying the boundaries of the proposed District; and

Whereas, the City Planning Commission has determined that the proposed District meets the criteria for designation set forth in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio 1988:

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

Section 1. That the following area, further defined and outlined on the map hereto attached, be and the same is hereby designated the East 185 Street Business Revitalization District.

Beginning at the intersection of the center line of East 185 Street and the

westerly extension of a line located ninety five (95) feet north of the northerly line of Pawnee Avenue, N.E.; thence easterly along said westerly extension and along said line which is parallel to and ninety five (95) feet north of said northerly line of Pawnee Avenue, N.E. to its intersection with a line located one hundred (100) feet east of the easterly line of East 185 Street; thence southerly along said line which is parallel to and one hundred (100) feet east of said easterly line of East 185 Street and along its southerly extension to the center line of Pawnee Avenue, N.E.; thence easterly along said center line of Pawnee Avenue, N.E. to its intersection with the northerly extension of a line located three hundred eighteen and forty eight hundredths (318.48) feet east of said easterly line of East 185 Street; thence southerly along said northerly extension and along said line which is parallel to and three hundred eighteen and forty eight hundredths (318.48) feet east of said easterly line of East 185 Street and along its southerly extension to the center line of Mohawk Avenue, N.E.; thence westerly along said center line of Mohawk Avenue, N.E. to its intersection with the northerly extension of the easterly line of Sublot No. 1106 in the Berwick Extension Subdivision as recorded in Volume 28, Page 14 of the Cuyahoga County Map Records; thence southerly along said northerly extension and along said easterly line of said Sublot No. 1106 and continuing southerly along the easterly lines of Sublots Nos. 1105, 1104, 1103, 1102, 1101, 1100 and 1099 in said Berwick Extension Subdivision and along its southerly extension to the center line of Arrowhead Avenue, N.E.; thence easterly along said center line of Arrowhead Avenue, N.E. to its intersection with the northerly extension of the easterly line of Sublot No. 726 in said Berwick Extension Subdivision; thence southerly along said northerly extension and along said easterly line of said Sublot No. 726 and continuing southerly along the easterly lines of Sublots Nos. 725, 724, 723, 722, 721, 720 and 719 in said Berwick Extension Subdivision and along its southerly extension to the center line of Cherokee Avenue, N.E.; thence easterly along said center line of Cherokee Avenue, N.E. to its intersection with the northerly extension of the easterly line of Sublot No. 530 in said Berwick Extension Subdivision; thence southerly along said northerly extension and along said easterly line of said Sublot No. 530 and continuing southerly along the easterly lines of Sublots Nos. 529, 528 and 572 in said Berwick Extension Subdivision to its intersection with a line located one hundred (100) feet north of the northerly line of Kildeer Avenue, N.E.; thence easterly along said line which is parallel to and one hundred (100) feet north of said northerly line of Kildeer Avenue, N.E. to its intersection with a line located approximately one hundred ninety five (195) feet east of said easterly line of East 185 Street; thence southerly along said line which is parallel to and approximately one hundred ninety five (195) feet east of said easterly line of East 185 Street and along its southerly extension to the center line of Kildeer Avenue, N.E.; thence continuing south along said line which is parallel to and approximately one hundred ninety five (195) feet east of said easterly line of East 185 Street to its intersection with a line located one hundred (100) feet north of the

northerly line of Chickasaw Avenue, N.E.; thence westerly along said line which is parallel to and one hundred (100) feet north of said northerly line of Chickasaw Avenue, N.E. to its intersection with the northerly extension of a line located one hundred seventy (170) feet east of said easterly line of East 185 Street; thence southerly along said northerly extension and along said line which is parallel to and one hundred seventy (170) feet east of said easterly line of East 185 Street to its intersection with a line located one hundred (100) feet south of the southerly line of Chickasaw Avenue, N.E.; thence easterly along said line which is parallel to and one hundred (100) feet south of said southerly line of Chickasaw Avenue, N.E. to its intersection with a line located one hundred fifty five (155) feet east of said easterly line of East 185 Street; thence southerly along said line which is parallel to and one hundred fifty five (155) feet east of said easterly line of East 185 Street and along its southerly extension to the center line of Kewanee Avenue, N.E.; thence easterly along said center line of Kewanee Avenue, N.E. to its intersection with the northerly extension of a line located two hundred fifteen (215) feet east of said easterly line of East 185 Street; thence southerly along said northerly extension and along said line which is parallel to and two hundred fifteen (215) feet east of said easterly line of East 185 Street to its intersection with a line located one hundred (100) feet south of the southerly line of Kewanee Avenue, N.E.; thence westerly along said line which is parallel to and one hundred (100) feet south of said southerly line of Kewanee Avenue, N.E. to its intersection with a line located one hundred fifty five (155) feet east of said easterly line of East 185 Street; thence southerly along said line which is parallel to and one hundred fifty five (155) feet east of said easterly line of East 185 Street and along its southerly extension to the center line of Shawnee Avenue, N.E.; thence westerly along said center line of Shawnee Avenue, N.E. to its intersection with the northerly extension of the easterly line of Sublot No. 7 in the M. & M. Cone Subdivision (N.R.); thence southerly along said northerly extension and along said easterly line of said Sublot No. 7 and continuing southerly along the easterly lines of Sublots Nos. 8 and 9 in said M. & M. Cone Subdivision (N.R.) to its intersection with a line located one hundred twenty five (125) feet south of the southerly line of Shawnee Avenue, N.E.; thence easterly along said line which is parallel to and one hundred twenty five (125) feet south of said southerly line of Shawnee Avenue, N.E. to its intersection with the westerly line of Sublot No. 1 in said M. & M. Cone Subdivision (N.R.); thence southerly along said westerly line of said Sublot No. 1 to its intersection with the northerly line of Sublot No. 16 in said M. & M. Cone Subdivision (N.R.); thence easterly along said northerly line of said Sublot No. 16 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line of said Sublot No. 16 and along its southwesterly extension to the center line of Neff Road, N.E.; thence northwesterly along said center line of Neff Road, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 1585 in the Berwick Subdivision No. 3 as recorded in Volume 30, Page 8 of the Cuyahoga

