

The City Record

Official Publication of the City of Cleveland

April the Ninth, Nineteen Hundred and Ninety-Seven

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE President of Council—Jay Westbrook

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

Clerk of Council—Artha Woods, 216 City Hall, 664-2840.
First Assistant Clerk—Sandra Franklin.

MAYOR—Michael R. White
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy
Barry Withers, Executive Assistant for Administration
Judith Zimomra, Executive Assistant for Service
Kenneth Silliman, Executive Assistant for Economic Development
Richard Werner, Executive Assistant for Governmental Affairs.
Susan E. Axelrod, Executive Assistant for Communications and Support Services
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 Flr., Court Towers, 1200 Ontario
Carolyn Watts-Allen, Chief Asst. Prosecutor
Lessie M. Milton, Chief Counsel

DEPT. OF FINANCE – Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit
DIVISIONS – Accounts – A. Schneider, Commissioner, Room 19
City Treasury – Mary Christine Jackman, Treasurer, Room 115
Assessments and Licenses – John Hunt, 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 – Nagah M. Ramadan, 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. Novik, 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 – Carolyn Wallace, Acting 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 Connolly	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A

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

The City Record



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WEDNESDAY, APRIL 9, 1997

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CITY COUNCIL

MONDAY, APRIL 7, 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.

MONDAY—Alternating

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

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** Patton, 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, Patton, 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, Patton, Zone.

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio April 7, 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, Patton, Paulensek, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone.

Also present were Mayor White and Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch, Holland, Willis and Acting Director Brown.

Absent: Director Morrison.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by The Reverend Dr. Joseph W. Skrha. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 509-97.
From the Department of Public Safety re: Reporting a gift from AMRESO Inc. and Mr. and Ms. Michael Smerdel for the Division of Police. Received.

File No. 510-97.
From the Department of Public Safety re: Reporting a gift from Ms. Marian Rose for the Division of Police. Received.

File No. 511-97.
From the Department of Public Safety re: Reporting a gift from Earl Harlan, Lois Harlan and Patricia Kalbac for the Division of Police. Received.

File No. 512-97.
From the Division of Purchases and Supplies re: MacBride Principles and Fair Employment Practices in Northern Ireland. Received.

File No. 513-97.

From the Department of Public Utilities re: Contract with Motorola, Inc. for maintenance of the infrastructure of the City's 800 MHz radio system. Received.

File No. 514-97.

From Cablevision re: Notification of upcoming changes in cable television services and rates. Received.

File No. 515-97.

From Cablevision re: Updating maximum permitted rates for regulated cable services. Received.

File No. 516-97.

From National City Bank re: L. C. Hanna, Jr. - Cleveland Mall Fund Investment and Transaction Statement, January 1, 1997 through March 31, 1997. Received.

File No. 517-97.

From the Division of Purchases and Supplies re: Emergency Requisition - RE-089133, RE-089134. Received.

File No. 376-96-A.

From The 820 Company, (aka BRT Associates). Re: Objection to Assessment Notice of Resolution No. 376-96, concerning P. P. Nos. 101-10-801C through 101-10-813C, all inclusive. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 519-97.

Re: New Application - 4465758 - Debra S. Kamp dba Poppa's Beverage, 4341 Rocky River Drive. (Ward 21). Received.

File No. 520-97.

Re: Transfer of Ownership Application - 0144950 - Al Rousan Enterprises, Inc. dba Dairy Mart 5-4457, 4257 East 71st Street. (Ward 12). Received.

STATEMENT OF WORK ACCEPTED

File No. 521-97.

From the Department of Parks, Recreation and Properties re: Contract No. 49409 for site improvements at Franklin Loew Park. Received.

VETO

File No. 877-96-A.

April 3, 1997

Council President Jay Westbrook
Cleveland City Council
601 Lakeside Avenue - Room 216
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am returning Ordinance No. 877-96, passed by City Council on March

24, 1997, pertaining to the rezoning of the Davenport Bluffs with my veto endorsed thereon.

I regret that I am forced to veto this ordinance. In almost eight years, I have vetoed more than seven pieces of legislation and as all Mayors have before me, I reserve exercise of the veto power for only the most extraordinary circumstances. This is one of those situations. I am hopeful that City Council will use my veto as a constructive opportunity to pause and revisit the consequences of the Council's passage of the above-referenced ordinance.

There is no defensible public policy rationale to support the passage of this ordinance. As my staff repeatedly stated to Council's Planning Committee on March 24, 1997, we expect to plan for the area bounded by East 13th Street, East 18th Street, the Conrail tracks and St. Clair Avenue.

This Administration continues to believe that it would be unwise and not in the public interest for Council to even consider passing an ordinance to rezone a segment of this area when a complete analysis of the entire area will be available within 1-2 months. Although the Planning Committee dwelled upon the property owner's desire for an answer on his development proposal, I do not think the citizens of Cleveland expect to see their elected officials accommodate that owner's scheme to the detriment of the public's interest in the comprehensive redevelopment of this key lakefront planning area.

The piecemeal approach embodied in Ordinance No. 877-96 is not cured and, in fact, is only exacerbated by Council's introduction of Ordinance No. 453-97 which would extend the Public Land Protective District to a part (but not all) of the Davenport Bluffs. The additional Planning Commission review for the property located in that District would be frustrated by reason of Council's erosion of the very planning principles upon which such review is normally based.

The Davenport Bluffs site is one of two key areas (the other being the area surrounding the Greyhound Bus Terminal on Chester Avenue) that form the eastern boundary of our downtown. Each area requires careful planning coupled with a serious examination of redevelopment opportunities. If we shun those opportunities and instead pass expedient, landowner-driven, piecemeal rezoning ordinances, we are foreclosing important public options.

In the case of the approval of Ordinance No. 877-96:

- Did the Council ask whether options to extend the Waterfront Line are now foreclosed?
- Did the Council ask how the Convention Center (existing or renovated or new) would be impacted by new hotels at Davenport Bluffs?
- Did the Council ask how the landowner's proposal would impact the possibility of redeveloping the entire plan area (as opposed to the landowner's specific property)?
- Did the Council ask how this rezoning would promote (or, more likely preclude) the general public's access to Cleveland's lakefront?

These questions were not asked. They should be asked. The property should not be rezoned until these questions are answered to the satisfaction of the electorate to which we are all held accountable.

I understand that some members of the planning Committee were critical of the eminent domain process and the "threat" of eminent domain. Some perspective on this issue is required. Like any governmental power, eminent domain can be harmful when misused. Yet, Cleveland's history over the last ten years is filled with examples of judicious use of this power for the public good. The Gateway project and the significant housing and retail development in the adjacent Prospect and Huron area, could not have been achieved without the adoption of a community development plan and the City's commitment to use eminent domain if necessary.

At the neighborhood level, community development plans (coupled with the City's commitment to use eminent domain if necessary to remedy blighted conditions) were essential elements in impact projects such as Church Square, Beacon Place, Brooklyn Town Centre and the George V. Voinovich Safety Center at East 152nd and St. Clair. All of these actions were taken by my predecessor and unopposed by the City Council at the time.

At a smaller level, our use of eminent domain on a used-car lot in your ward, Mr. President, enabled us to construct sorely needed parking for businesses on Lorain Avenue.

I believe that our planning process for the Davenport Bluffs is consistent with the approach we took on these exemplary downtown and neighborhood projects.

For all of these reasons, I hope City Council will utilize the exercise of my veto correctly as an opportunity to reconsider the approval of Ordinance No. 877-96.

Thank you for your attention to this important land use issue.

Sincerely,

Michael R. White
Mayor

Received.

COMMUNICATIONS

File No. 522-97.

March 20, 1997

Honorable Jay Westbrook
President of Council
Room 216, City Hall
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear President Westbrook:

This is to inform you that effective April 7, 1997, I will be resigning from my position as Councilman of Ward 13. It has been an honor and a pleasure working with all of you these past four years.

I will be recommending my Administrative Assistant, John C. Skrha, as my replacement.

I will be making my formal announcement this evening at my Ward Club, and will officially resign on April 7, 1997.

Thank you for your assistance and courtesies these past four years. Best of luck and God Bless!

Sincerely yours,

Gary M. Paulenske
Councilman, Ward 13

Received.

**ELECTION TO FILL
VACANCY IN WARD 13**

The Clerk of Council read a letter of resignation from Councilman Gary M. Paulenske of Ward 13. The President of Council accepted the resignation and declared a vacancy in Ward 13. Councilman Edward W. Rybka nominated Mr. John C. Skrha to serve as Councilman from Ward 13. Councilwoman Fannie M. Lewis seconded the nomination. Councilman Joseph J. Zone moved that the nominations be closed. Without objection, the nominations were closed.

Thereupon the President of Council instructed the members of Council to state the name of the candidate when responding to the roll call, and requested the Clerk to call the roll upon the election of the Councilman of Ward 13. Upon completion of the roll call, the Clerk announced that Mr. John C. Skrha received 19 votes. Those who voted for Mr. Skrha were: Councilmen Britt, Coats, Dolan, Gordon, Jackson, Johnson, Lewis, Melena, Moran, Patton, Patton, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone.

The Chair declared Mr. John C. Skrha, having received the unanimous vote of all the members elected to Council to be the duly elected Councilman of Ward 13. The President requested Councilmembers Roosevelt Coats, Fannie M. Lewis, Edward W. Rybka, Michael D. Polensek, and Joseph J. Zone to escort the duly elected member of Council and his family to the podium to have the oath of office administered by former Ward 13 Councilman Gary M. Paulenske.

File No. 573-97.

OATH OF OFFICE

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

I, JOHN C. SKRHA do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Ohio, and the Charter of the City of Cleveland, and that I will faithfully, honestly, and impartially discharge the duties of the office of CITY COUNCILMAN, WARD 13 of the City of Cleveland, State of Ohio, during my continuance in said office.

JOHN C. SKRHA

Sworn before me and subscribed in my presence this 7th day of April, 1997.

Charlene M. Berry
Notary Public

Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 574-97. Eleanor Oswald.
Res. No. 575-97. William J. Carey.
Res. No. 576-97. Mary Frances Leonard.

Res. No. 577-97. Mrs. Macia Thomas.

Res. No. 578-97. Gloria Prince.
Res. No. 579-97. Isabelle Jones.

Res. No. 580-97. Bernadine Martens.

CONGRATULATORY RESOLUTIONS

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

- Res. No. 581-97.** Pete Selvaggio.
Res. No. 582-97. Ronald A. Mingus.
Res. No. 583-97. 110th Anniversary of St. Ignatius High School.
Res. No. 584-97. Glorya McIntyre.
Res. No. 585-97. Margaret Elizabeth and Lester Henry Cannon.
Res. No. 586-97. Wilbert's Bar & Grille.
Res. No. 587-97. Eugene and Albert Wright.

RESOLUTION OF RECOGNITION

The rules were suspended and the following Resolution was adopted without objection:

- Res. No. 588-97.** West Park Community Coalition Officers.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 535-97.**

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair and replace automotive, truck and construction equipment glass, including related mechanical repairs, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials needed to repair and replace automotive, truck and construction equipment glass, including related mechanical repairs in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of 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 22882)

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

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

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

Ord. No. 536-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair and maintain generators, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22894)

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

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

Ord. No. 537-97.

By Councilman Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and maintain heavy duty construction

equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22893)

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

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

Ord. No. 538-97.

By Councilman Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Ford passenger car parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of Ford passenger car parts, including labor if necessary in the approximate amount as purchased during

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22890)

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

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

Ord. No. 539-97.
By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Ford tractor, mower and construction equipment parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and

the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22889)

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

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

Ord. No. 540-97.
By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of International truck parts, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22883)

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

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

Ord. No. 541-97.
By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of oil and filter changes, valve body recalibration, and rebuilt automatic Allison transmissions, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22884)

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

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

Ord. No. 542-97.
By Councilmen Coats and Westbrook (by departmental request).

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22882)

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

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

Ord. No. 543-97.

By Councilmen Coats and Westbrook (by departmental request).

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

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

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

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

od 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 22887)

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

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

Ord. No. 544-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressor, and for emergency cleanup and replacement of leaking underground storage tanks and systems, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, and stationary air compressor, and for emergency clean up and replacement of leaking underground storage tanks and systems, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the

proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22891)

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

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

Ord. No. 545-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Chevrolet car, van, light, medium and heavy duty truck parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22888)

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

from and after the earliest period allowed by law.

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

Ord. No. 546-97.

By Councilmen Coats and Westbrook (by departmental request).

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22886)

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

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

Ord. No. 547-97.

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Economic Development to enter into contract with the National Development Council for training of the staff of the community-based development organizations in the Empowerment Zone and the staff of the City Empowerment Zone of Department of Economic Development.

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

a municipal department; now, therefore,

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

Section 1. That the Director of Economic Development is hereby authorized and directed to enter into contract with The National Development Council for professional services necessary to train staff from Empowerment Zone community-based development organizations, including Hough Area Partners In Progress, Glenville Development Corporation, Fairfax Renaissance Development Corporation, and Midtown Corridor, and to train the staff of the City Empowerment Zone through direct consultation and classroom training, on the basis of a proposal dated September 9, 1996, in the total sum of One Hundred Thousand One Dollars (\$101,000), payable from Fund No. 18 SF 006, Request No. 22286, for the Department of Community Development.

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 Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 548-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Gee How Oak Tin, or their designee, to provide a grant to finance the purchase of land and a building located at 2212 St. Clair Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Gee How Oak Tin, or their designee, to provide a grant to finance the purchase of land and building located at 2212 St. Clair Avenue.

Section 2. That the terms of said grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 548-97-A.

Section 3. That the costs of said contract shall not exceed Two Hundred Seventy Eight Thousand Dollars (\$278,000), and shall be paid from Fund No. 17 SF 652, Request No. 23309.

Section 4. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

Section 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 Economic Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 549-97.

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

An emergency ordinance authorizing the Director of Economic Development to amend Urban Development Action Grant Development contracts with Halle Office Building Limited Partnership and S & R Playhouse Realty Company.