County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 1585 to its intersection with the southwesterly line thereof; thence southeasterly along said southwesterly line of said Sublot No. 1585 and continuing southeasterly along the southwesterly lines of Sublots Nos. 1584, 1583, 1582, 1581, 1580, 1579, 1578, 1577, 1576 and 1575 in said Berwick No. 3 Subdivision to its intersection with a line located one hundred twenty five (125) feet north of the northerly line of Glenfield Road, N.E.; thence westerly along said line which is parallel to and one hundred twenty five (125) feet north of said northerly line of Glenfield Road, to its intersection with a line located one hundred thirty (130) feet east of said easterly line of East 185 Street; thence southerly along said line which is parallel to and one hundred thirty (130) feet east of said easterly line of East 185 Street and along its southerly extension to the center line of Glenfield Road, N.E.; thence continuing southerly along said line which is parallel to and one hundred thirty (130) feet east of said easterly line of East 185 Street and along its southerly prolongation to its intersection with the center line of Villaview Road, N.E.; thence southwesterly along said center line of Villaview Road, N.E. to the center line of East 185 Street; thence southerly along said center line of East 185 Street to its intersection with the northeasterly extension of the southeasterly line of Sublot No. 34 in the John Mozina Subdivision as recorded in Volume 95, Page 9 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said southeasterly line of said Sublot No. 34 to its intersection with the westerly line thereof; thence northerly along said westerly line of said Sublot No. 34 and along its northerly extension to the center line of Mozina Drive, N.E.; thence easterly along said center line Mozina Drive, N.E. to its intersection with the southerly extension of the westerly line of Sublot No. 13 in said John Mozina Subdivision; thence northerly along said southerly extension and along said westerly line of said Sublot No. 13 and continuing northerly along the westerly lines of Sublots No. 12, 11, 10, 9, 8, 7 and 6 in said John Mozina Subdivision and along its northerly extension to the center line of Mozina Drive, N.E.; thence southwesterly along said center line of Mozina Drive, N.E. to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 5 in said John Mozina Subdivision; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 5 and continuing northwesterly along the southwesterly lines of Sublots Nos. 4, 3, 2 and 1 in said John Mozina Subdivision; thence from the point of intersection of the southwesterly line and the northerly line of said Sublot No. 1 northeasterly to a point on Marcella Road, N.E. located one hundred forty (140) feet northeast of the intersection of the southwesterly line of Marcella Road, N.E. and the westerly line of East 185 Street and along its northeasterly extension to the center line of Marcella Road, N.E.; thence northwesterly along said center line of Marcella Road, N.E. to its intersection with the southwesterly extension of the southeasterly line of Permanent Parcel No. 113-08-043; thence northeasterly along said southwesterly extension and along

said southeasterly line of said Permanent Parcel No. 113-08-043 to the northerly line thereof; thence westerly along said northerly line of said Permanent Parcel No. 113-08-043 and 113-08-042 to the northwesterly corner thereof; thence northwesterly along the northeasterly line of Permanent Parcel No. 113-08-041 to the southeasterly line of Permanent Parcel No. 113-08-040; thence northeasterly along said southeasterly line of said Permanent Parcel No. 113-08-040 to the southeasterly corner thereof; thence northerly along the easterly line of Permanent Parcel No. 113-08-040 and 113-08-039 to its intersection with the southeasterly line of Permanent Parcel No. 113-08-014; thence northeasterly along the southeasterly line of said Permanent Parcel No. 113-08-014 and along its northeasterly extension to the center line of Neff Road, N.E.; thence northwesterly along said center line of Neff Road, N.E. to its intersection with southwesterly extension of the northwesterly line of Sublot No. 7 in the Neff Point Non Recorded Subdivision; thence northwesterly along said southwesterly extension and along said northwesterly line of said Sublot No. 7 to its intersection with the southeasterly prolongation of the northeasterly line of Sublot No. 1 in said Neff Point Non Recorded Subdivision; thence northwesterly along said southeasterly prolongation and along said northwesterly line of said Sublot No. 1 to its intersection with a line located one hundred twenty (120) feet southeast of the southeasterly line of Edgerton Road, N.E.; thence northeasterly along said line which is parallel to and one hundred twenty (120) feet southeast of said southeasterly line of Edgerton Road, N.E. to its intersection with the southwesterly line of Sublot No. 484 in the Shore Park (K. Angesser Co.) Allotment as recorded in Volume 93, Page 6 of the Cuyahoga County Map Records; thence northwesterly along said southwesterly line of said Sublot No. 484 and along its northwesterly extension to the center line of Edgerton Road, N.E.; thence northeasterly along said center line of Edgerton Road, N.E. to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 480 in said Shore Park (K. Angesser Co.) Allotment; thence northwesterly along said southeasterly extension and along said northwesterly line of said Sublot No. 480 and along its northwesterly prolongation to the center line of La Salle Road, N.E.; thence easterly along said center line of La Salle Road, N.E. to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 454 in said Shore Park (K. Angesser Co.) Allotment; thence northwesterly along said southeasterly extension and along said northwesterly line of said Sublot No. 454 and continuing northwesterly along the northeasterly line of Sublot No. 417 in said Shore Lake (K. Angesser Co.) Allotment and along its northwesterly extension to the center line of East Park Drive, N.E.; thence easterly along said center line of East Park Drive, N.E. to its intersection with the southerly extension of the easterly line of Sublot No. 413 in the Rose Park Subdivision as recorded in Volume 28, Page 23 of the Cuyahoga County Map Records; thence northerly along said southerly extension and along said easterly line of said Sublot No. 413 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 413 to its intersection with

the southeasterly line of Sublot No. 99 in said Rose Park Subdivision; thence northeasterly along said southeasterly line of said Sublot No. 99 and along its northeasterly extension to the center line of Harland Avenue, N.E.; thence northwesterly along said center line of Harland Avenue, N.E. to its intersection with the southwesterly extension of the northwesterly line of Sublot No. 1 in the W. L. Stacey Subdivision as recorded in Volume 34, Page 24 of the Cuyahoga County Map Records; thence northeasterly along said southwesterly extension and along said northwesterly line of said Sublot No. 1 and continuing northeasterly along the southwesterly lines of Sublots Nos. 2, 3 and 4 in said W. L. Stacey Subdivision and along its northeasterly extension to the center line of Schenely Avenue, N.E.; thence northwesterly along said center line of Schenely Avenue, N.E. to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 74 in the Boulevard Estates Subdivision as recorded in Volume 84, Page 8 of the Cuyahoga County Map Records; thence northeasterly along said southwesterly extension and along said southeasterly line of said Sublot No. 74 and continuing northwesterly along the southeasterly line of Sublot No. 66 in said Boulevard Estates Subdivision and along its northeasterly extension to the center line of Hiller Avenue, N.E.; thence northwesterly along said center line of Hiller Avenue, N.E. to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 5 in said Boulevard Estates Subdivision; thence northeasterly along said southwesterly extension and along said southeasterly line of said Sublot No. 5 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 5 and along its northeasterly prolongation to the center line of Windward Road, N.E.; thence northwesterly along said center line of Windward Road, N.E. to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 88 in the Beachland Subdivision No. 2 as recorded in Volume 33, Page 3 of the Cuyahoga County Map Records; thence northeasterly along said southwesterly extension and along said southeasterly line of said Sublot No. 88 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 88 to its intersection with the southeasterly line of Sublot No. 89 in said Beachland Subdivision No. 2; thence northeasterly along said southeasterly line of said Sublot No. 89 to the northwesterly line of Sublot No. 85 in said Beachland Subdivision No. 2; thence northeasterly along said northwesterly line of said Sublot No. 85 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Sublot No. 85 to the northwesterly line of Sublot No. 84 in said Beachland Subdivision No. 2; thence northeasterly along said northwesterly line of said Sublot No. 84 and along its northwesterly extension to the center line of Landseer Road, N.E.; thence northwesterly along said center line of Landseer Road, N.E. to its intersection with the southwesterly extension of the southeasterly line of Sublot No. 3 in said Beachland Subdivision No. 2; thence northeasterly along said southwesterly extension and along said southeasterly line of said Sublot No. 3 to its intersection with the north-

easterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 3 and continuing northwesterly along the northeasterly line of Sublot No. 4 in said Beachland Subdivision No. 2 to its intersection with the southwesterly line of Sublot No. 52 in the Beachland Subdivision as recorded in Volume 26, Page 2 of the Cuyahoga County Map Records; thence northwesterly along said southwesterly line of said Sublot No. 52 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Sublot No. 52 to its intersection with the northwesterly line of Sublot No. 53 in said Beachland Subdivision; thence northeasterly along said northwesterly line of Sublot No. 53 and along its northeasterly extension to the center line of Cornwall Road, N.E.; thence northwesterly along said center line of Cornwall Road, N.E. to its intersection with the southwesterly extension of the northwesterly line of Sublot No. 59 in said Beachland Subdivision; thence northeasterly along said southwesterly extension and along said northwesterly line of said Sublot No. 59 to its intersection with the northeasterly line thereof; thence southeasterly along said northeasterly line of said Sublot No. 59 to its intersection with the westerly line of Sublot No. 58 in said Beachland Subdivision; thence northerly along said westerly line of said Sublot No. 58 and along its northerly extension to the center line of Canterbury Road, N.E.; thence continuing northerly along the southerly extension of the westerly line of Sublot No. 84 in said Beachland Subdivision and along said westerly line of said Sublot No. 84 to its intersection with the northerly line thereof; thence easterly along said northerly line of said Sublot No. 84 and continuing easterly along the northerly line of Sublot No. 86 in said Beachland Subdivision to its intersection with the easterly line of Sublot No. 18 in the Rosecliff (Kausek & Plevnik) Subdivision as recorded in Volume 75, Page 8 of the Cuyahoga County Map Records; thence northerly along said easterly line of said Sublot No. 18 and along its northerly extension to the center line of Rosecliff Road, N.E.; thence westerly along said center line of Rosecliff Road, N.E. to its intersection with the southerly extension of the easterly line of Sublot No. 13 in said Rosecliff (Kausek & Plevnik) Subdivision; thence northerly along said southerly extension and along said easterly line of said Sublot No. 13 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 13 and continuing westerly along the northerly lines of Sublots Nos. 12, 11 and 10 in said Rosecliff (Kausek & Plevnik) Subdivision to its intersection with the southeasterly line of Sublot No. 16 in the Elmwood Allotment Non-Recorded (Arnot Realty Co.); thence northeasterly along said southeasterly line of said Sublot No. 16 and continuing northeasterly along the southeasterly lines of Sublots Nos. 17, 18, 19, 20, 21, 22 and 23 in said Elmwood Allotment Non-Recorded (Arnot Realty Co.) to its intersection with the southwesterly line of Sublot No. 24 in said Elmwood Allotment Non-Recorded (Arnot Realty Co.); thence northwesterly along said southwesterly line of said Sublot No. 24 and along its northwesterly extension to the center line of Lake Shore Boulevard, N.E.; thence northeasterly along said center line of Lake Shore

Boulevard, N.E. to the center line of East 185 Street; thence southerly along said center line of East 185 Street to the place of beginning.

Section 2. That the designation of the area set forth in Section 1 hereof as the East 185 Street Business Revitalization District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 705-97.

By Councilmen Britt and Willis.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Incorporated to stretch banners on Martin Luther King Jr. Drive (east of the Cleveland Museum of Natural History), on Stokes Boulevard and on Cedar Hill for the period from May 24, 1997 to June 16, 1997, inclusive, publicizing Parade the Circle Celebration.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to University Circle Incorporated to install, maintain and remove a banner on Martin Luther King Jr. Drive (east of the Cleveland Museum of Natural History), on Stokes Boulevard and on Cedar Hill for the period from May 24, 1997 to June 16, 1997, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 706-97.

By Councilman Skrha.

An emergency ordinance consenting and approving the issuance of a

permit for Public Safety Games 10K Foot Race on May 19, 1997, sponsored by Hermes Race Systems.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Public Safety Games 10K Foot Race, sponsored by Hermes Race Systems, on May 19, 1997. The race will start by Donald J. Gray Gardens (behind) old stadium, around to Erieside going east-bound past E. 9th Street onto N. Marginal to E. 53rd and turn around going back to the start, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 707-97.

By Councilman Willis.

An emergency ordinance consenting and approving the issuance of a permit for Childrens Run Wade Oval on May 10, 1997, sponsored by Hermes Race Systems.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Childrens Run Wade Oval, sponsored by Hermes Race Systems, on May 10, 1997. The runs, (approximately 6), will run just around Wade Oval using East Blvd., provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

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

Ord. No. 709-97.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Myra Denise Simmons).

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

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

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5, at the locations specified: 3454-56 East 93rd Street, west side.

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

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

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

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

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

FIRST READING EMERGENCY RESOLUTION READ IN FULL AND ADOPTED

Res. No. 708-97.

By Councilman Robinson.

An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 3608 East 131st Street, and repealing Res. No. 533-97, objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 3608 E. 131st Street, by Res. No. 533-97, adopted April 7, 1996; and

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

Whereas, this resolution constitutes an emergency measure provid-

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

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

Section 1. That objection to the issuance of a C1 Liquor Permit to 3608 E. 131st Street, be and the same is hereby withdrawn and Res. No. 533-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

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

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

SECOND READING EMERGENCY ORDINANCES

Ord. No. 256-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract or contracts of solid waste disposal services, for the Division of Waste Collection and Disposal, Department of Public Service.

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

Ord. No. 335-97.

By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of hand held meter reading equipment, for the Division of Water, Department of Public Utilities.

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

Ord. No. 397-97.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for Humphrey Park Facility expansion project at 16009-16011 Damon Avenue, for the Division of Property Management, Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Public Parks, Recreation and Properties, Finance.

Ord. No. 424-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of filters and filtering media for heating, ventilating and air conditioning systems, for the Division of Property Management, Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees

on Public Parks, Recreation and Properties, Finance; when amended as follows:

1. In the title, at the end, strike the period and insert in lieu thereof the following: "**for a period of two years.**".

2. In Section 1, line 5, strike "one year" and insert in lieu thereof "**two years**"; in line 7, strike "year" and insert "**term**"; in line 14, strike "a year" and insert "**two years**"; and in line 16, strike "year" and insert "**term**".

Amendments agreed to.

Ord. No. 425-97.

By Councilmen Johnson and Westbrook (by departmental request).

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

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

Ord. No. 426-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance ratifying and approving the emergency replacement of cleaning companies for janitorial services for cleaning the interior and exterior of the West Side Market in accordance with the Mayor's Emergency Purchase letter of November 1, 1996.

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

Ord. No. 551-97.

By Councilmen Johnson and Westbrook (by departmental request).

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

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

Ord. No. 552-97.