Whereas, the City entered into Urban Development Action Grant Development Contracts with Halle Office Building Limited Partnership and S & R Playhouse Realty Company ("Developers") on October 3, 1984, pursuant to Ordinance No. 1381-83, passed by City Council June 15, 1983, as amended by Ordinance No. 1312-84, passed by City Council June 19, 1984 ("UDAG Contracts"), the promissory notes executed by the Developers pursuant to the UDAG Contracts are due and payable in the year 2005; and

Whereas, Forest City Enterprises ("Forest City") owns a controlling interest in Halle Office Building Limited Partnership and S & R Playhouse Realty Company; and

Whereas, in consideration of an agreement by the City to restructure the UDAG Contracts, Forest City has agreed to relocate its world headquarters from Brooklyn, Ohio to approximately 120,000 square feet of renovated office space in Terminal Tower in downtown Cleveland; and

Whereas, as a result of said relocation, Forest City intends to move 250 employees to Terminal Tower adding approximately \$17,000,000.00 of annual taxable payroll to the City of Cleveland income tax base; and

Whereas, as a result of said relocation, Forest City intends to retain 175 jobs at Terminal Tower comprising approximately \$7,500,000 of taxable annual payroll of the City of Cleveland income tax base; and

Whereas, relocation of Forest City's world headquarters to Terminal Tower will have a positive impact on City of Cleveland income tax revenues of approximately \$500,000.00 annually; and

Whereas, as a part of said relocation, Forest City intends to invest approximately \$8,000,000.00 in real properly improvements to Terminal Tower; and

Whereas, Forest City intends to demolish, in compliance with all City laws, a vacant building owned by Forest City and located at 17930 St. Clair Avenue, not later than ninety days following execution of the amendments authorized herein, and/or will cooperate with the City in marketing said site for commercial use; and

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

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

Section 1. That the Director of Economic Development is hereby authorized to amend the UDAG Contracts, which amendments shall allow the Developers to make payments to the City totaling not less than Three Million, Five Hundred Thousand Dollars (\$3,500,000.00); the first payment of Three Million, Two Hundred Fifty Thousand Dollars

(\$3,250,000.00) will be made within One Hundred Twenty (120) days of the effective date of this legislation but in no event later than October 1, 1997, and the second and third payments of One Hundred Twenty-five Thousand Dollars (\$125,000.00) each will be made on or before the first and second anniversaries, respectively, of the execution of the amendments authorized herein.

Section 2. That the payments described in Section 1 shall be deposited into Fund No. 17 SF 006, and shall be applied to the UDAG Contracts such that said payments plus payments made to date pursuant to the UDAG Contracts shall not be less than the amount loaned to the Developers by the City pursuant to the UDAG Contracts; when made in compliance with other terms as set forth herein and in the amendments, such payments shall be accepted in satisfaction of the UDAG Contracts.

Section 3. That said amendments shall require the Developers to make payments to the City equal to one-eighth (1/8) of the difference between the net present value of the total principal and interest payments due pursuant to the UDAG Contracts, discounted at a rate of Twelve Percent (12%), and the net present value of the total payments described in Section 1, discounted at a rate of Twelve Percent (12%), in any year during the period January 1, 1998 to December 31, 2005 in which Forest City fails to lease 120,000 square feet of office space in Terminal Tower.

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 Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 550-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with NorthStar Equipment Corp., or its designee, to provide economic development assistance to partially finance the land acquisition and construction of a commercial/industrial building to be located in the Cleveland Industrial Park.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with NorthStar Equipment Corp., or its designee, to provide economic development assistance to partially finance the land acquisition and construction of a commercial/industrial building to be located in the Cleveland Industrial Park.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 550-97-A.

Section 3. That the costs of said contract shall not exceed Three Hundred Thousand Dollars (\$300,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 23307.

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

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

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

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

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

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

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of ball diamond clay in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of

Control shall determine. Alternate bids for a period less than two 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 21699)

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

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

Ord. No. 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.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of de-icer in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two 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. That pursuant to Section 108(b) of the Charter, the purchase authorized by this ordinance may be made through cooperative agreement using state procedures. The Director of Public Service may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts, and may enter into contract with the vendors selected through that cooperative process.

Section 3. 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 21696)

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

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

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of replacement equipment and parts necessary to repair playground equipment in the estimated sum of \$15,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two 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 22476)

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

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

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

Ord. No. 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.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of Urban Forest property maintenance services in the estimated sum of \$55,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 22475)

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

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

Ord. No. 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.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of various types of small equipment, including but not limited to, chain saws, pole pruners, trailers, leaf blowers, trimmers, snow blowers, edgers, outside vacuums, drills, lawn mowers, gasoline sprayers, air operated equipment, cutting attachments and compressors, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two 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. That pursuant to Section 108(b) of the Charter, the purchase authorized by this ordinance may be made through cooperative agreement using state procedures. The Director of Public Service may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to effectuate such cooperative efforts, and may enter into contract with the vendors selected through that cooperative process.

Section 3. 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 22434)

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

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

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 6 of Ordinance No. 1284-96, passed October 14, 1996, as amended by Ordinance No. 2120-96, passed November 25, 1996, is hereby amended to read as follows:

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, Request No. 20558.

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

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

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

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.

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 25th 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 with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract one or more landscape architects, architects, engineers and/or asbestos consultants or one or more firms of landscape architects, architects, engineers and/or asbestos 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 4. 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 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 Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 558-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the payment of membership dues, fees and assessments of the City of Cleveland in the Airport Council International - North America and the American Association of Airport Executives for the years 1997 and 1998.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to cause payment of 1997 and 1998 membership dues, fees and assessments of the City of Cleveland, Department of Port Control, to be made to the Airport Council International - North America (ACI) and the American Association of Airport Executives (AAAEE), from Fund No. 60 SF 001, Request No. 22577.

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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 559-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Port Control to apply for and accept FAA grant funds.

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

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

Section 1. That the Director of Port Control is hereby authorized to apply for and accept grants from the United States of America, acting through its Federal Aviation Administration ("FAA"), to fund projects related to the operations of Cleveland Hopkins International Airport and Burke Lakefront Airport. The Director is further authorized to file all papers and execute all documents necessary to apply for, accept and receive funds under said grants; provided that the City shall follow all applicable federal regulations, required by the FAA; and that any grant funds be and are hereby appropriated for the purposes set forth in the applications for said grants, or any amendments thereto, provided that no funds may be expended unless the project or purpose has been first specifically authorized by ordinance of Council.

Section 2. That the Director of Port Control is further authorized to pay cash match funds for projects approved by the FAA for grant funding. Said matching funds shall be paid from funds appropriated for the use of the Department of Port Control and any existing or future revenue bond funds, grant proceeds and PFC authorizations.

Section 3. That the Director shall send notice to the Clerk of Council, the members of Council from Wards 20 and 21, and each member of the Aviation and Transportation Committee each time a grant is applied for under this ordinance, and each time any matching funds are expended in excess of ten thousand dollars (\$10,000) in accordance with this ordinance.

Section 4. That the provisions of this ordinance shall expire on December 31, 1998.

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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 560-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance to authorize the Director of Port Control to enter into amendments to certain leases with various signatory airlines at Cleveland Hopkins International Airport; and to further authorize the Director to enter into an Assignment and Novation with the following: United Airlines, Inc. and Continental Airlines, Inc. to release United Airlines, Inc. from all duties and liabilities relative to its flight operations facility under Contract No. 30841 and to substitute Continental Airlines, Inc. under said contract; USAir, Inc. and Continental Airlines, Inc. to release USAir, Inc. from all duties and liabilities relative to Gates A-2, A-4, A-6, A-9 and A-11 and associated support and operations space under City Contract No. 28672, and to substitute Continental Airlines, Inc. under said contract; and Continental Airlines, Inc. and TWA, Inc. to release Continental Airlines, Inc. from all duties and liabilities relative to Gates A-2, A-4 and A-6 and associated support and operations space under City Contract No. 28672, and to substitute TWA, Inc. under said contract, subject to TWA, Inc. demonstrating to the City the need for the use of all such gates.

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

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

Section 1. That the Director of Port Control ("Director") is hereby authorized to enter into amendments to certain leases with various signatory airlines at Cleveland Hopkins International Airport, as follows:

(a) Amendment to Lease ("Lease") between the City of Cleveland ("City") and United Airlines, Inc., City Contract No. 31262, to delete the following space from said Lease:

ticket counter	608 square feet
office space	1845 square feet
baggage makeup	4936 square feet
baggage service	609 square feet
baggage carousel	5359 square feet;

and to add the following space to said Lease:

ticket counter	593 square feet
office space	1024 square feet
baggage makeup	2834 square feet
baggage service	450 square feet

(b) Amendment to Lease ("Lease") between the City and Continental Airlines, Inc., City Contract No. 38171 to delete the following space from said Lease:

ticket counter	357 square feet
office space	581 square feet
baggage makeup	1389 square feet
baggage service	338 square feet;

and to add the following space to said Lease:

ticket counter	608 square feet
office space	1845 square feet
baggage makeup	4936 square feet
baggage service	609 square feet
baggage carousel	5359 square feet

(c) Amendment to Lease ("Lease") between the City and Southwest Airlines, City Contract No. 46540 to delete the following space from said Lease:

baggage service	166 square feet;
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and to add the following space to said Lease:

baggage service	338 square feet
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Section 2. That the above amendments shall be effective June 1, 1996, shall be prepared by the Director of Law, and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest. The terms of said Amendments to Leases shall be in addition to the terms contained in City Contract Nos. 31262, 38171 and 46540; all existing terms and conditions contained in the above stated contracts shall remain the same.

Section 3. That said Director is further authorized to enter into an Assignment and Novation Agreement with United Airlines, Inc. ("United") and Continental Airlines, Inc. ("Continental") to assign all of United's rights, duties and interests relative to its flight operations facility, City Contract No. 30841, to Continental and to bind Continental in place of United as if Continental were named in the original Agreement with respect to the flight operations facility, and to release United from any further duties or liabilities arising with respect to the flight operations facility, after assignment of the Agreement to Continental.

Section 4. That the Director is authorized to enter into an Assignment and Novation Agreement with USAir, Inc. ("USAir") and Continental Airlines, Inc. ("Continental") to assign all of USAir's rights, duties and interests relative to Gates A-2, A-4, A-6, A-9 and A-11 and associated support and operations space, City Contract No. 28672, to Continental and to bind Continental in place of USAir as if Continental were named in the original Agreement with respect to Gates A-2, A-4, A-6, A-9 and A-11 and associated support and operation space, and to release USAir from any further duties or liabilities arising with respect to the aforementioned Gates, after assignment of the Agreement to Continental.

Section 5. That the Director is authorized to enter into an Assignment and Novation Agreement with Continental and TWA, Inc. ("TWA") to assign all of Continental's rights, duties and interests relative to Gates A-2, A-4 and A-6 and associated support and operations space, City Contract No. 28672, to TWA and to bind TWA in place of Continental as if TWA were named in the original Agreement with respect to the aforementioned Gates and associated support and operations space, and to release Continental from any further duties or liabilities arising with respect to such Gates, after Assignment of the Agreement to TWA. The assignment to TWA shall

be expressly subject to TWA demonstrating to the City the need for the use of such Gates.

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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 561-97.

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

An emergency ordinance authorizing the expansion and improvement of municipal airport facilities at Cleveland Hopkins International Airport; authorizing the Mayor and various Directors to enter into agreements to carry out the expansion program consistent with the Memorandum of Understanding between the City and Continental Airlines, Inc.; determining the methods of making the public improvements; authorizing the Director of Port Control to enter into contracts for making public improvements and related purchases for the expansion program and for retaining necessary consultants; and authorizing and approving related matters.

Whereas, the City proposes to undertake, in cooperation with Continental Airlines, Inc. ("CAL"), the expansion and improvement of the airport facilities at Cleveland Hopkins International Airport (the "Airport") as more particularly described in a Memorandum of Understanding dated March 25, 1997 between the City and CAL; and

Whereas, such expansion and improvement will include: construction of a new regional jet concourse, currently denominated as Concourse D; construction of a connector tunnel with moving walkways between existing Concourse C and new Concourse D; expansion of aircraft ramp area; improvements to existing Concourse C, including but not limited to, a new President's Club, holdroom expansion, jetbridge reconfiguration, reconfigurations and improvements of ramp level operations areas, vertical access to the connector tunnel and utility work; interim and permanent rental car facilities for the relocation of airport rental car operations; a new employee parking lot; deicing pads; a hydrant fuel system and pits for Concourses C and D; the establishment and operation by CAL of a regional jet line maintenance base at the Airport; and other related improvements (the "Expansion Program"); and

Whereas, this Council has determined to authorize and approve the Expansion Program and to authorize the City to enter into various agreements and to take various actions to carry out the Expansion Program; and

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

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

Section 1. That this Council hereby accepts and approves the Memorandum of Understanding dated

March 25, 1997 between the City and CAL (the "MOU"), set forth in File No. 561-97-A, for the design, financing, construction, lease and operation of the airport facilities comprising the Expansion Program.

Section 2. That this Council hereby authorizes and approves the acquisition, construction and leasing of the airport improvements comprising the Expansion Program as set forth in the MOU. This Council approves the plan of funding for the Expansion Program as set forth in the MOU and expresses its intention to provide by subsequent ordinances for the issuance of special revenue bonds and general airport revenue bonds to finance the Expansion Program, subject to the conditions set forth in the MOU. All improvements financed with general airport revenue bonds or special revenue bonds shall become the property of the City upon completion of construction, subject to CAL's use rights as set forth in the MOU.

Section 3. That the Director of Port Control and one of the Mayor or the Director of Finance are hereby authorized and directed to enter into one or more leases (the "Special Facilities Leases") with CAL for the construction, operation, use and maintenance of those facilities in the Expansion Program to be leased to CAL on an exclusive use basis, including the Concourse D Premises, the Expansion Premises and the Other Premises as defined in the MOU. The Special Facilities Leases authorized in this Section 3 shall be on terms substantially similar to those set forth in the MOU and shall further contain such additional terms and conditions that may relate to the financing of the facilities or are customary in similar transactions or as the Director of Law deems necessary to protect and benefit the public interest.

Section 4. The improvements included in the Expansion Program, excluding the permanent rental car facilities, shall be carried out by CAL in compliance with Section 167 of the Charter of the City relating to the making of public improvements, such that contracts for the improvements shall be duly let for a gross price to the lowest responsible bidder after competitive bidding, and in compliance with the State of Ohio prevailing wage requirements, the City's Equal Opportunity Clause (Section 187.11 of the Codified Ordinances of the City), a City minority business enterprise goal of 30% and a City female business enterprise goal of 10% for all design and construction contracts and a City residency goal of 35% for new construction hires. Notwithstanding and as an exception to any other ordinance of the City, it is determined that the bidding procedures set forth in the MOU shall govern the contracts to be entered into by CAL for construction of Expansion Program improvements.

Section 5. That the Director of Port Control is hereby authorized and directed to enter into an amendment to the lease between the City and CAL (the "Original Lease"), City Contract No. 38171, to add to the "Leased Premises" thereunder certain facilities of the Expansion Program, as more particularly set forth in the MOU and as shall further be delineated upon completion of construction of the Expansion Program. The amendment authorized in this Section 5 shall be prepared by the

Director of Law and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest. All other existing terms and conditions in City Contract No. 38171, including the lease term, shall remain the same.

Section 6. That the Director of Port Control is authorized and directed to take such actions as may be necessary or appropriate to clear and prepare sites needed for the Expansion Program, including without limitation, entering into arrangements for the temporary and permanent relocation of rental car operations, removal of storage tanks and related site restoration.

Section 7. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing permanent rental car facilities, including but not limited to, all site improvements, access roads, utility installations, relocations and upgrades, environmental improvements, and any appurtenances necessary and incidental thereto, and any other public improvements the City must make to implement the Expansion Program (the "Improvements"), for the Division of Cleveland Hopkins International Airport, Department of Port Control. That the Director of Port Control is hereby authorized and directed to enter into contracts for the making of the Improvements, in each case with the lowest responsible bidder after competitive bidding for a gross price, provided, however, that each separate trade and each distinct component part of the Improvements may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of the Director of Port Control, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvements.

Section 8. That the Director of Port Control is hereby authorized and directed to make the necessary written contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each of all of the items comprising the necessary supplies and materials for the Improvements, including but not limited to the rental of necessary equipment, to be purchased or procured by the Commissioner of Purchases and Supplies for a gross price for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 9. That the Director of Port Control is hereby authorized and directed to employ by contract one or more firms of consultants, including but not limited to architects, engineers, project managers, construction managers, construction inspectors, asbestos, environmental, accounting, audit and demolition consultants, for the purpose of supplementing the regularly employed staff of the several departments of the City in order to provide professional services necessary to implement the Improvements. The selection of those consultants for such services shall be made by the Board of Control upon the nomination of the Director of Port Control from a list of qualified consultants available for such employment as may be determined through use of requests

for proposal by the Director of Port Control for the purpose of compiling such a list. The services shall be performed in such phases as are determined to be necessary by the Director of Port Control. The compensation to be paid for such services shall be fixed by the Board of Control. The contracts authorized in this Section 9 shall be prepared by the Director of Law, approved by the Director of Port Control and certified by the Director of Finance.

Section 10. That the Director of Port Control is hereby authorized and directed to enter into a Project Management agreement for the permanent rental car facility, including design services, with Cleveland Business Park, Ltd. (or a related entity). The agreement authorized in this Section 10 will be on terms mutually acceptable to the parties, will be prepared by the Director of Law, and will contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Section 11. That the Director of Port Control and other appropriate officials of the City are hereby authorized and directed to enter into such other agreements as are necessary to complete implementation of the Improvements, which agreements shall contain such terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Section 12. That the Director of Port Control is hereby authorized to apply for and accept one or more grants from the federal government for the purpose of paying a portion of the cost of any portion of the Expansion Program and any contracts relative thereto. The Director of Port Control is further authorized to file all papers and execute all documents necessary to effectuate the grant(s). Any funds received by the City pursuant to the grant agreement(s) are hereby appropriated for the purposes set forth in the grant agreement(s) and for the purpose of implementing the Expansion Program and any contracts relative thereto.

Section 13. That the Director of Economic Development is hereby authorized to apply for and accept one or more grants from the State of Ohio for the purpose of paying a portion of the cost of any portion of the Expansion Program, or making payment on obligations of the City issued for the purpose of implementing the Expansion Program. The Director of Economic Development is further authorized to file all papers and execute all documents necessary to effectuate the grant(s). Any funds received by the City pursuant to the grant agreement(s) are hereby appropriated for the purposes set forth in the grant agreement(s) and for the purpose of implementing the Expansion Program, and the Director of Economic Development is authorized to expend such funds for purposes of the Expansion Program.

Section 14. That the Director of Economic Development is hereby authorized to enter into a contract with CAL to provide economic development assistance to fund a portion of the costs of the Expansion Program; the terms of that contract shall be in accordance with paragraph 1 of a letter to CAL dated March 26, 1997 and included as Attachment C to the MOU contained in the Council File referenced in Section 1 of this Ordinance. The

amount of the loan provided for in that contract shall not exceed One Million Dollars (\$1,000,000.00) and shall be paid from Fund No. 10 SF 501, provisions of Ordinance No. 56-94, passed June 13, 1994, to the contrary notwithstanding, and/or Fund No. 17 SF 008. The Director of Economic Development is hereby authorized to accept monies in repayment of such loan and to deposit those monies into Fund No. 10 SF 502, and/or Fund No. 17 SF 006. The Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and to expend such fees to cover costs incurred in the preparation of the loan application, closing, and servicing the loan; such fees to be deposited into and expended from Fund No. 17 SF 305, Loan Fees Fund. Prior to entering into the contract authorized in this Section 14, the Director of Finance shall certify that unappropriated funds equal to the amount encumbered in Fund No. 17 SF 501 have been collected by the City and are available to be allocated to such contract.

Section 15. That the cost of the Improvements and any contracts relative thereto, as authorized in Sections 6 through 11 above, shall be paid from Fund No. 60 SF 104, 60 SF 105, 60 SF 106, and from funds or subfunds to which are credited any federal or state grants or federal passenger facility charge authorization or proceeds from the sale of any general airport revenue bonds or special revenue bonds issued for a purpose which includes the Expansion Program. Consistent with the MOU and Special Facility Leases, the Director is authorized to reimburse CAL from such funds, as applicable, for expenditures made by CAL to carry out the Expansion Program.

Section 16. That the Director of Port Control is hereby authorized and directed to enter into leases by way of concession (the "Leases") with Avis Rent A Car System, Inc. and Dollar Rent-A-Car Systems, Inc. to occupy and use an area or areas of property on the Airport, on an interim basis, for the purpose of accommodating their ready and return cars, their customers and related business operations, and for storing, servicing and maintaining their automobiles kept for hire in connection with the operation of their car rental concessions at the Airport. Each Lease shall be for a term not to exceed 24 months from the date of execution and shall contain such terms and conditions as the Director of Port Control deems reasonable and necessary to compensate those rental car companies for the inconvenience and disruption associated with their interim relocations, and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Section 17. 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 Port Control, City Planning Commission, Finance, Law; Committees on Aviation and Transportation, City Planning, Finance.

Ord. No. 562-97.
By Councilmen Smith, Rybka and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing permanent runway and taxiway lighting at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing permanent runway and taxiway lighting at Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 22578.

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 Port Control, City Planning Commission, Finance, Law; Committees on Aviation and Transportation, City Planning, Finance.

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.

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

ity and female business firms; and

Whereas, from March 18, 1997 through May 22, 1997, the Office of Equal Opportunity through the Minority Business Development Center, will be sponsoring the James H. Walker Construction Management Training Course; and

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

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

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

Section 1. That the Mayor, or his designee, is hereby authorized to accept a registration fee of Two Hundred Dollars (\$200.00) from every registrant attending the James H. Walker Construction Management Training Course, being held March 18, 1997 through May 22, 1997; to enter into contract with Case Western Reserve University for seminar facilities; and to purchase course supplies, refreshments and food required for the training course and graduation dinner. Such facilities, services and food shall be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Minority Business Development Center, Office of Equal Opportunity, using fees collected for registration, and paid from Fund No. 13 SF 001, Request No. 23210.

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 Office of Equal Opportunity, Finance, Law; Committee on Finance.

Ord. No. 564-97.
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 maintain the high voltage cable system and for emergency oil spill clean-up, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract years for the necessary items of labor and materials necessary to maintain high voltage oil static pipe-type transmission cable system and for emergency oil spill clean-up in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be

made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire 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 22116)

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

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

Ord. No. 565-97.

By Councilmen Patton and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and install fencing, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials necessary to repair and install fencing as needed, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire 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 22111)

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

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

Ord. No. 566-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12500 Erwin Avenue to Douglas Ritter and Donna Shipley.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 020-10-151, as more fully described in Section 2 below, to Douglas Ritter and Donna Shipley.

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

P.P. No. 020-10-151

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Lot 3, in Original Rockport Township Section 1, bounded and described as follows:

Beginning on the Northerly line of Erwin Avenue, 45 feet in width, the center line of which is parallel with and 394-1/2 feet Southerly from the Northerly line of said Lot 3, at a point 1180 feet Easterly from the intersection of the prolongation Westerly of the Northerly line of said Erwin Avenue, with the center line of West 130th Street; thence Easterly along the Northerly line of said Erwin Avenue, 70 feet; thence Northerly parallel with West 130th Street, 109 feet; thence Westerly parallel with the Northerly line of Erwin Avenue 70 feet; thence Southerly parallel with West 130th Street 109 feet to the place of beginning, and further known as Sublots Nos. 196 and 197 in proposed Drexel Park Allotment, be the same more

or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 567-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2200 East 100th Street to Bertha Mae Smith.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 121-16-028, as more fully described in Section 2 below, to Bertha Mae Smith.

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. 121-16-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly half of Sublot No. 7 in Thomas H. Sayles, Subdivision of part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 3 of Maps, Page 50 of Cuyahoga County Records, and being 30 feet front on the Westerly side of East 100th Street and extends back between parallel lines, 178 feet, 3/4 inch deep on the Northerly line, about 178 feet deep on the Southerly line and 30 feet wide in the rear as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 568-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9603 Willard Avenue to James E. and Sheila Wright.

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

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

Whereas, this ordinance constitutes an emergency measure 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 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). 005-25-070, as more fully described in Section 2 below, to James E. and Sheila Wright.

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. 005-25-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 19 in J.H. Palmer's Allotment of part of Original Brooklyn Township Lot No. 13, as shown by the recorded plat in Volume 11 of Maps, Page 11 of Cuyahoga County Records, and being 50 feet front on the Southerly side of Willard Avenue, N.W., 150 feet 3 inches deep on the Easterly line, 150 feet 4-1/8 inches deep on the Westerly line and 50 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 569-97.

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

An emergency ordinance to amend Section 135.063, as amended by Ordinance No. 1309-96, passed September 30, 1996, relating to uniform maintenance allowances.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That Section 135.063 as amended by Ordinance No. 1309-96, passed September 30, 1996, is hereby amended to read as follows:

Section 135.063 Uniform Maintenance Allowances

The Director of Public Safety is hereby authorized to cause payment for a uniform maintenance allowance to employees in the classifications in the Safety Department for which the applicable collective bargaining agreement establishes a maintenance allowance, in the amount established in the agreements.

In addition, the Director of Public Safety is authorized to cause payment for a uniform allowance to employees in the following classifications in the amounts shown:

<u>Classification</u>	<u>Annual Maintenance Allowance</u>
(a) Police Chief	In the same amount as the amount established by collective bargaining agreement for Police; Supervisory
(b) Deputy Chief of Police	In the same amount as the amount established by collective bargaining agreement for Police; Supervisory
(c) Fire Chief	In the same amount as the amount established by collective bargaining agreement for Firefighters
(d) Assistant Chief of Fire	In the same amount as the amount established by collective bargaining agreement for Firefighters
(e) EMT Supervisors	In the same amount as the amount established by collective bargaining agreement for Emergency Medical Technicians
(f) Chief Dog Warden	In the same amount as the amount established by collective bargaining agreement for Dog Wardens
(g) Chief Dispatchers	In the same amount as the amount established by collective bargaining agreement for Dispatchers

Section 2. That existing Section 135.063 as amended by Ordinance No. 1309-96, passed September 30, 1996, is hereby repealed.

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

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

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

**Ord. No. 570-97.
By Councilmen Robinson and Westbrook (by departmental request).**

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 1997 Title III-B Chore/Supportive 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 Aging is hereby authorized to apply for and accept a grant in the amount of \$97,924.00, from the Western Reserve Area Agency on Aging, to conduct the 1997 Title III-B Chore/Supportive Services, for the purposes set forth in the application and according thereto; that the Director of Aging 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. 570-97-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$51,038 from Fund No. 01-02-01-901, 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 Department of Aging, Finance, Law; Committees on Public Health, Finance.