By Councilmen Johnson and Westbrook (by departmental request).

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

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

Ord. No. 553-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of replacement equipment and parts necessary to repair playground equipment, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for a period not to exceed two years.

Approved by Directors of Parks, Recreation and Properties, Finance,

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

Ord. No. 554-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Urban Forest property maintenance services for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

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

Ord. No. 555-97.

By Councilmen Johnson and Westbrook (by departmental request).

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

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

Ord. No. 556-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance to amend Section 6 of Ordinance No. 1284-96, passed October 14, 1996, as amended by Ordinance No. 2120-96, passed November 25, 1996, relating to the public improvement of constructing, rehabilitating, expanding or otherwise improving parks, recreation facilities, the West Side Market parking lot and park maintenance buildings, and professional services necessary therefor.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Recreation and Properties, Finance; when amended as follows:

1. In the title, line 2, after "amend" insert "**Section 3 and**"; in line 10, after "lot" insert "**; Luke Easter Park, Tremont Valley Park**".

2. In Section 1, line 1 after "That" insert "**Section 3 and**"; and in line three, strike "is" and insert "**are**".

3. In Section 1, after line 3, insert the following:

"Section 3. That, pursuant to Section 167 of the Chapter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, expanding or otherwise improving parks in even-numbered wards, Abbey Park, Rockefeller Park, Luke Easter Park, Tremont Valley Park, and the West Side Market parking lot, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement."

4. In Section 1, in existing line 7, after "20 SF 334" insert "**and, with respect to Rockefeller Park only, Fund No. 13 SF 256**".

5. In Section 2, line 1, after "existing" insert "**Section 3 and**"; and in line 3, strike "is" and insert "**are**".

Amendments agreed to.

Ord. No. 557-97.

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

An emergency ordinance determining the method of making the public improvement of constructing a public parking facility located at West 25th Street and Bridge Avenue; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing said director to employ one or more firms of consultants to provide professional services related to this improvement.

Approved by Directors of Parks, Recreation, and Properties, Finance, Law; Recommended by Committees on Public Parks, Recreation, and Properties, Finance; when amended as follows:

1. In the title, line 5 and in Section 1, line 4, strike "25th" and insert in lieu thereof "**24th**".

2. In Section 2, line 3, after "improvement" insert "**and demolition**".

3. Insert a new Section 3 to read as follows:

"Section 3. That, notwithstanding and as an exception to provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to acquire and accept fee title to property located at 1885 West 25th Street, Cleveland, Ohio 44113, P.P.N. 003-23-035, as described on the map contained in Council File No. 557-97-A, for the purpose of developing adequate vehicle and pedestrian access to the parking lot described herein from West 25th Street."

4. Renumber existing Sections 3, 4, and 5 to new "**Section 4**", "**Section 5**", and "**Section 6**".

5. In existing Section 3, line 3, after "engineers" insert a "comma"; in line 4, after "asbestos" insert "**and/or demolition**"; in line 5, after "engineers", insert a "comma" and after "asbestos" insert "**and/or demolition**".

Amendments agreed to.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 657-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance to amend the second and third whereas clauses, and Sections 1, 2 and 4 of Resolution No. 1227-96, adopted June 18, 1996, relating to the control of blight and disease of shade trees by planting, trimming, removing shade trees, and other related activities, in and along the streets of portions of Shaker Boulevard in the City of Cleveland; establishing a district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code; and providing for the assessment of the cost and expense of such work upon benefited property in such district.

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

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

Ord. No. 667-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance to amend the second and third whereas clauses, and Sections 1, 2 and 4 of Resolution No. 376-96, adopted May 13, 1996, relating to the control of blight and disease of shade trees by plant-

ing, trimming, removing shade trees, and other related activities, in and along the streets of portions of the City of Cleveland; establishing a district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code; and providing for the assessment of the cost and expense of such work upon benefited property in such district.

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

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

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 676-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency resolution appointing an assessment equalization board to hear objections to estimated assessments with respect to the downtown area of the City of Cleveland by replacing, maintaining, trimming and removing shade trees in and along the streets thereof.

Approved by Directors of Parks, Recreation, and Properties, Finance Law; Recommended by Committees on Public Parks, Recreation, and Properties, Finance; when amended as follows:

1. In Section 1, strike lines 1 and 2 in their entirety and insert in lieu thereof the following: "**Section 1. That Dorothy M. Miller, Jan Dean, and Faye Callahan, three disinterested freeholders of said City, be**".

2. In Section 2, strike line 2 in its entirety, and insert in lieu thereof the following: "**shall meet at 10:00 o'clock a.m. on the 9th day of May, 1997, at the**".

Amendments agreed to.

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

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final adoption.

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 337-97.

By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of dishwashing, laundry, general cleaning and hygiene supplies for the Division of Correction, Department of Public Health, for a period not to exceed two years.

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

Ord. No. 401-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance to amend Section 2 of Ordinance No. 1130-93, passed May 24, 1993, as amended by Ordinance No. 1711-96, passed October 28, 1996, relating to upgrading the computer system for the Department of Law.

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

Ord. No. 563-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing the Mayor, or his designee, to accept registration fees, enter into

contract for the provision of facilities and purchase course supplies and refreshments, in connection with the James H. Walker Construction Management Training Course to be conducted by the Minority Business Development Center, Office of Equal Opportunity.

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

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried, that the absence of Councilman Joseph J. Zone be and is hereby authorized.

MOTION

The Council adjourned at 8:00 p.m. to meet on Monday, May 5, 1997.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 256-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract or contracts of solid waste disposal services, for the Division of Waste Collection and Disposal, Department of Public Service.

Ord. No. 335-97.

By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of hand held meter reading equipment, for the Division of Water, Department of Public Utilities.

Ord. No. 397-97.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for Humphrey Park Facility expansion project at 16009-16011 Damon Avenue, for the Division of Property Management, Department of Parks, Recreation and Properties.

Ord. No. 424-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of filters and filtering media for heating, ventilating and air conditioning systems, for the Division of Property Management, Department of Parks, Recreation and Properties for a period of two years.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement con-

tract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of **two years** for the necessary items of filters and filtering media for heating, ventilating and air conditioning systems in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than **two years** may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20318)

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

Ord. No. 425-97.

By Councilmen Johnson and Westbrook (by departmental request).

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

Ord. No. 426-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance ratifying and approving the emergency replacement of cleaning companies for janitorial services for cleaning the interior and exterior of the West Side Market in accordance with the Mayor's Emergency Purchase letter of November 1, 1996.

Ord. No. 551-97.

By Councilmen Johnson and Westbrook (by departmental request).

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

Ord. No. 552-97.

By Councilmen Johnson and Westbrook (by departmental request).

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

Ord. No. 553-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of replacement equipment and parts necessary to repair playground equipment, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for a period not to exceed two years.

Ord. No. 554-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Urban Forest property maintenance services for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

Ord. No. 555-97.

By Councilmen Johnson and Westbrook (by departmental request).