**Ord. No. 571-97.
By Councilmen Polensek and Westbrook (by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to fabricate and install enlarged street name signs throughout the City of Cleveland, and other equipment and materials necessary for the production and installation therefor, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

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

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

requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to fabricate and install enlarged street name signs throughout the City of Cleveland, and other equipment and materials necessary for the production and installation therefor, in the estimated sum of \$500,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 20468)

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

**Ord. No. 523-97.
By Councilman Paulenske.
An emergency ordinance consenting and approving the issuance of a permit for the 1996 Cleveland Walk on April 27, 1997, sponsored by the March of Dimes.**

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 1997 Cleveland Walk, sponsored by the March of Dimes, on April 27, 1997, start at South Marginal to East 26th Street, cross the North Marginal, east to E. Ninth St., Checkpoint 1 - Rock Hall, turn left on the west side of E. Ninth St. and cross Lakeside to the south side of the street and turn right (west) Checkpoint 2 - Federal Building of Mall B, go west to Ontario, go south on Ontario to Checkpoint 3 - Public Square, (the quadrant we use will dictate whether we cross Ontario. I would prefer to use the Northeast Quad-

rant), continue south on Ontario to Eagle, Checkpoint 4 - Gateway in the Plaza between Jacobs Field and Gund Arena, from the plaza at Gateway go east on Eagle to E. Ninth St. and Bolivar, Bolivar to Prospect and to East 14th St., turn left (north) on E. 14th St. to Euclid and the theater district. There is a new plaza at E. 14th and Euclid, this could be Checkpoint 5 - Star Plaza, (if we cannot use the plaza another point in the theater district could be used), cross to the north side of Euclid at the safest point, go east on the north side of Euclid to the plaza at National City Bank - Checkpoint 6, go north on E. Ninth St. and cross St. Clair, turn left (west) on St. Clair to Checkpoint 7 - Public Hall - South Porch, continue west on St. Clair to W. Sixth St., turn left (south) to Superior, turn right (west) on the north side of Superior and go down into the Flats on Superior to the BW-3, Checkpoint 8, go north along the west side of the track to Old River Rd., go north on the west side of Old River Rd. to Checkpoint 9 Fagan's, go east on Front Ave. to W. Ninth St., turn right (south) on W. Ninth St. to Lakeside, turn left (east) on the north side of Lakeside to E. Ninth St., turn left (north) on the east side of E. Ninth St. and turn right into the Municipal Parking Lot to the finish (alternate route: from Checkpoint 3 at Public Square go to West 6th St. Turn left to Superior. Turn right to go down into the Flats. Checkpoint 8 is BW-3. Go north along the west side of the track to Old River Road. Go north to the west side of Old River Road to Checkpoint 9, Fagan's. Go east on Front St. to West 9th. Turn right on West 9th to Lakeside. Turn left to East 9th St. Turn left on the east side of E. 9th St. and turn right into Municipal Parking Lot), provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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. 524-97.
By Councilman Melena.
An emergency ordinance consenting and approving the issuance of a permit for a Walk-A-Thon/Pray-A-Thon on September 20, 1997 sponsored by the Office of Religious/Diocese of Cleveland.**

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 Walk-A-Thon/Pray-a-Thon, sponsored by the Office of Religious/Diocese of Cleveland, on September 20, 1997, beginning at St. Colman's parish parking lot and head south on W. 65th St. At Lorain Ave., make a left and head east on Lorain remaining on the north side of the street. Take Lorain Ave. to Commercial Ave., turn left on Commercial Ave., remain on the west side of Commercial Ave. all the way until it becomes Ontario and make a right on Ontario and remain on the west side of Ontario and walk to the square. Make a right at Public Square and go to the southwest quadrant, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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. 525-97.

By Councilman Paulenske.
An emergency ordinance consenting and approving the issuance of a permit for a Cleveland Indians Running Race on April 6, 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 Cleveland Indians Running Race, sponsored by Hermes Race Systems, on April 6, 1997, beginning on Ontario St. just north of Carnegie Ave., proceeding northbound through Public Square to St. Clair, eastbound on St. Clair to E. 6th St., northbound on E. 6th St. to Lakeside, westbound on Lakeside to W. 3rd St., north on W. 3rd St. around the Stadium to E. 9th St., southbound on E. 9th St. to Eagle, then westbound to Gateway Plaza and the finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as

determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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. 526-97.

By Councilmen Willis and Britt.
An emergency ordinance consenting and approving the issuance of a permit for a Relay Race, the Hudson Relays, on Sunday, April 27, 1997, sponsored by Case Western Reserve University.

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 Relay Race, the Hudson Relays, sponsored by Case Western Reserve University, on Sunday, April 27, 1997, beginning at the rock on the Quad, go through the Quad, over the RTA bridge, cross Adelbert Rd. at the Greenhouse and up the Fribley driveway to the bottom of the elephant stairs, back up to the top of the elephant stairs, down Carlton Rd. to Overlook, past the First Church of Christ Scientist to the intersection of Overlook and Edgehill, down Edgehill on the right side of the road to Murray Hill Rd., take a left at Murray Hill Rd. and run to the exchange point at the Greenhouse, cross the RTA bridge and run up Adelbert Rd. to the corner of Euclid, head west on Euclid crossing East Blvd. and go around the lagoon to Martin Luther King, Jr. Dr., continue along Martin Luther King Jr. Dr. to the next exchange point, continue down Martin Luther King, Jr. Dr. and turn right at the entrance to Wade Oval (between the Art and Natural History Museums), take a left going around Wade Oval crossing East Blvd. and continuing down E. 108th St. to the intersection of Wade Park Drive, turn right down Wade Park Drive to the exchange point at the corner of E. 115th St., continue down E. 115th St. and take a right turn at Bellflower to its intersection with Ford (the next exchange point), continue down Bellflower, take a left heading down East Blvd. around Severance Hall to the intersection of Adelbert and Euclid, cross Euclid and proceed to the next exchange point (the rock), which restarts the loop, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codi-

fied Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ FULL AND ADOPTED

Res. No. 527-97.

By Councilmen Polensek and Coats.

An emergency resolution requesting United States Senators Glenn and DeWine and Congressman Stokes to investigate the Nuclear Regulatory Commission's actions with respect to Advanced Medical Systems license request in connection with its London Road facility.

Whereas, it has come to the attention of the City of Cleveland ("Cleveland") that Advanced Medical Systems Inc. ("AMS") has applied to the Nuclear Regulatory Commission ("NRC") to amend its license to allow the "free" release of ground/surface water that collects in the foundation drainage system of AMS's London Road facility in the City of Cleveland; and

Whereas, based on information Cleveland has received and over Cleveland's strong objections, Cleveland believes that the NRC is most likely to grant AMS's request to amend its license, which will permit the "free" release of ground/surface water into the combined storm/sanitary sewer without requiring testing to be performed prior to any discharge; and

Whereas, Cleveland desires that testing be required to be performed prior to discharge into the combined storm/sanitary sewer to confirm that levels of Cobalt 60 do not exceed the levels set forth in the Settlement Order issued in the federal court case recently settled by the Northeast Ohio Regional Sewer District and AMS; and

Whereas, it is the desire of this Council to request United States Senators Glenn and DeWine and Congressman Stokes require a federal investigation into the NRC's conduct with respect to AMS's license request (USNRC License No. 34-19089-01) to insure to the citizens of Cleveland that all steps are being taken to prevent a health or safety risk to the community or to the environment;

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

Section 1. That this Council request United States Senators John Glenn and Mike DeWine and Con-

gressman Stokes take all necessary steps to require the appropriate federal agency or agencies undertake a federal investigation into the Nuclear Regulatory Commission's conduct and proceedings with respect to Advanced Medical System's request to amend its license to permit the "free" release of ground/surface water that collects in the foundation drainage system of AMS's London Road facility located in the City of Cleveland.

Section 2. That the Clerk of Council transmit copies of this resolution, along with a copy of Cleveland's correspondence to Roy J. Caniano, Deputy Director U. S. Regulatory Commission Region III, dated April 4, 1997, to United States Senators John Glenn and Mike DeWine, Congressman Louis Stokes and Deputy Director Caniano.

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

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

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

Res. No. 528-97.

By Councilman Dolan.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 4341 Rocky River Dr.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 4465758, Debra S. Kemp, dba Poppas Beverage, Cleveland, Ohio 44135; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code.

Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 4465758, Debra S. Kemp, dba Poppas Beverage, Cleveland, Ohio 44135, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 529-97.

By Councilman Moran.

An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 4904 Pearl Rd., and repealing Res. No. 1521-96, objecting to said renewal.

Whereas, this Council objected to the renewal of a Liquor Permit to 4904 Pearl Rd., by Res. No. 1521-96, adopted August 14, 1996; and

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

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

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

Section 1. That objection to the renewal Liquor Permit to 4904 Pearl Rd., be and the same is hereby withdrawn and Res. No. 1521-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 530-97.

By Councilman Moran.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4744 Broadview Rd., and repealing Res. No. 132-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 4744 Broadview Rd., by Res. No. 132-97, adopted January 27, 1997; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4744 Broadview Rd., be and the same is hereby withdrawn and Res. No. 132-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 531-97.

By Councilman Moran.

An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2 and D3 Liquor Permit to 6801 Denison, first floor, and repealing Res. No. 133-97, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D1, D2 and D3 Liquor Permit to 6801 Denison, first floor, by Res. No. 133-97, adopted January 27, 1997; and

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

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

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

Section 1. That objection to the transfer of ownership of a D1, D2 and D3 Liquor Permit to 6801 Denison, first floor, be and the same is hereby withdrawn and Res. No. 133-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

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

Res. No. 532-97.

By Councilman Paulenske.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 5400-04 Broadway, 1st Fl. and Bsmt., and repealing Res. No. 2231-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 5400-04 Broadway, 1st Fl. and Bsmt., by Res. No. 2231-96, adopted December 16, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a D5 Liquor Permit to 5400-04 Broadway, 1st Fl. and Bsmt., be and the same is hereby withdrawn and Res. No. 2231-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 533-97.

By Councilman Robinson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3608 E. 131st St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 2279537, Double Z Inc., dba Double Z, 3608 E. 131st St., Cleveland, Ohio 44120; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 2279537, Double Z Inc., dba Double Z, 3608 E. 131st St., Cleveland, Ohio 44120, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 534-97.

By Councilman Westbrook.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 9410 Denison Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 0673006, Donna Betts, dba Dairy Mart 5 5833, 9410 Denison Avenue, Cleveland, Ohio 44102, to Permit No. 7691071, Salmi Inc., dba Dairy Mart 5833, 9410 Denison Avenue, Cleveland, Ohio 44102; and

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

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

ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 0673006, Donna Betts, dba Dairy Mart 5 5833, 9410 Denison Avenue, Cleveland, Ohio 44102, to Permit No. 7691071, Salmi Inc., dba Dairy Mart 5833, 9410 Denison Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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. 2147-96.

By Councilmen Miller and Rokakis (by departmental request). An emergency ordinance authorizing and directing the purchase by requirement contract for the layout, printing and distribution of a flight guide, for the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 2148-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and repair various keycard systems and closed circuit television equipment, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 2149-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to install airfield security equipment, for the Division of Cleveland Hopkins International airport, Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 2195-96.

By Councilmen Miller and Rokakis.

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to install a digital printer, for the various divisions of the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 162-97.

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 Cavaliers Charities for the Cavaliers Charities-1997 Recreation Program; and to enter into contract to implement the program.

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

Ord. No. 163-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract without competitive bidding with Appraisal Consulting Research and Training, Inc. for the purchase of services necessary to update tree inventory, 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 Parks, Properties and Recreation, Finance, when amended as follows:

1. In Section 1, at the end, insert the following new sentence:

"The Director of Parks, Recreation and Properties shall include in the scope of services for this contract that the contractor review the requests of individual Council members for tree services and complaints of Council members."

2. In Section 2, at the end, add the following new sentence:

"The cost of the contract autho-

ized by this ordinance shall not exceed the grant amount, Thirty-Four Thousand Dollars (\$34,000.00)." Amendments agreed to.

Ord. No. 217-97.

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 Ohio Department of Education for the 1997 Summer Food Program; authorizing and directing the purchase by requirement contract of breakfasts, lunches and snacks for said Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes as part of said Program, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with ten non-profit organizations for the implementation of said Program.

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

Ord. No. 220-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of medical supplies, for the Division of Fire, Department of Public Safety, for a period not to exceed two years.

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

Ord. No. 221-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of photo supplies, for the Division of Police, Department of Public Safety, for a period not to exceed two years.

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

Ord. No. 223-97.

By Councilmen Smith and Westbrook (by departmental request).

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

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 224-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing a fire sprinkler system in the Central Receiving Building at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 225-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of paper stock and envelopes, for the Division of Printing and Reproduction, Department of Finance.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

Ord. No. 257-97.

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to expend Economic Development Initiatives Grant Funds for the operation of the Empowerment Zone Business Opportunity Program and to enter into contracts under that program.

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

1. Strike Sections 1 and 2 in their entirety and insert in lieu thereof the following:

"Section 1. That the Director of Economic Development is hereby authorized to enter into contracts for financial assistance the aggregate of which shall not exceed \$2,500,000.00, and execute other agreements with small businesses as are necessary for the Empowerment Zone Business Opportunity Program ("Program") which Program provides grants and loans to small businesses in the Empowerment Zone.

Section 2. That any contract authorized herein shall not exceed \$25,000.00 to any single small business and shall receive the written approval of the Council person in whose ward said small business is located; the costs of said contract shall be paid from Fund Nos. 18 SF 003 and 18 SF 001, Request No. 22285. Contracts for purposes of the Program in excess of \$25,000.00 may be approved by Council by appropriate legislation."

2. Insert new Sections 4 and 5 to read, respectively, as follows:

"Section 4. That any exterior renovation funded by a contract authorized herein shall be subject to design review by the Department of Community Development.

Section 5. That the contracting authority granted herein shall expire one year after the effective date of this ordinance; the Director of Economic Development shall, within six months of the effective date of this ordinance, report to Council on activity of the Program, including, but not limited to, the number and value of contracts entered into and projects completed under the Program."

3. Renumber existing "Section 4" and "Section 5", respectively, to new "Section 6" and "Section 7".

Amendments agreed to.

Ord. No. 259-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Lawrence Industries, Inc., or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a commercial and industrial building

located at 4500 Lee Road, Cleveland, Ohio 44128.

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

Ord. No. 265-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of reflective sheeting and sign posts necessary to construct traffic control signs, and installation if necessary, for the Division of Traffic Engineering and Parking, Department of Public Safety, for a period not to exceed two years.

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

Ord. No. 266-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic signal and sign material and equipment, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

Ord. No. 267-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to paint center and lane lines, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

Ord. No. 268-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic paint, thermoplastic material and reflective glass beads, for the Division of Traffic Engineering and Parking, Department of Public Safety, for a period not to exceed two years.

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

Ord. No. 269-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to employ one or more consultants to provide professional services necessary to prepare an analysis of the R.A.P.P. Program.

Approved by Directors of Public Safety, Finance, Law; Recommended by Committees on Public Safety, Finance, when amended as follows:

1. In Section 1, in line 13, after "list" insert the following new sentence:

"The Director of Public Safety

shall confer with the Council members in whose wards the R.A.P.P. houses were located and with the Chairman of the Public Safety Committee prior to the presentation of a resolution to the Board of Control for the selection of the consultant."

2. In Section 1, at the end, add the following new sentence:

"The Director of Public Safety shall provide each Council member with a copy of the consultant's final report analyzing the effectiveness of the R.A.P.P. program."

Amendment agreed to.

Ord. No. 339-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing and replacing curbing, aprons, ramps for the handicapped, and other concrete work for the various divisions of the Department of Port Control and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of such improvement, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 340-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for the installation, maintenance and repair of fencing for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 342-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of air filters and labor and materials necessary to provide related services for air handling units for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 436-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance establishing salary and wage schedules for various classifications, effective as of April 1, 1997, and repealing existing Ordinance No. 486-96, passed April 1, 1996, as amended.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

Ord. No. 437-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to provide computer programming services for the various divisions of City government.

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

1. In the title, in line 5, strike "programming".

2. In Section 1, in line 3, strike "programmers" in both places and insert in lieu thereof "consultants" in both places; and in line 10, strike "Public Utilities" and insert in lieu thereof "Finance".

3. In Section 1, at the end, insert a new sentence to read as follows: **"The total amount of all contracts awarded pursuant to this ordinance shall not exceed \$100,000.00."**

Amendments agreed to.

SECOND READING EMERGENCY ORDINANCE PASSED

Ord. No. 2215-96.

By Councilman Rybka (by departmental request).

An emergency ordinance to enact Sections 325.121 and 347.15 of the Codified Ordinances of Cleveland, Ohio, 1976, and to amend Sections 337.10, 343.01, 343.11, 345.01, 345.02 and 345.03, as enacted by various ordinances, all relating to correctional halfway houses.

Approved by Directors of City Planning Commission, Community Development, Public Safety, Finance, Law; Relieved of Committees on Community and Economic Development, Public Safety; Recommended by Committees on City Planning, Finance, when amended as follows:

1. In Section 1, at Section 325.121, strike the text of that section in its entirety and insert in lieu thereof the following:

"Correctional halfway house" means a premises which provides room and board and correctional oversight, pursuant to a contract to provide those services for the Federal Bureau of Prisons or the Ohio Department of Rehabilitation and Corrections or the Cuyahoga County Court of Common Pleas Department of Probation or any other governmental entity with jurisdiction to provide correctional services, to adults who have been assigned to such facility by either a governmental authority or a court of law. Such premises may be one building or a grouping of buildings located on contiguous properties."

2. In Section 1, at Section 347.15, division (b), line 3, at the end, add the following sentence: **"The Commissioner shall issue such Certificate only after approval by the Board of Zoning Appeals, as required in division (c) of this section."**

3. In Section 1, at Section 347.15, insert a new division (c) to read as follows:

"(c) Board of Zoning Appeals Approval. No Certificate of Occupancy for establishment or expansion of a correctional halfway house shall be issued without approval of such application by the Board of Zoning Appeals, after public notice and a public hearing. In order to ensure compatibility between a proposed correctional halfway house, or expansion thereof, and surrounding properties, the Board may require modifications to a proposal as a condition of its approval. The Board shall determine the suitability of a proposed correctional halfway house, or expansion thereof, at a particular location, through consideration of, among others, the following factors.

(1) conformance of the proposal to the requirements of this section and to other applicable regulations of the City's Codified Ordinances;

(2) the record of the proposed operator in managing similar facilities; and

(3) the size of the proposed facility as it affects potential over-concentration of a correctional system population in the immediate vicinity."

4. In Section 1, at Section 347.15, at existing division (c), at (1), line 5, after "playground," insert "public park, public recreation center,"; and after "church" insert "or similar place of worship, public library, preschool, day-care center, kindergarten, special education center."

5. In Section 1, at Section 347.15, at existing division (c) at (2), line 2 and 3 strike "one thousand (1,000)" and insert in lieu thereof "two thousand (2,000)"; and in line 5, at the end, add the following new sentence: "Furthermore, not more than two (2) correctional halfway houses shall be located in any Police District."

6. In Section 1, at Section 347.15, at existing division (d), strike lines 2, 3 and 4 in their entirety and insert in lieu thereof the following: "houses operating in the City of Cleveland shall have all required licenses, including any required for operation of a correctional halfway house. On-site".

7. In Section 1, at Section 347.15, at existing division (e), line 1, strike "Minimum Floor Area" and insert "Floor Area and Occupancy Standards"; and in line 4, at the end, add the following new sentence: "A maximum of one hundred (100) residents subject to correctional oversight shall be accommodated at any correctional halfway house."

8. In Section 1, at Section 347.15, at existing division (g), line 2, after "not" insert the following: "admit or"; and in line 4, at the end, strike the period and insert the following: ", nor shall correctional halfway houses admit or accommodate residents who have been convicted of any of the following crimes: murder, rape or felony crimes against children."

9. In Section 1, at Section 347.15, reletter existing divisions (c), (d), (e), (f), (g), (h), (i) and (j), respectively, to new divisions "(d)", "(e)", "(f)", "(g)", "(h)", "(i)", "(j)" and "(k)".

10. In Section 2, at Section 345.02, division (g), insert new subdivision "(10)" to read as follows:

"(10) Hospitals, sanitariums, nursing, rest or convalescent homes,"; and renumber existing subdivision (10) to new subdivision "(11)".

11. In Section 1, at Section 347.15, at existing division (e), at the end of the additional sentence mentioned in the aforementioned amendment no. 7, add the following new sentence: "No correctional halfway house may operate with a total resident population of less than twenty (20) persons, which twenty persons may include individuals not subject to correctional oversight."

12. In Section 1, at Section 347.15, at existing division (c), at (1), lines 2 and 3 strike "two hundred fifty (250)" and insert in lieu thereof "five hundred (500)"; and in line 4 strike "two hundred fifty (250)" and insert in lieu thereof "five hundred (500)".

13. In Section 1, at Section 347.15, at existing division (j), strike the text of that section in its entirety and insert in lieu thereof the following:

"Notification. Upon receipt of an application for a Building Permit or

Certificate of Occupancy for a correctional halfway house, the Division of Building and Housing shall send a copy to the Councilmember in whose ward the proposed facility would be located and shall submit a notification of the receipt of the application, including the proposed address, to the Council Clerk for publication in the City Record."

14. In Section 1, at Section 347.15, at existing division (j), new division "(1)" to read as follows:

"(1) Annual Registration. Prior to issuance of a Certificate of Occupancy for a correctional halfway house, the operator shall submit supervisor and operator information to the Division of Building and Housing. This information shall include the names and phone numbers of all on-site supervisors; the name, address and telephone number of the operator; if the operator is a partnership or a corporation, the names, addresses and telephone numbers of all general partners or officers; if any of the general partners and partnerships or corporations, the names, addresses and telephone numbers of all officers; and the name and address of the statutory agent, if any. The address for corporations and partnerships shall be the principal place of business and the address for natural persons shall be the home address. This information shall be amended upon a change to it, and shall be submitted annually to the Division of Building and Housing by the first day of February."

Amendments agreed to.

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

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried, that the absence of Councilwoman Helen K. Smith be and is hereby authorized.

MOTION

The Council adjourned at 8:45 p.m. to meet on Monday, April 14, 1997 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 2147-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract for the layout, printing and distribution of a flight guide, for the Department of Port Control, for a period not to exceed two years.

Ord. No. 2148-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by

requirement contract of labor and materials necessary to maintain and repair various keycard systems and closed circuit television equipment, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years.

Ord. No. 2149-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to install airfield security equipment, for the Division of Cleveland Hopkins International airport, Department of Port Control.

Ord. No. 2195-96.

By Councilmen Miller and Rokakis.

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to install a digital printer, for the various divisions of the Department of Port Control.

Ord. No. 162-97.

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 Cavaliers Charities for the Cavaliers Charities-1997 Recreation Program; and to enter into contract to implement the program.

Ord. No. 163-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract without competitive bidding with Appraisal Consulting Research and Training, Inc. for the purchase of services necessary to update tree inventory, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Appraisal Consulting Research and Training, Inc. ("ACRT, Inc."). Therefore, the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written contract with said ACRT, Inc. upon the basis of its proposal dated January, 1996, for professional services associated with updating tree inventory, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. **The Director of Parks, Recreation and Properties shall include in the scope of services for this contract that the contractor review the requests of individual Council members for tree services and complaints of Council members.**

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 038, Request No. 20500. **The cost of the contract authorized by this ordinance shall not exceed the grant amount, Thirty-Four Thousand Dollars (\$34,000.00).**

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.

Ord. No. 217-97.

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 Ohio Department of Education for the 1997 Summer Food Program; authorizing and directing the purchase by requirement contract of breakfasts, lunches and snacks for said Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes as part of said Program, and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with ten non-profit organizations for the implementation of said Program.

Ord. No. 220-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of medical supplies, for the Division of Fire, Department of Public Safety, for a period not to exceed two years.

Ord. No. 221-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of photo supplies, for the Division of Police, Department of Public Safety, for a period not to exceed two years.

Ord. No. 223-97.

By Councilmen Smith and Westbrook (by departmental request).

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

Ord. No. 224-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing a fire sprinkler system in the Central Receiving Building at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

Ord. No. 225-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of paper stock and envelopes, for the Division of Printing and Reproduction, Department of Finance.

Ord. No. 257-97.

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to expend Economic Development Initiatives Grant Funds for the operation of the Empowerment Zone Business Opportunity Program and to enter into contracts under that 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 Economic Development is hereby authorized to enter into contracts for financial assistance the aggregate of which shall not exceed \$2,500,000.00, and execute other agreements with small businesses as are necessary for the Empowerment Zone Business Opportunity Program ("Program") which Program provides grants and loans to small businesses in the Empowerment Zone.

Section 2. That any contract authorized herein shall not exceed \$25,000.00 to any single small business and shall receive the written approval of the Council person in whose ward said small business is located; the costs of said contract shall be paid from Fund Nos. 18 SF 003 and 18 SF 001, Request No. 22285. Contracts for purposes of the Program in excess of \$25,000.00 may be approved by Council by appropriate legislation.

Section 3. That the Director of Economic Development is authorized to accept monies in repayment from program participants, and to deposit them into Fund No. 18 SF 002, and to accept program fees and deposit them into Fund No. 18 SF 004.

Section 4. That any exterior renovation funded by a contract authorized herein shall be subject to design review by the Department of Community Development.

Section 5. That the contracting authority granted herein shall expire one year after the effective date of this ordinance; the Director of Economic Development shall, within six months of the effective date of this ordinance, report to Council on activity of the Program, including, but not limited to, the number and value of contracts entered into and projects completed under the Program.

Section 6. That the Director of Law is hereby authorized to prepare contracts and such other documents as may be appropriate to complete the transactions.

Section 7. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Ord. No. 259-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Lawrence Industries, Inc., or its designee, to provide economic develop-

ment assistance to partially finance the acquisition and renovation of a commercial and industrial building located at 4500 Lee Road, Cleveland, Ohio 44128.

Ord. No. 265-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of reflective sheeting and sign posts necessary to construct traffic control signs, and installation if necessary, for the Division of Traffic Engineering and Parking, Department of Public Safety, for a period not to exceed two years.

Ord. No. 266-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic signal and sign material and equipment, for the Division of Traffic Engineering and Parking, Department of Public Safety.

Ord. No. 267-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to paint center and lane lines, for the Division of Traffic Engineering and Parking, Department of Public Safety.

Ord. No. 268-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic paint, thermoplastic material and reflective glass beads, for the Division of Traffic Engineering and Parking, Department of Public Safety, for a period not to exceed two years.

Ord. No. 269-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to employ one or more consultants to provide professional services necessary to prepare an analysis of the R.A.P.P. Program.

Whereas, pursuant to Ordinance No. 1615-95, passed December 18, 1995, this Council authorized the Director of Public Safety to apply for and accept a grant from the United States Department of Justice for the Residential Area Policing Program (R.A.P.P.); 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 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 prepare a program analysis and among other

things, to prepare a federal report analyzing its effectiveness.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Safety from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Safety for the purpose of compiling such a list. **The Director of Public Safety shall confer with the Council members in whose wards the R.A.P.P. houses were located and with the Chairman of the Public Safety Committee prior to the presentation of a resolution to the Board of Control for the selection of the consultant.** The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Safety, and certified by the Director of Finance. **The Director of Public Safety shall provide each Council member with a copy of the consultant's final report analyzing the effectiveness of the R.A.P.P. program.**

Section 2. That the costs for such services herein contemplated shall be paid from the fund or funds to which are credited the proceeds of the grant accepted pursuant to Ordinance No. 1615-95, passed December 18, 1995.

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. 339-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing and replacing curbing, aprons, ramps for the handicapped, and other concrete work for the various divisions of the Department of Port Control and authorizing the Director of Port Control to enter into one or more requirement contracts for the making of such improvement, for a period not to exceed two years.

Ord. No. 340-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for the installation, maintenance and repair of fencing for the various divisions of the Department of Port Control, for a period not to exceed two years.

Ord. No. 342-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of air filters and labor and materials necessary to provide related services for air handling units for the various divisions of the Department of Port Control, for a period not to exceed two years.

Ord. No. 436-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance establishing salary and wage schedules for various classifications, effective as of April 1, 1997, and repealing existing Ordinance No. 486-96, passed April 1, 1996, as amended.

Ord. No. 437-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to provide computer services 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 employ by contract one or more computer consultants or one or more firms of computer consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to assist the City in assessing the impact of the Year 2000.