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

Ord. No. 556-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance to amend **Section 3 and Section 6** of Ordinance No. 1284-96, passed October 14, 1996, as amended by Ordinance No. 2120-96, passed November 25, 1996, relating to the public improvement of constructing, rehabilitating, expanding or otherwise improving parks, recreation facilities, the West Side Market parking lot, **Luke Easter Park, Tremont Valley Park** and park maintenance buildings, and professional services necessary therefor.

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

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

Section 1. That **Section 3 and Section 6** of Ordinance No. 1284-96, passed October 14, 1996, as amended by Ordinance No. 2120-96, passed November 25, 1996, are hereby amended to read as follows:

Section 3. That, pursuant to **Section 167 of the Chapter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, expanding or otherwise improving parks in even-numbered wards, Abbey Park, Rockefeller Park, Luke Easter Park, Tremont Valley Park, and the West Side Market parking lot, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.**

Section 6. That the cost of said improvement and professional services hereby authorized shall be paid from Fund Nos. 10 SF 006, 13 SF 799, 20 SF 303, 20 SF 313, 20 SF 323, 20 SF 330 and 20 SF 334 and, with respect to **Rockefeller Park only, Fund No. 13 SF 256**, Request No. 20558.

Section 2. That existing **Section 3 and Section 6** of Ordinance No. 1284-96, passed October 14, 1996, as amended by Ordinance No. 2120-96, passed November 25, 1996, are hereby repealed.

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

Ord. No. 557-97.

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

An emergency ordinance determining the method of making the public improvement of constructing a public parking facility located at West 24th Street and Bridge Avenue; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing said director to employ one or more firms of consultants to provide professional services related to this improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing a public parking facility located at West 24th Street and Bridge Avenue, for the Department of Parks, Recreation and Properties pending approval by this Council of Ordinance No. 383-97, introduced March 10, 1997, authorizing acquisition of said property, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That, notwithstanding and as an exception to provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to acquire and accept fee title to property located at 1885 West 25th Street, Cleveland, Ohio 44113, P.P.N. 003-23-035, as described on the map contained in Council File No. 557-97-A, for the purpose of developing adequate vehicle and pedestrian access to the parking lot described herein from West 25th Street.

Section 4. That the Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract one or more landscape architects, architects, engineers, and/or asbestos and/or demolition consultants or one or more firms of landscape architects, architects, engineers, and/or asbestos and/or demolition 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 implement the above mentioned public improvement.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties 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 Parks, Recreation and Properties, and certified by the Director of Finance.

Section 5. That the cost of said improvement and professional services hereby authorized shall be paid from Fund No. 10 SF 501, Request No. 23311, provisions of Ordinance No. 56-94, passed June 13, 1994, to the contrary notwithstanding.

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

BOARD OF CONTROL

April 23, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 23, 1997, at 11:00 a.m., with Mayor White presiding.

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

Absent: None.
Others: William Moon, Commissioner, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 277-97.

By Director Carmody.
Resolved by the Board of Control of the City of Cleveland that all bids received on December 11, 1996 for Oracle Software for the Cleveland Municipal Court, Department of Finance, pursuant to the authority of Ordinance No. 1095-95, passed by the Council of the City of Cleveland on July 19, 1996, be and the same are hereby rejected.

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

Nays: None.
Absent: None.

Resolution No. 278-97.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 964-93, passed by the

Council of the City of Cleveland on June 14, 1993, Adache-Ciuni-Lynn Associates, Inc. is hereby selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide professional design services for the installation of the Sheldon Road Water Supply Main, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with Adache-Ciuni-Lynn Associates, Inc. based upon its proposal dated November 7, 1996, as revised by its February 3, 1997 letter, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$387,476.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Adache-Ciuni-Lynn Associates, Inc. for the abovementioned professional service is hereby approved:

SUBCONTRACTORS	WORK
Ralph C. Tyler	Mapping/ Surveying/ Construction 35.49%, MBE
Oxbow Engineering	Miscellaneous design 8%, FBE
Solar Testing	Geotechnical/ Environmental
Aerocon Photogrammetric Services	Aerial Photography

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 279-97.

By Director Konicek.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Hughes Supply, Inc. for an estimated quantity of service fittings (items 4, 7, 10, 21-26, 28-32, 44-46 and 48) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 26th day of December, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Ninety Thousand Three Hundred Ninety Eight and 50/100 Dollars (\$190,398.50), (2% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00525 which shall be certified against such contract in the sum of Fifty Thousand Dollars, (\$50,000.00).

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

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

Nays: None.
Absent: None.

Resolution No. 280-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Underground Pipe & Valve, Inc. for an estimated quantity of service fittings (items 15-20, 41-43) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 26th day of December, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Fifteen Thousand Two Hundred Ninety Six Dollars (\$15,296.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00524

which shall be certified against such contract in the sum of Ten Thousand Dollars, (\$10,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 281-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of American Municipal Supplies for an estimated quantity of valves and appurtenances (items 7, 12-14, 18, 91, 93, 96 and 106) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 5th day of February, 1997, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Sixteen Thousand One Hundred Seven and 53/100 Dollars (\$16,107.53), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities,

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

Requisition No. 00526

which shall be certified against such contract in the sum of Ten Thousand Dollars, (\$10,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 282-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Hough Supply, Inc. for an estimated quantity of valves and appurtenances (items 41, 42, 61, 66, 74-89, 94, 95 and 97) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 5th day of February, 1997, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Twenty Thousand Two Hundred Thirteen and 65/100 Dollars (\$20,213.65), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00527

which shall be certified against such contract in the sum of Ten Thousand Dollars, (\$10,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 283-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Woodhill Supply, Inc. for an estimated quantity of valves and appurtenances (items 19-40) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 5th day of February, 1997, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Six Thousand Nine Hundred Forty Four and 34/100 Dollars (\$6,944.34), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby

requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00532

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: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 284-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Victory White Metal Co. for an estimated quantity of valves and appurtenances (items 2, 3, 6, 15, 16, 17, 51 and 65) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 5th day of February, 1997, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Ninety Six Thousand Nine Hundred Ninety Six and 54/100 Dollars (\$96,996.54), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00531

which shall be certified against such contract in the sum of Fifty Thousand Dollars, (\$50,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 285-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on March 13, 1997 for maintenance and testing of elevators (all items) for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 1934-96, passed by the Council of the City of Cleveland on December 2, 1996, be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 286-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Harvey Jordan dba J & S Landscaping Co. for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 2A, 5A, 9A, 15A, 16A and 46A, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to One Hundred Twenty Three Thousand Five Hundred Forty and no/100 Dollars, (\$123,540.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08642

which shall be certified against such contract in the sum of One Hundred Twenty Three Thousand Five Hundred Forty and no/100 Dollars, (\$123,540.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 287-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Horticultural Associates, Inc. for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 25B and 77B, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Twenty Seven Thousand One Hundred Forty-Six and no/100 Dollars, (\$27,146.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08641

which shall be certified against such contract in the sum of Twenty Seven Thousand One Hundred Forty-Six and no/100 Dollars, (\$27,146.00).

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 esti-

mated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 288-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Davey Tree Expert Company for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 29B, 59B, 60B and 78B, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Twenty Thousand Four Hundred Seventeen and 25/100 Dollars, (\$20,417.25), (Net 60 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08639

which shall be certified against such contract in the sum of Twenty Thousand Four Hundred Seventeen and 25/100 Dollars, (\$20,417.25).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 289-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Aaron Landscaping, Inc. for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 23A, 25A, 28A, 36A, 37A, 56A, 61A and 84A, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to One Hundred Fifty Five Thousand Six Hundred Sixty-Five and no/100 Dollars, (\$155,665.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08638

which shall be certified against such contract in the sum of One Hundred Fifty Five Thousand Six Hundred Sixty-Five and no/100 Dollars, (\$155,665.00).

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 Aaron Landscaping, Inc. for the above-mentioned requirement contract is hereby approved:

SUBCONTRACTOR	MBE/FBE
Wake Forest Garden Center	30% (MBE)

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 290-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Cooper Landscaping, Inc. for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 3A, 4A, 7A, 11A, 57A, 59A and 60A, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Sixty Five Thousand Four Hundred Seventy Five and no/100 Dollars, (\$65,475.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08638

which shall be certified against such contract in the sum of Sixty Five Thousand Four Hundred Seventy Five and no/100 Dollars, (\$65,475.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 291-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that

the bid of Concord Nurseries Inc. for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 11B, 16B and 45B, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Seventeen Thousand Nine Hundred Twenty-one and no/100 Dollars, (\$17,921.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08637
which shall be certified against such contract in the sum of Seventeen Thousand Nine Hundred Twenty-one and no/100 Dollars, (\$17,921.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 292-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on February 26, 1997 for System Expansion Program Providing and Installing Trees Spring 1997, item nos. 1, 6, 8, 12, 13, 14, 17, 18, 20, 22, 24, 30, 31, 33, 34, 35, 40, 42, 43, 44, 48, 49, 53, 54, 58, 63, 64, 65, 66, 69, 71, 72, 73, 75, 82, 85, 87, 89, 90 and 91 for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Ordinance No. 1071-93, passed by the Council of the City of Cleveland on June 7, 1993, be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 293-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Edward Hines dba Wake Forest for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 10A, 26A, 56B and 80A, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Twenty Four Thousand Twenty-Five and no/100

Dollars, (\$24,025.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08649

which shall be certified against such contract in the sum of Twenty Four Thousand Twenty-Five and no/100 Dollars, (\$24,025.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 294-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Sunleaf Nursery for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item no. 39B, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Two Thousand Four Hundred Ninety-One and no/100 Dollars, (\$2,491.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08648

which shall be certified against such contract in the sum of Two Thousand Four Hundred Ninety-One and no/100 Dollars, (\$2,491.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 295-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Schichtel's Nursery, Inc. for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 3B, 4B, 7B, 9B, 10B, 21B, 28B, 36B, 38B, 47B, 50B, 51B, 52B, 68B, 70B, 76B, 80B, 84B and 88B, for the Division of Cleveland Public Power,

Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Two Hundred Eight Thousand Three Hundred Eighty and no/100 Dollars, (\$208,380.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08647

which shall be certified against such contract in the sum of Ninety Four Thousand One Hundred Eighteen and no/100 Dollars, (\$94,118.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 296-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Wm. Flemer's Sons, Inc., T/A Princeton Nurseries for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 62B and 83B, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Seventeen Thousand Five Hundred Eighty-Seven and no/100 Dollars, (\$17,587.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08646

which shall be certified against such contract in the sum of Seventeen Thousand Five Hundred Eighty-Seven and no/100 Dollars, (\$17,587.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 297-97.

By Director Konicek.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Moore's Nursery for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 15B and 79B, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Twenty Four Thousand Seven Hundred Seventy-Eight and no/100 Dollars, (\$24,778.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08645 which shall be certified against such contract in the sum of Twenty Four Thousand Seven Hundred Seventy-Eight and no/100 Dollars, (\$24,778.00).
 Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
 Nays: None.
 Absent: None.

Resolution No. 298-97.

By Director Konicek.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Lake County Nursery, Inc. for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 23B, 26B, 41B, 57B, 86B and 92B, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Thirty Eight Thousand Nine Hundred Seventy-Four and no/100 Dollars, (\$38,974.00), (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 a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08643 which shall be certified against such contract in the sum of Thirty Eight Thousand Nine Hundred Seventy-Four and no/100 Dollars, (\$38,974.00).
 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 esti-

mated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
 Nays: None.
 Absent: None.

Resolution No. 299-97.

By Director Konicek.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of East Ohio Grass Co., Inc. for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 19A, 19B, 27A, 32A, 32B, 37B, 39A, 41A, 45A, 47A, 50A, 51A, 52A, 55A, 70A, 74A, 76A, 77A, 78A, 79A, 81A, 86A, 88A and 93A, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Three Hundred Ninety Nine Thousand Eight Hundred Twenty-Two and no/100 Dollars, (\$399,822.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08640 which shall be certified against such contract in the sum of One Hundred Ninety Two Thousand Two Hundred Seventy-Four and no/100 Dollars, (\$192,274.00).
 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 East Ohio Grass Co. for the above-mentioned requirement contract is hereby approved:

SUBCONTRACTOR	MBE/FBE
Choice Construction	35% (MBE)

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
 Nays: None.
 Absent: None.

Resolution No. 300-97.

By Director Konicek.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Licursi Company, Inc. for an estimated quantity of System Expansion Program Providing and Installing Trees Spring 1997, item nos. 2B, 5B, 21A, 27B, 29A, 38A, 46B, 55B, 61B, 62A, 67A, 67B, 68A, 74B, 81B, 83A, 92A, and 93B, for the Division of Cleveland Public Power,

Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 26th day of February, 1997, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993 on the basis of the estimated quantity would amount to Two Hundred Sixty Seven Thousand Two Hundred Twenty-Six and no/100 Dollars, (\$267,226.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08644 which shall be certified against such contract in the sum of One Hundred Sixty Three Thousand Nine Hundred Thirty-Two and no/100 Dollars, (\$163,932.00).

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 Licursi Company, Inc. for the above-mentioned requirement contract is hereby approved:

SUBCONTRACTOR	MBE/FBE
Wake Forest Garden Center	20% (MBE)

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
 Nays: None.
 Absent: None.

Resolution No. 301-97.

By Director Konicek.
 Be it resolved, by the Board of Control of the City of Cleveland that the bid of Underground Pipe & Valve, Inc. for an estimated quantity of valves and appurtenances (item 62) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 5th day of February, 1997, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Six Hundred Thirteen and 20/100 Dollars, (\$613.20), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00530 which shall be certified against such contract in the sum of One Thousand Dollars, (\$1,000.00).
 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 esti-

mated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 302-97.