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 and approved and certified by the Director of Finance. **The total amount of all contracts awarded pursuant to this ordinance shall not exceed \$100,000.00.**

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 01-99-98-0380, Request No. 23206.

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.

BOARD OF CONTROL

April 2, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 2, 1997, at 11:00 a.m., with Acting Mayor Sobol Jordan presiding.

Present: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Absent: None.

Others: William Moon, Commissioner, Purchases and Supplies,

Linda Walker, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 206-97.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of February, 1997 in the amount \$8,036.77, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Director Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.

Absent: Acting Director Jasper.

Resolution No. 207-97.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland that all bids received on March 12, 1997 for Teletype Devices for the deaf for the Various Divisions of City Government, Department of Finance, pursuant to the authority of Ordinance No. 198-94, passed by the Council of the City of Cleveland on March 14, 1994, be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Director Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.

Absent: Acting Director Jasper.

Resolution No. 208-97.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Lakeside Blueprint, Inc. for an estimated quantity of Reproduction and Mounting Services - all items for the Various Divisions of City Government, Department of Finance, for the period of two (2) years beginning with the date of execution of a contract received on the 19th day of March, 1997, pursuant to the authority of Ordinance No. 2210-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Three Hundred Seventy-Nine Thousand One Hundred and 00/100 Dollars, (\$379,100.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 00515 which shall be certified against such contract in the sum of Thirty Thousand and 00/100 Dollars, (\$30,000.00).

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

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Director Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.

Absent: Acting Director Jasper.

Resolution No. 209-97.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland that all bids received on May 19, 1997 for Public Address (Paging) and Music System - all items for the Division of Information System Services, Department of Finance, pursuant to the authority of Ordinance No. 198-94, passed by the Council of the City of Cleveland on March 14, 1994, be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Director Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.

Absent: Acting Director Jasper.

Resolution No. 210-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1604-96, passed by the Council of the City of Cleveland on October 28, 1996, H2N Design, 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 services to design, layout and produce 1996 annual report, 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 H2N Design, Inc. based upon its proposal dated March 14, 1997, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal upon execution of a contract for an aggregate fee not in excess of \$68,050 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 CT Consultants, Inc., for the abovementioned professional service is hereby approved:

SUBCONTRACTOR	WORK
Polk Photography	Still Photography \$5,900.00, MBE
Wester Communications	Research & copy writing \$7,500.00, MBE

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Direc-

tors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 211-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Central Electric Supply Company for an estimated quantity of Wood Poles and Crossarms, item nos. 22 thru 26, alternate E preferred wood species, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 30th day of January, 1997, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Twenty One Thousand Two Hundred Twenty and 40/100 Dollars, (\$121,220.40) (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. 103478

which shall be certified against such contract in the sum of Twenty Thousand Seven Hundred Sixty-Seven and 40/100 Dollars, (\$20,767.40).

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: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 212-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Hamby-Young Power Supply, Subsidiary of Wesco Distribution, Inc. for an estimated quantity of Wood Poles and Crossarms, item nos. 27 thru 31, including the bid condition of price escalation of a maximum of 5% on the second year on various items as indicated on bid, except for such terms and conditions as are not acceptable to the Director of Law, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 30th day of January, 1997, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Thirty Nine Thousand Four Hundred Ten and no/cents Dollars, (\$39,410.00) (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. 103477

which shall be certified against such contract in the sum of Two Thousand Ninety-Two and 50/100 Dollars, (\$2,092.50).

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: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 213-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Company for an estimated quantity of Wood Poles and Crossarms, item nos. 1 thru 21, 32 and 33, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 30th day of January, 1997, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Eight Hundred Twenty Thousand Eighty-Three and 82/100 Dollars, (\$820,083.82) (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. 103476

which shall be certified against such contract in the sum of Forty Three Thousand Three Hundred Sixty-Two and 70/100 Dollars, (\$43,362.70).

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: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 214-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that bid of Towlift, Inc. for the following: electric tow motor and accessories (all items) for the Division of Water, Department of Public Utilities, received on the 18th day of December, 1996, pursuant to the authority of Ordinance No. 1297-96, passed September 23, 1996, which on

the basis of the order quantities would amount to Twenty Six Thousand Six Hundred Sixty Two Dollars (\$26,662.00). (Net) is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Towlift, Inc., for the abovementioned standard purchase is hereby approved:

SUBCONTRACTOR	WORK
Friendly Delivery	MBE, \$108.50

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 215-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that all bids received on February 19, 1997 for bypass piping, fittings and valves (all items) for the Division of Water, Department of Public Utilities, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 216-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Precision Electric, Inc. for an estimated quantity of Grounding Transformers, all items, including the bid condition of price escalation of 5% for orders placed after June 30, 1998, except for such terms and conditions as are not acceptable to the Director of Law, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 30th day of January, 1997, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Ninety Thousand Nine Hundred Fifty and no/cents Dollars, (\$90,950.00), (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. 103470 which shall be certified against such contract in the sum of Forty Five Thousand Four Hundred Seventy-Five and no/cents Dollars, (\$45,475.00).

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: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 217-97.

By Director Konicek.

Resolved by the Board of Control of the City of Cleveland that all bids received on February 26, 1997 for Rental of flashers, safety lights, arrow bars and traffic control devices for the Division of Water Pollution Control, Department of Public Utilities, pursuant to the authority of Ordinance No. 1456-96, passed by the Council of the City of Cleveland on September 23, 1996, be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 218-97.

By Director Cunningham.

Whereas, pursuant to City Contract No. 44164, APCOA, Inc. and Etna Associates, a joint venture, operate and maintain a shuttle parking facility at the City-owned corner of Brookpark and Grayton Roads near Cleveland Hopkins International Airport; and

Whereas, additional City-owned property of approximately 5.4 acres is available and suitable for the operation and maintenance of a shuttle parking facility adjacent to the property leased pursuant to City Contract No. 44164; and

Whereas, the City of Cleveland is willing to grant permission to APCOA, Inc. and Etna Associates, a joint venture, to operate and maintain a shuttle parking facility at such site; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Port Control is authorized to enter into a concession agreement with APCOA, Inc. and Etna Associates, a joint venture, for the operation and maintenance of a shuttle parking facility consisting of approximately 5.4 acres of City-owned property located at the corner of Brookpark and Grayton Roads for a period not to exceed thirty (30) days. The concessionaire shall pay to the City a fee of sixty percent (60%) of gross revenues attributable to the operation of the concession premises. The operation and maintenance of the concession premises shall be the responsibility of APCOA, Inc. and Etna Associates, a joint venture, and shall be upon such terms and conditions substantially similar to City Contract No. 44164.

Be it further resolved that said concession agreement shall be prepared by the Director of Law and shall contain such provisions as she

deems necessary to benefit and protect the public interest.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 219-97.

By Director Cunningham.

Whereas, pursuant to the authority of Ordinance No. 386-95, passed by the Cleveland City Council on May 1, 1995, and Resolution No. 500-95, adopted by the Board of Control of the City on July 5, 1995, the City of Cleveland entered into a contract with Thorn Automated Systems, Inc. for labor and materials for maintenance of the computerized keycard access/fire detection system and time and attendance equipment for various divisions of the Department of Port Control, Contract No. 48720; and

Whereas, Thorn Automated Systems, Inc. notified the City by its July 29, 1996 letter that it had been acquired by Tyco International Ltd. dba Grinnell Fire Protection Systems Company ("Grinnell"), and Grinnell by its March 4, 1997 letter effectively requested consent of the City to assignment of Contract No. 48720 from Thorn to Grinnell; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the March 4, 1997 request of Thorn Automated Systems, Inc. for consent of the City to the assignment of Contract No. 48720 for maintenance of the computerized keycard access/fire detection system and time and attendance equipment for the various divisions of the Department of Port Control to Tyco International Ltd. dba Grinnell Fire Protection Systems Company is hereby granted.

Be it further resolved that the Director of Port Control is hereby authorized to execute all documents and do all things necessary and appropriate to effect the consent to assignment granted herein. A copy of the assignment shall be filed in the office of the Commissioner of Accounts.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 220-97.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that the bid of Eagle International Truck Sales, Inc. nka Wise International Trucks of Ohio, Inc. for the following: one low profile dump truck with central hydraulic system for the Division of Burke Lakefront Airport, Department of Port Control, received on the 8th day of November, 1996, pursuant to the authority of Ordinance No. 764-95, passed June 12, 1995, which on the basis of order quantity would amount to \$55,466.00 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 Eagle International Truck Sales, nka Wise International Trucks of Ohio, Inc. for one low profile dump truck with central hydraulic system for the Burke Lakefront Airport Department of Port Control is hereby approved:

SUBCONTRACTOR

Independent Broker
3700 Northfield Road
Highland Heights, Ohio 44122
(\$700.00 - MBE)

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 221-97.

By Director Cunningham.
Resolved by the Board of Control of the City of Cleveland that all bids received on February 6, 1997 for Public improvement of installing a HVAC unit (AC-8) for the Division of Cleveland Hopkins International Airport, Department of Port Control, pursuant to the authority of Ordinance No. 545-96, passed by the Council of the City of Cleveland on May 6, 1996, be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 222-97.

By Director Guzman.
Resolved by the Board of Control of the City of Cleveland that the bid of Montrose Ford for the following: one (1) police transport van (#5 only) for the Division of Motor Vehicle Maintenance, Department of Public Service, received on the 21st day of February, 1997, pursuant to the authority of Ordinance No. 1476-96, 918-96, passed August 14, 1996 and June 18, 1996, which on the basis of order quantity would amount to \$23,870.00, (Net), is hereby approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 223-97.

By Director Guzman.
Resolved by the Board of Control of the City of Cleveland that all bids received on February 21, 1997 for ten (10) 4-wheel drive utility vehicles (item #3 only) for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance Nos. 918-96, 1476-96, passed by the Council of the City of Cleveland on June 18, 1996 and August 14, 1996, be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 224-97.

By Director Guzman.
Resolved by the Board of Control of the City of Cleveland that all bids received on February 21, 1997 for four (4) pick-up trucks, gvw of 4,200 pounds, five (5) pick-up trucks, gvw of 6,000 lbs. seventeen (17) cng powered pick-up trucks, gvw 7,700 pounds, fourteen (14) pick-up trucks, gvw of 7,700 pounds, one (1) pick-up truck, gvw of 8,600 pounds for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance Nos. 1006-95, 918-96, 1476-96, passed by the Council of the City of Cleveland on June 19, 1995, June 18, 1996 and August 14, 1996, be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 225-97.

By Director Guzman.
Resolved by the Board of Control of the City of Cleveland that the bid of Montrose Ford for the following: one (1) horse trailer and tow vehicle (pick-up) with additional equipment (#2 only) for the Division of Motor Vehicle Maintenance, Department of Public Service, received on the 21st day of February, 1997, pursuant to the authority of Ordinance Nos. 918-96, 1476-96, passed June 18, 1996 and August 14, 1996, which on the basis of order quantity would amount to \$37,485.00, (Net), is hereby approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 226-97.

By Director Spellman.
Whereas, Resolution No. 124-97, adopted by this Board on February 26, 1997, pursuant to the authority of Ordinance No. 2046-91, passed by the Cleveland City Council on October 28, 1991, authorized the Director of Parks, Recreation & Properties to enter into contract with Royal Landscape Inc. as the lowest responsible bidder for the public improvement of Willard Park site improvements, bid items 1.0-4.0, including the 10% contingency line item, and Alternate Bid #4, in the aggregate amount of ninety-four thousand, three hundred forty-nine and 20/100 dollars (\$94,349.20); and

Whereas, as a result of the identification of Ordinance No. 1117-93, passed by the Cleveland City Council on June 14, 1993, as a source of authority and additional funding for the abovementioned improvement,

the City desires to approve Royal Landscape's bid for Alternate Bid #3, in addition to its bid for the items approved in said resolution No. 124-97; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 124-97, adopted February 26, 1997, affirming and approving Royal Landscaping as lowest responsible bidder for certain Willard Park site improvements is hereby amended by adding the words "and Alternate Bid #3" after the words "Alternate Bid #4", where appearing, by adding the words "and Ordinance No. 1117-93" after the words "Ordinance No. 2046-91" and by increasing the aggregate amount for the improvement to one hundred four thousand, four hundred seventy three and 60/100 dollars (\$104,473.60).

Be it further resolved that all other provisions of said Resolution No. 124-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 227-97.

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. 107-03-008 located at 960 Wheelock in Ward 8; and

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

Whereas, Shore Place Development Corporation, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has consented to the proposed sale;

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

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing 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 Shore Place Development Corporation for the sale and development of Permanent Parcel No. 107-03-008 located at 960 Wheelock, in accordance with the Land Reutilization Program in such

manner as best carries out the intent of said Program.

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 228-97.

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. 008-07-075 located at 1624 Clark 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, Jim and Rose M. Williamson, 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 Jim and Rose M. Williamson for the sale and development of Permanent Parcel No. 008-07-075 located at 1624 Clark Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 229-97.

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. 015-10-166 located at 3366 West 30th 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, Albert James and Elizabeth Jane Paulin, 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 Albert James and Elizabeth Jane Paulin for the sale and development of Permanent Parcel No. 015-10-166 located at 3366 West 30th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 230-97.

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. 007-29-089 located at 3127 West 40th 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, Kenneth B. Knick, 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 Kenneth B. Knick for the sale and development of Permanent Parcel No. 007-29-089 located at 3127 West 40th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 231-97.

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. 007-23-105 located at 2711 Queen 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, Mable Rey, 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 Mable Rey for the sale and development of Permanent Parcel No. 007-23-105 located at 2711 Queen Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 232-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 121-32-057 located at 11002 Notre Dame Avenue in Ward 6; and

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

Whereas, Walter G. Whitehead, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has consented to the proposed sale;

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

3. The proposed 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 Walter G. Whitehead for the sale and development of Permanent Parcel No. 121-32-057 located at 11002 Notre Dame Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Direc-

tors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 233-97.