By Director Cunningham.
Resolved by the Board of Control of the City of Cleveland that the bid of Ohio Materials Handling for the following: Two (2) Dock Levelers (installation) for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on the 6th day of February, 1997, pursuant to the authority of Ordinance No. 1448-96, passed September 30, 1996, which on the basis of order quantity would amount to \$13,936.00 is hereby approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into contract for such items.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Ohio Materials Handling for two dock levelers (installation) at Cleveland Hopkins International Airport for the Department of Port Control is hereby approved:

SUBCONTRACTOR SERVICE

Cook Paving & Construction	Concrete excavating and pouring (MBE - \$ 4,100.00 - 29%)
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Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 303-97.

By Director Cunningham.
Resolved, by the Board of Control of the City of Cleveland that the bid of Landis & Staefa, Inc. for an estimated quantity of Labor and materials to maintain and repair building automation computer systems (Item Nos. 1, 2, and 3) for the Various Divisions of the Department of Port Control, for the period of two (2) years commencing with the execution of a contract received on the 6th day of February, 1997, pursuant to the authority of Ordinance No. 1601-96, passed October 28, 1996, which on the basis of the estimated quantity would amount to One hundred five thousand fifty and no/100 (\$105,050.00) Dollars, is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 098841 which shall be certified against such contract in the sum of twenty-one thousand and no/100 (\$21,000.00) Dollars.

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities,

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 304-97.

By Director Guzman.
Whereas, Resolution No. 244-97, adopted, April 9, 1997, pursuant to the authority of Ordinance No. 2029-96, passed by the Cleveland City Council February 26, 1997, this Board of Control approved the bid of Sill's Motor Sales, Co. as the lowest and best for a requirement contract for mower parts items #18 and 27, including labor; and

Whereas, in said Resolution No. 244-97, item #24 was incorrectly stated as item #27; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 244-97, adopted April 9, 1997, hereby is amended to read: Mower parts, items #18 and 24, including labor.

Be it further resolved that all other provisions of said Resolution No. 244-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 305-97.

By Director Guzman.
Whereas, in Resolution No. 246-97, adopted April 9, 1997, approving the bid of Mahnen Machinery, Inc. as the lowest and best for mower parts, items #10, 37, 38 and 40, including labor for the Division of Motor Vehicle Maintenance, Department of Public Service, the bid opening date was incorrectly stated; now therefore,

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 246-97, adopted April 9, 1997, hereby is amended by changing the bid opening date to read "February 26, 1997".

Be it further resolved that all other provisions of said Resolution No. 246-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 306-97.

By Director Guzman.
Resolved, by the Board of Control of the City of Cleveland that the bid of City Auto Frame Services, Inc. for an estimated quantity of frame repair and including labor (all items) (labor rate \$15.00 per hour) 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 the 14th day of March, 1997, pursuant to the authority of Ordinance No. 2024-96, passed December 16, 1996, which on the basis of the estimated quantity would amount to approximately

Seventy eight thousand five hundred and no/100 Dollars, (\$78,500.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 092319 which shall be certified against such contract in the sum of Ten thousand and no/100 Dollars, (\$10,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 307-97.

By Director Guzman.
Resolved, by the Board of Control of the City of Cleveland that the bid of American Merchandising Services, Inc. for an estimated quantity of Gasoline (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 3rd day of April, 1997, pursuant to the authority of Ordinance No. 2026-96, passed March 24, 1997, which on the basis of the estimated quantity would amount to approximately Six hundred seventy seven thousand four hundred twenty and no/100 Dollars, (\$677,420.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 092318 which shall be certified against such contract in the sum of One hundred seventy thousand and no/100 Dollars, (\$170,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 308-97.

By Director Spellman.
Whereas, pursuant to Resolution No. 18-95 adopted by this Board on January 11, 1995, the City entered into a property adoption agreement with the Cleveland Bicentennial Commission ("the Adoptee"), to maintain, improve and adopt prop-

erty known as Settlers Landing Park, Contract No. 48528; and

Whereas, the City desires to modify said contract in that the Adoptee's planned fund raising was insufficient for the construction of Phase II of Settlers Landing Park; and

Whereas, pursuant to Ordinance No. 870-96, passed by the Cleveland City Council on June 10, 1996, as amended by Ordinance No. 262-97, passed by the Cleveland City Council on April 21, 1997, the City applied for a NatureWorks grant from the Ohio Department of Natural Resources in the amount of \$408,000, with local matching funds of \$136,000 to perform the Phase II improvement; and

Whereas, the Adoptee has proposed by its letter and attachments dated April 21, 1997 to extend the term of said contract and the completion date of Phase II, to provide one-half of the required local match or \$68,000 and to revise Exhibit "D" of Contract No. 48528 to reflect the current Phase II; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Parks, Recreation and Properties is hereby authorized to enter into a first modification to Contract No. 48528 with the Cleveland Bicentennial Commission, in accordance with its April 21, 1997 letter and attachments, to amend the term to expire upon the City's issuance of a Statement of Final Acceptance for Phase II, to extend the completion date of Phase II construction to June 30, 1998 and to provide for the matching funds of \$68,000 from each of the City and the Adoptee.

Be it further resolved that the Director of Parks, Recreation and Properties is hereby authorized to execute all documents and do all things necessary and appropriate to effect the modification authorized hereby.

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 309-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 008-07-101 located at 3116 West 16 Street in Ward 14; and

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

Whereas, Delbert M. and Marylyn J. Robinson, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;
2. The parcel is either less than

4,800 square feet or less than 40 feet frontage;

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Delbert M. and Marylyn J. Robinson for the sale and development of Permanent Parcel No. 008-07-101 located at 3116 West 16 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

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

Nays: None.
Absent: None.

Resolution No. 310-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 008-06-017 located at 1786 Scranton Ct. in Ward 14; and

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

Whereas, Virgil L. and Walda L. Davidson, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;
2. The parcel is either less than

4,800 square feet or less than 40 feet frontage;

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Virgil L. and Walda L. Davidson for the sale and development of Permanent Parcel No. 008-06-017 located at 1786 Scranton Ct., in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 311-97.

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. 007-23-076 located at 2621 West 28 Place in Ward 14; and

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

Whereas, Joseph Danchuck, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;
2. The parcel is either less than

4,800 square feet or less than 40 feet frontage;

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Joseph Danchuck for the sale and development of Permanent Parcel No. 007-23-076 located at 2621 West 28 Place, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 312-97.

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. 003-25-026 located at 3912 Clinton Avenue in Ward 14; and

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

Whereas, Paul Sestina, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Paul Sestina for the sale and development of Permanent Parcel No. 003-25-026 located at 3912 Clinton 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: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 313-97.

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. 007-07-082 located at 3624 Siam Avenue in Ward 14; and

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

Whereas, Richard B. and Linda L. Demastes, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Richard B. and Linda L. Demastes for the sale and development of Permanent Parcel No. 007-07-082 located at 3624 Siam 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: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 314-97.

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. 007-07-077 located at 3701 Siam Avenue in Ward 14; and

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

Whereas, William and Julia Parker, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with William and Julia Parker for the sale and development of Permanent Parcel No. 007-07-077 located at 3701 Siam 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: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 315-97.

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. 136-02-021 located at 9913 Elizabeth Avenue in Ward 2; 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, Arthur Harris, 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 2 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Arthur Harris for the sale and development of Permanent Parcel No. 136-02-021 located at 9913 Elizabeth 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: Mayor White, Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 316-97.

By Director Denihan.

Be it resolved, by the Board of Control of the City of Cleveland that the rules and regulations concerning employees' sick leave with pay, established pursuant to Section 171.31 of the Codified Ordinances of Cleveland, Ohio, 1976, as prescribed in Resolution No. 044-86, adopted by the Board of Control on January 22,

1986, are hereby amended to include the following regulations authorizing the establishment of a sick time contribution program in the Department of Public Safety.

The Director of Public Safety may, at his/her discretion, authorize any employee in the Department of Public Safety to contribute accumulated paid sick leave to another employee in the Department of Public Safety as Follows:

Any employee may contribute a maximum of two hundred fifty (250) hours of his/her accumulated paid sick leave to specified other employee in any one calendar year.

A contributing employee may not be on the absence abuse list and must retain at least one hundred (100) hours of accumulated leave after any contribution.

Contribution of sick leave must be based upon a catastrophic health condition of the receiving employee or a member of his/her immediate family.

To be eligible to receive a contribution of sick leave, an employee must have first exhausted his/her own accumulated sick leave, vacation time, personal days, and compensatory time.

The Director of Public Safety may adopt additional rules and regulations as he/she deems appropriated to implement the authority granted hereby, and shall annually report to the Director of Personnel concerning the utilization of the authority established by the resolution.

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

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 12, 1997

9:30 A.M.

Calendar No. 97-71: 4511 Pearl Rd. S.W.

Larry L. Cassano, owner, to use as an auto repair garage the 50' x 30' one story masonry building on the 174' x 131' irregular shaped corner lot located in a Local Retail District and Two Family District on the southeast corner of Pearl Rd. and Cecelia Ave. and occupied by a non-conforming used car sales lot at 4511 Pearl Rd.; said use as an auto repair garage being contrary to the local retail use limitations of Section 343.01 and said use being located less than 100' from the Residence District to the east contrary to the requirements of Section 345.03 and said premises not to conform to the landscaping provisions of Sections 352.08, 352.09 and 352.10 and said additional use being contrary to the nonconforming expansion limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 97-77: 797 E. 185 St.

Kai W. Leung and Kwun M. Leung, owners, to convert to a 78 seat restaurant the 27' x 82' one story store building on a 40' x 124' corner lot located in a Local Retail District on the southeast corner of E. 185 St. and Cherokee Ave. and known as 797 E. 185 St.; there being insufficient accessory off-street parking on the premises for said proposed usage contrary the requirements of Sections 349.03 and 349.04 of the Codified Ordinances.

Calendar No. 97-78: 1150-54 E. 71 St.

Susan L. Capello, appeals, under authority of Section 76-6 of the Charter of the City of Cleveland, and Sections 329.01(e) and 329.02(d) of the Codified Ordinances, from the refusal by J. Christopher Nielson, Commissioner, Division of Engineering and Construction, and by Hunter Morrison, Director, City Planning Commission, to allow a split of the 40' x 120.6' lot located in a Local Retail District and occupied by buildings at 1150 and 1154 E. 71 St; said refusal being based on Sections 355.03 and 355.04 of the Codified Ordinances.

Calendar No. 97-79: 5841 Broadway S.E.

Mid-National Investment Co., owner, c/o John Gillombardo, and Charter One F.S.B., tenant, c/o Jim Brill, to install a 16' x 4' x 11' high free standing ATM unit in front of the supermarket building on a 327' x 395' irregular shaped through corner parcel located in a General Retail District on the N.W. corner of Broadway and Cable Ave. at 5841 Broadway and extending through to the N.W. corner of Broadway and Engel; said unit to eliminate two parking spaces from the parking lot and therefore contrary to the limitations of Sections 349.02 and 359.01 of the Codified Ordinances.

Calendar No. 97-80: 4744 Lorain Ave. D.D. Furniture & Appliance Co., c/o William Congeni, appeals, under authority of Section 76-6 of the Charter of the City of Cleveland, from the refusal to issue a Second Hand Dealer Licence for said location at

4744 Lorain Ave. by John A. Hunt, Commissioner, Division of Assessments and Licenses, upon recommendation of William Denihan, Director, Department of Public Safety (Division of Police).

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 28, 1997

At the Meeting of the Board of Zoning Appeals, on Monday, April 21, 1997, the following appeals were heard by the Board, and decided on Monday, April 28, 1997.

The following appeals were **Granted:**

Calendar No. 97-60: 16114-18 St. Clair Ave. N.E.
Sam DiFini, owner, to erect a 61' x 58' one story masonry irregular shaped contractor's storage building.

The following appeal was **Refused:**

Calendar No. 97-55: 13440 Kirton Avenue S.W.
Burgess Maynard, owner, to convert to two dwelling units.

The following appeal was **Dismissed:**

Calendar No. 97-56: 1961 West 45th Street.

The following appeals were **Postponed** to May 27, 1997.

Calendar No. 97-67: 1850 W. 52nd Street.
Calendar No. 97-54: 1956 E. 75th Street.
Calendar No. 97-66: 1848 W. 52nd Street.
Calendar No. 97-68: 1854 West 52nd Street.
Calendar No. 97-69: 4001 Trent Avenue S.W.

The following appeal was **Postponed** to June 2, 1997.

Calendar No. 97-35: 1610-12 Euclid Avenue.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING**Notice of Public Hearing
By the Council Committee
on City Planning****Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, May 14, 1997
1:30 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 Wednesday, May 14, 1997, at 1:30 P.M., to consider the following ordinances now pending in the Council:

Ord. No. 2217-96.

By Councilman Paulenske.

An ordinance to change the Use District of lands on the northerly side of Payne Avenue between East 30 Street and East 31 Street. (Map Change No. 1921, Sheets Nos. 4 & 5)

Ord. No. 2218-96.

By Councilman Paulenske.

An ordinance to change the Use and Area Districts of lands on the north side of Payne Avenue between E. 39 Street and E. 38 Street and the north side of Payne between E. 39 Street and the railroad overpass. (Map Change No. 1926, Sheets Nos 4 & 5)

Ord. No. 2219-96.

By Councilman Rybka.

An ordinance to change the Use District of lands from E. 66 Street to E. 65 Street between Hoppensack Avenue, S.E. and Hubbard Avenue, S.E. (Map Change No. 1923, Sheets Nos. 5 & 6)

Ord. No. 23-97.

By Councilman Britt.

An ordinance to change the Use, and Height Districts of lands on the northerly side of Euclid Avenue between E. 84 Street and E. 85 Street. (Map Change No. 1924, Sheet No. 5)

Ord. No. 433-97.

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

An emergency ordinance to amend Section 345.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 146-96, passed June 10, 1996, relating to general industry districts.

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

April 23 and April 30, 1997