By Director Guzman.

Whereas pursuant to Ordinances Nos. 1092-94 and 1466-94, passed by the Cleveland City Council on June 13, 1994 and November 21, 1994, respectively, and Resolution No. 195-97, adopted by this Board on March 26, 1997, the Director of Public Service was authorized to enter into contract for the public improvement of East 9th Street (Bridge over Conrail and Waterfront Pier Construction) - Phase II with S.E. Johnson Companies, Inc., and the employment of U.S. Utility Contractor Co., Inc., Steward Supply & Construction Co., Inc., Dean Contracting, Inc., and Short Steel Erection, Inc. as subcontractors also was approved; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by S.E. Johnson Companies, Inc. for the public improvement of East 9th Street (Bridge over Conrail and Waterfront Pier Construction) Phase II, hereby is approved:

Perk Company, Inc.
55 Industry Drive
Bedford, Ohio 44146
(MBE) (5.79%) \$172,959.00

Genley Transfer
12714 Marston Avenue
Cleveland, Ohio 44105
(MBE) (2.93%) \$87,525.00

Collinwood Supply
12400 Broadway
Garfield Heights, Ohio 44125
(MBE) (2.01%) \$60,150.00

Able Fence
246 Fairport Nursery Road
Painesville, Ohio 44077
(FBE) (1.39%) \$41,604.00

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 234-97.

By Director Spellman.

Whereas, Resolution No. 124-97, adopted by this Board on February 26, 1997, pursuant to the authority of Ordinance No. 2046-91, passed by the Cleveland City Council on October 28, 1991, authorized the Director of Parks, Recreation & Properties to enter into contract with Royal Landscape Inc. as the lowest responsible bidder for the public improvement of Willard Park site improvements, bid items 1.0-4.0, including the 10% contingency line item, and Alternate Bid #4, in the aggregate amount of ninety-four thousand, three hundred forty-nine and 20/100 dollars (\$94,349.20); and

Whereas, as a result of the identification of Ordinance No. 1117-93, passed by the Cleveland City Council on June 14, 1993, as a source of authority and additional funding for the abovementioned improvement, the City desires to approve Royal Landscape's bid for Alternate Bid #3, in addition to its bid for and as part of the items approved for the

site improvement in said Resolution No. 124-97; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 124-97, adopted February 26, 1997, affirming and approving Royal Landscaping as lowest responsible bidder for certain Willard Park site improvements is hereby amended by adding the words "and Alternate Bid #3" after the words "Alternate Bid #4", where appearing, by adding the words "and Ordinance No. 1117-93" after the words "Ordinance No. 2046-91", and by increasing the aggregate amount for the improvement to one hundred four thousand, four hundred seventy three and 60/100 dollars (\$104,473.60).

Be it further resolved that all other provisions of said Resolution No. 124-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Sheehan, Director Guzman, Acting Directors Jasper, Smith, Directors Spellman, Hamilton, Acting Director Patterson, Directors 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, APRIL 21, 1997

9:30 A.M.

Calendar No. 97-53: 1985 Green Rd., S.E.

Alleghany West Conference, owner, c/o Leighton Palmer, and Gwenn Montgomery dba Bumble Bee Motivational Child Center, tenant; to use as a day care center a portion

of the first floor of the 54' x 120' one story "L" shaped church building on a 52' x 524' irregular shaped lot located in a One Family District at 1985 Green Rd.; said use as a day care center being contrary to the yard requirements and residence use limitations of Section 337.02 but subject to the special use provisions of Section 337.02 (f)(3) of the Codified Ordinances.

Calendar No. 97-55: 13440 Kirton Ave., S.W.

Burgess Maynard, owner, to convert to two dwelling units the 24' x 34' two story frame one family dwelling house on a 40' x 128' lot located in an A-One Family District at 13440 Kirton Ave.; said use for two families being contrary to the one family use limit of Section 337.02 and the lot size requirements of Section 355.04 and the west side yard being 2' instead of 3' in width as required by Section 357.09 of the Codified Ordinances.

Calendar No. 97-56: 1961 W. 45 St.

David Miles, owner, to erect a 26' x 20' one and one half story, 19' in height, frame private garage on the rear of the 60' x 132' lot located in a Two Family District and occupied by a two story dwelling house at 1961 W. 45 St.; said private garage, 1040 sq. ft. in area, being in excess of the 910 sq. ft. maximum limited by Section 337.23 and said private garage to be in excess of the 15' height limit of Section 353.05 of the Codified Ordinances.

Calendar No. 97-57: 1690 Columbus Rd., N.W.

Wayne Eecke, owner, to erect two 7' 6" x 11' 6" double faced pole signs in front of the service station on the 41' x 183' irregular shaped corner lot located in a General Industry District on the southwest corner of Columbus Rd. and Center St. at 1690 Columbus Rd.; said pole signs to be located 110' apart instead of the 500' minimum distance as required by Section 350.20 of the Codified Ordinances.

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 on a 75' x 106' irregular shaped corner lot located in a General Retail District on the southwest corner of St. Clair Ave. and Alhambra Rd. at 16114-18 St. Clair Ave.; said use for contractor's storage being contrary to the retail use limitations of Section 343.11 and said premises to have excess access drives contrary to provisions of Sections 343.18 and 349.07 and said premises not to conform to the landscape provisions of Sections 352.08 and 352.12 of the Codified Ordinances.

Calendar No. 97-61: Appeal of Edward T. King

Edward T. King, under authority of Section 76-6 of the Charter of the City of Cleveland, appeals from the refusal by John A. Hunt, Commissioner, Division of Assessments and Licenses, to issue to him a Hack Driver's License upon authority of Section 443.131 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 7, 1997

At the Meeting of the Board of Zoning Appeals, on, Monday, March 31, 1997, the following appeals were heard by the Board, and decided on Monday, April 7, 1997.

The following appeals were **Granted**:

Calendar No. 97-37: 1788 W. 25th Street.

Carla Wright-Johnson, et al appealed, under authority of Section 76-6 of the Charter of the City of Cleveland from the refusal to issue a Second Hand Dealer License.

Calendar No. 97-40: 1061 Ivanhoe Road, N.E.

Richard Coleman dba T.T. Resale, appealed, under authority of Section 76-6 of the Charter, from the refusal to issue a Second Hand Dealer License.

The following appeal was **Refused**:

Calendar No. 97-38: Marwan Al Tabbaa, owner, to erect a 25' x 50' frame two story one family dwelling house including attached garage.

The following appeals were **Postponed**:

Calendar No. 97-12: 4141 West 130th Street to April 21, 1997.

Calendar No. 97-42: 4560 State Road, S.W. to April 21, 1997.

Calendar No. 97-35: 1610-12 Euclid Avenue to April 28, 1997.

Calendar No. 97-44: 10300 Carnegie Avenue S.E. to May 5, 1997.

The following appeals were **Withdrawn**:

Calendar No. 97-41: 5313 Northcliff Avenue, S.W.

Calendar No. 97-45: 18921 Homeway Ave., S.W.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of April 2, 1997

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

* * *

Docket A-161-95.

RE: Appeal of Manuel Cohen, Owner of the Property located on the premises known as 6722 Bushnell Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated September 8, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland,

and the Ohio Basic Building Code (OBBC).

Docket A-161-95 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-178-96.

RE: Appeal of AMED, Inc., Owner of the Property located on the premises known as 589 East 152nd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-178-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-179-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 585 East 152nd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-179-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-180-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 585 East 152nd Street (Bldg. B) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-180-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-181-96.

RE: Appeal of AMED, Inc., Owner of the Property located on the premises known as 589 East 152nd Street (Area Z) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-181-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-182-96.

RE: Appeal of AMED, Inc., Owner of the Property located on the premises known as 589 East 152nd Street (Area E) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-182-96 has been WITHDRAWN at the request of the Appellant.

Docket A-183-96.

RE: Appeal of B & C Company, Owner of the Property located on the premises known as 565 East 152nd Street (Area X) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-183-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-184-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 587 East 152nd Street (Bldg. C) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-184-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-185-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 587 East 152nd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-185-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-186-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 587 East 152nd Street (Bldg. C) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-186-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-187-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 577 East 152nd Street (Bldg. A & A1) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-187-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-188-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 577 East

152nd Street (Bldg. A) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-188-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-189-96.

RE: Appeal of B & C Company, Owner of the Property located on the premises known as 591 East 152nd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-189-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket L-2-97.

RE: Appeal of David W. Stretar, from a LETTER OF DENIAL FOR RENEWAL OF ELECTRICAL CONTRACTOR LIMITED PREMISES LICENSE of the Commissioner of the Division of Assessments and Licenses dated February 19, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to permit Mr. Stretar to renew his ELECTRICAL CONTRACTOR LIMITED PREMISES LICENSE, without retaking the test, but with payment of the late filing fee. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

Docket A-21-97.

RE: Appeal of Charles Pearson, Owner of the Property located on the premises known as 1724-26 East 55th Street from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated January 14, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-21-97 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-24-97.

RE: Appeal of Rosemary Vinci, Owner of the Property located on the premises known as 1540 Columbus Court from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated January 21, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to find that the conditions required by Section 3114.04 of the Codified Ordinances of the City of Cleveland have by testi-

mony been indicated untrue, and that the variance to the Appellant for removal of the sign because of the conditions of this ordinance do not exist; therefore the sign can remain under the provisions of that ordinance. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket A-25-97.

RE: Appeal of Michael P. Socha, Owner of the Property located on the premises known as 20617 Hillside Road from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated January 17, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-25-97 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-26-97.

RE: Appeal of Option One Mortgage Corporation, Mortgagee of the Property located on the premises known as 635-37 Eddy Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated February 6, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by requiring the Appellant to board and secure the property and to clean the grounds within seven days (7 das.), and to grant the Appellant two months (2 mos.) in which to obtain permits and abate the violations; and to require the inspector to report to the Board in writing the condition of the property in two months (2 mos.). Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by June 16, 1997. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-27-97.

RE: Appeal of James J. Stalker, Owner of the Residential Property located on the premises known as 3344 West 63rd Street from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated January 14, 1997, requiring compliance with the Codified Ordinances of the City of

Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-27-97 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-28-97.

RE: Appeal of Alexandru Badea, Owner of the Property located on the premises known as 3741-43 West 36th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated February 21, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-14-97 has been POSTPONED; to be rescheduled for a later date

* * *

Docket A-29-97.

RE: Continuance of Appeal of Water Street Associates Ltd., Owner of the Property located on the premises known as 113 West 9th Street from a SUPPLEMENTARY CONDITIONS of the Commissioner of the Division of Building and Housing dated February 3, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at the time to grant the variance to OBBC Section 3408.6.7 and permit the ductwork to be installed as indicated on the drawings, noting that the duct is new and that it has a two-hour rating and that all the ducts going into the shaft have fire dampers, and that the duct meets the requirements for a new construction. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-36-97.

RE: Appeal of Bliss-Michalak Investments, Owner of the Property located on the premises known as 1059 Old River Road from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated March 6, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the occupancy on the second floor (A-2 construction), with the provision that with the knowledge and with the assurance from the Appellant that the building is fully sprinklered with the right fire suppression system; and that the building will be fully sprinklered with a hardwired smoke detector system with alarms and enunciation throughout on all four floors; and that the ceiling of the second floor will be a two-hour rating between the second and the third floor. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

Docket A-47-97.

RE: Appeal of Alva McGhee and Moez Franklin, Owners of the Residential Property located on the premises known as 12901-05 St. Clair Avenue (aka 517-21 East 129th Street) from an ORDER TO VACATE of the Commissioner of the Division of Building and Housing dated March 26, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for a variance from the ORDER TO VACATE and to REMAND the property at this time to the Division of Building and Housing, with the provision that the docket may be reopened if the Appellant presents to the Board and to the Building Department a plan of abatement and occupancy that is agreeable to all parties. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

* * *

OTHER BOARD BUSINESS:

Review of Rule of the Board No. 68

RE: Licensed Plumbers Employed by the City as plumbing inspectors. Separate motions were entered by Mr. Bowes and seconded by Mr. Saunders for Adoption of the Rule No. 68 as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Not Voting: Mr. Sullivan.

RULE OF THE BOARD NO. 68

**Adopted April 2, 1997
Effective: April 2, 1997**

RE: LICENSED PLUMBERS EMPLOYED BY THE CITY AS PLUMBING INSPECTORS.

AUTHORITY:

Pursuant to authority vested in The Board of Building Standards and Building Appeals by provisions of Section 76-6-C of The Charter of the City of Cleveland, the following rule is adopted:

THE RULE:

This rule shall apply to all licensed plumbers employed by the City of Cleveland as plumbing inspectors, to allow them not to renew their license during the employment with the City, and to permit the license to be renewed without examination and penalty by making application to The Board of Examiners of Plumbers, provided that the application for renewal is submitted within ninety days (90 das.) of termination of employment with the City.

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Bowes and seconded by Mr. Sullivan for Approval and Adoption of the Resolution as presented by the

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

- A-176-96—Hysan Properties.
- A-230-96—L.A. Limited Partnership.
- A-231-96—Rainbow Terrace Apartments, Inc.
- A-235-96—Grekopfixtun.
- A-16-97—Floyd Stover.
- A-18-97—Bernard Greenstein.
- A-19-97—David M. Cordova.

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

* * *

APPROVAL OF MINUTES:

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

March 19, 1997

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

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Civil Service Commission**

**Room 514, City Hall
Cleveland, Ohio
On Monday, April 21, 1997
1:00 p.m.**

Notice is hereby given to all interested parties that the Civil Service Commission will hold a public hearing in Room 514, City Hall, Cleveland, Ohio, on Monday, April 21, 1997, at 1:00 p.m., to consider a modification of Civil Service Rule 4.30:

4.30-F Psychological and/or Psychiatric Examination.

Where included, the psychological and/or psychiatric examination shall be administered by the psychologist and/or psychiatrist examiner designated by the Commission, only to those applicants receiving passing grades on the composite of the other required parts of the examination. Applicants found unsuitable by the psychologist or psychiatrist examiner may, within (10) working days following the placement of notification of such finding in the United States Mail,

request a hearing before the Commission which makes the final determination.

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

Freddie J. Fenderson,
President
Civil Service Commission

March 19 and March 26 and April 2
and April 9 and April 16, 1997

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

THURSDAY, APRIL 17, 1997

Teletype Devices for the Deaf, for the Division of Information Systems Services, Department of Finance, as authorized by Ordinance No. 198-94, passed by the Council of the City of Cleveland, March 14, 1994.

April 2 and April 9, 1997

WEDNESDAY, APRIL 23, 1997

High Voltage Cable, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

Large Water Meters, for the Division of Water, Department of Pub-

lic Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

Small Water Meters, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, September 21, 1992.

Pipe Repair Clamps, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

April 2 and April 9, 1997

FRIDAY, APRIL 25, 1997

Plumbing Supplies, for the Various Divisions of City Government, Department of Finance.

April 2 and April 9, 1997

THURSDAY, MAY 1, 1997

Interior Renovation at the Third District Police Station Building (17-90 D), for the Department of Public Safety, as authorized by Ordinance Nos. 1278-92 and 2053-91, passed by the Council of the City of Cleveland, July 22, 1992 and February 24, 1992, respectively.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON MONDAY, APRIL 14, 1997, 9:00 A.M. AT THE THIRD DISTRICT POLICE STATION BUILDING, 2001 PAYNE AVENUE, SECOND FLOOR OLD COURTROOM.

New Furniture for the Third District Police Station, for the Department of Public Safety, as authorized by Ordinance Nos. 1278-92 and 2053-91, passed by the Council of the City of Cleveland, July 22, 1992 and February 24, 1992, respectively.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON TUESDAY, APRIL 15, 1997, 9:00 A.M. IN THE DIVISION OF ARCHITECTURE ROOM 517, 601 LAKESIDE AVENUE.

April 2, April 9, April 16 and April 23, 1997

THURSDAY, APRIL 24, 1997

Dorchester Drive Storm Outlet, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2172-94 passed by the

Council of the City of Cleveland, February 6, 1995.

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

New Cleveland Browns NFL Stadium Mass Excavation and Pilings, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2193-96, passed by the Council of the City of Cleveland, January 13, 1997.

BID DOCUMENTS ARE AVAILABLE AT NO COST TO THOSE WHO PURCHASED THE PRIOR PACKAGE AND FOR ONE HUNDRED FIFTY DOLLARS (\$150.00) (NON-REFUNDABLE) FOR THOSE NOW INTERESTED IN BIDDING. ONLY CERTIFIED OR CASHIER'S CHECKS WILL BE ACCEPTED. A PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 17, 1997, 10:00 A.M. IN ROOM 514 OF CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO.

April 9 and April 16, 1997

FRIDAY, APRIL 25, 1997

E Z Pack Packer Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2030-96, passed by the Council of the City of Cleveland, December 16, 1996.

Building Materials - Used Paving Bricks, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2205-96 passed by the Council of the City of Cleveland, January 13, 1997.

April 9 and April 16, 1997

WEDNESDAY, APRIL 30, 1997

Fleet Washing, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 258-96 passed by the Council of the City of Cleveland, June 18, 1996.

Particle Counting System, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 921-94 passed by the Council of the City of Cleveland, June 6, 1994.

Potassium Permanganate, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland.

April 9 and April 16, 1997

FRIDAY, MAY 2, 1997

Two (2) Cab and Chassis With Heavy Duty Bodies and Two (2) Cab and Chassis with Medium Duty Dump Bodies, for the Division of Motor Vehicle Maintenance, Department of Public Ser-

vice, as authorized by Ordinance Nos. 918-96, and 1476-96, passed by the Council of the City of Cleveland, June 18, 1996 and August 14, 1996, respectively.

Twenty Seven (27) Tag-Along Air Compressors, Four (4) Tractor/Backhoes and Three (3) Backhoe/Industrial Trailers, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 19-97, passed by the Council of the City of Cleveland, February 10, 1997.

April 9 and April 16, 1997

WEDNESDAY, MAY 14, 1997

Elevator ADA Modifications, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 609-95 passed by the Council of the City of Cleveland, June 5, 1995.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, APRIL 29, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.

April 9 and April 16, 1997

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 877-96.

By Councilman Paulenske.

An ordinance to change the Use, Area and Height Districts of lands on the northerly side of Lakeside Avenue, N.E. to the Shoreway between E. 13 Street and E. 23 Street. (Map Change No. 1934, Sheet Nos. 1, 4 & 5)

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

Section 1. To change the Use, Area, and Height Districts of lands bounded and described as follows,

Beginning at the intersection of the northwesterly extension of the center line of East 13 Street and the center line of the Cleveland Memorial Shoreway; thence northeasterly along said center line of said Cleveland Memorial Shoreway to its intersection with the center line of the ramp leading from the South Marginal Road to the Cleveland Memorial Shoreway; thence southeasterly along said center line of said ramp leading from the South Marginal Road to said Cleveland Memorial Shoreway to its intersection with the center line of the South Marginal Road; thence southwesterly along said center line of said South Marginal Road to its intersection with the northwesterly extension of the center line of East 18 Street; thence southeasterly along said northwesterly extension of said center line of East 18 Street to the center line of the Pennsylvania Railroad tracks; thence southwesterly along said center line of said Pennsylvania Railroad tracks to the northwesterly extension of said center line of East 13 Street; thence northwesterly along said northwesterly extension of said center line of East 13 Street to the place of beginning.

and as outlined in red on the map hereto attached, be and the same are hereby changed to a Semi Industry Use District, a 'C' Area District, and a '1' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1934, Sheets Nos. 1, 4 and 5 and shall be made upon 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 the Use and Area Districts of lands bounded as described as follows:

Beginning at the intersection of the center line of East 13 Street and the center line of the Pennsylvania Railroad tracks; thence northeasterly along said center line of said Pennsylvania Railroad tracks to its intersection with the northwesterly extension of said center line of East 18 Street; thence southeasterly along said northwesterly extension of said center line of East 18 Street to the center line of Davenport Avenue, N.E.; thence southwesterly along said center line of Davenport Avenue, N.E. to the center line of East 13 Street; thence northwesterly along said center line of East 13 Street to the place of beginning, and as outlined in green on the map hereto attached, be and the same are hereby changed to a Multi Family Use District and a 'C' Area District.

Section 4. That said changed designation of lands described in Section 3 shall be identified as Map Change No. 1934, Sheets Nos. 1, 4, and 5 and shall be made upon 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 5. That the Use, Area, and Height Districts of lands bounded and described as follows:

Beginning at the intersection of said northwesterly extension of said center line of East 18 Street and the center line of the Pennsylvania Railroad tracks; thence northeasterly along said center line of said Pennsylvania Railroad tracks to the center line of East 22 Street; thence southeasterly along said center line of East 22 Street to the center line of Davenport Avenue, N.E.; thence southwesterly along said center line of Davenport Avenue, N.E. to the center line of East 16 Street; thence southeasterly along said center line of East 16 Street to the center line of Lakeside Avenue, N.E.; thence southwesterly along said center line of Lakeside Avenue, N.E. to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 50 in the H.H. Dodge D.B. Allotment as recorded Volume 20V, Page 217 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 50 and continuing northwesterly along the southwesterly line of Sublot No. 61 in said H.H. Dodge D.B. Allotment and along its northwesterly extension to the center line of Davenport Avenue, N.E.; thence northeasterly along said center line of Davenport Avenue, N.E. to its intersection with said northwesterly

extension of said center line of East 18 Street; thence northwesterly along said northwesterly extension to the place of beginning,

and as outlined in yellow on the map hereto attached, be and the same are hereby changed to a General Retail Use District, a 'C' Area District, and a '2' Height District.

Section 6. That said changed designation of lands described in Section 5 shall be identified as Map Change No. 1934, Sheets Nos. 1, 4, and 5 and shall be made upon 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 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed March 24, 1997.

Vetoed March 31, 1997.

Ord. No. 17-97.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to rehabilitate snow removal trucks and to rehabilitate or replace salt inserts, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to rehabilitate snow removal trucks and labor and materials necessary to rehabilitate or replace salt inserts in the estimated sum of \$250,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21070)

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

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 117-97.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair motorcycles, for the Division of Police, Department of Public Safety, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials necessary to repair motorcycles 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 Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 20108)

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 118-97.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various citation forms, for the Division of Police, Department of Public Safety, for a period not to exceed two years.

Whereas, this ordinance consti-

tutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of citation forms 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 Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 20106)

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 119-97.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various supplies for the care and feeding of horses, for the Division of Police, Department of Public Safety, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of various supplies for the care and feeding of horses 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 Police, Department of Public Safety. Bids shall be taken in such manner as to permit an

award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 20107)

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 205-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic cones and safety drums, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21322)

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 206-97.
By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of plow blades and curb bumpers, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21329)

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 207-97.
By Councilmen Coats and Westbrook (by departmental request).

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

Whereas, this ordinance consti-

tutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21326)

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 208-97.
By Councilmen Coats and Westbrook (by departmental request).

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

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of manhole risers 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 Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combina-

tion 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 21327)

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 209-97.
By Councilmen Coats and Westbrook (by departmental request).

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21319)

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

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 213-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of guard rail elements, posts, endwings, and necessary hardware, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of guard rail elements, posts, endwings, and necessary hardware 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 Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commis-

sioner 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 21321)

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 254-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and rehabilitate refuse packers, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22877)

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

Passed March 24, 1997.

Effective March 31, 1997.

REPRINT

Ord. No. 172-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland for the year 1997.

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

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

Section 1. That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 1997, the following sums be and they are hereby appropriated viz:

The sum of Four hundred two million two hundred seventy four thousand eighty seven dollars (\$402,274,087) from the General Fund;

The sum of Fifty four million six hundred thirty five thousand one hundred ninety eight dollars (\$54,635,198) from the Special Revenue Funds;

The sum of Twenty three million one hundred sixteen thousand three hundred ninety seven dollars (\$23,116,397) from the Internal Service Funds;

The sum of Three hundred ninety six million two hundred seventy thousand three hundred thirty two dollars (\$396,270,332) from the Enterprise Funds;

The sum of Five million seven hundred twenty eight thousand four hundred fifty four dollars (\$5,728,454) from the Trust and Agency Funds;

The sum of Forty three million nine hundred thirteen thousand seven hundred sixty five dollars (\$43,913,765) from the Debt Service Fund;

All set forth in the Mayor's Estimate on file with Council and identified as File No. 172-97-A in the aggregate amount for each department as follows:

APPROPRIATION FOR THE YEAR 1997

GENERAL FUND

Legislative Branch	\$3,550,873
Municipal Court	20,575,515
Executive Branch	
Office of the Mayor	1,737,601

Department of Public Safety	235,602,033
Community Relations Board	818,408
Department of Public Service	31,206,660
Department of Parks, Recreation & Properties	34,466,079
Boxing & Wrestling Commission	8,437
Urban Planning & Development	9,802,249
Department of Public Health	10,365,479
Department of Aging	253,265
Support Functions	28,796,234
Transfers to Other Funds	25,091,254
TOTAL EXECUTIVE BRANCH	\$378,147,699
TOTAL GENERAL FUND	\$402,274,087
Special Revenue Funds	\$53,970,198
Internal Service Funds	23,116,397
Enterprise Funds	396,270,332
Trust and Agency Funds	5,728,454
Debt Service Funds	43,913,765
TOTAL APPROPRIATIONS FOR 1997	\$925,938,233

GENERAL GOVERNMENT

LEGISLATIVE BRANCH

COUNCIL AND CLERK OF COUNCIL		\$3,550,873
I. Personnel and Related Expenses	\$2,534,116	
II. Other Expenses	1,016,757	

TOTAL LEGISLATIVE BRANCH	\$3,550,873	\$3,550,873
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MUNICIPAL COURT

MUNICIPAL COURT-JUDICIAL DIVISION		\$12,216,735
I. Personnel and Related Expenses	\$10,731,823	
II. Other Expenses	1,484,912	

MUNICIPAL COURT-HOUSING DIVISION		\$1,584,439
I. Personnel and Related Expenses	\$1,508,265	
II. Other Expenses	76,174	

MUNICIPAL COURT-CLERK'S DIVISION		\$6,774,341
I. Personnel and Related Expenses	\$5,048,845	
II. Other Expenses	1,725,496	

TOTAL MUNICIPAL COURT	\$20,575,515	\$20,575,515
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EXECUTIVE BRANCH

OFFICE OF THE MAYOR		\$1,737,601
I. Personnel and Related Expenses	\$1,461,716	
II. Other Expenses	275,885	

TOTAL EXECUTIVE BRANCH	\$1,737,601	\$1,737,601
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DEPARTMENT OF PUBLIC SAFETY

PUBLIC SAFETY ADMINISTRATION		\$10,022,036
I. Personnel and Related Expenses	\$9,179,707	
II. Other Expenses	842,329	

DIVISION OF POLICE		\$142,416,287
I. Personnel and Related Expenses	\$132,202,913	
II. Other Expenses	10,213,374	

DIVISION OF FIRE		\$64,621,437
I. Personnel and Related Expenses	\$62,099,984	
II. Other Expenses	2,521,453	

DIVISION OF EMERGENCY MEDICAL SERVICES		\$14,583,783
I. Personnel and Related Expenses	\$13,562,843	
II. Other Expenses	1,020,940	

DIVISION OF TRAFFIC ENGINEERING		\$3,296,732
I. Personnel and Related Expenses	\$2,562,786	
II. Other Expenses	733,946	

DIVISION OF DOG POUND		\$661,758
I. Personnel and Related Expenses	\$509,850	
II. Other Expenses	151,908	
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$235,602,033	\$235,602,033
COMMUNITY RELATIONS BOARD		\$818,408
I. Personnel and Related Expenses	\$752,775	
II. Other Expenses	65,633	
TOTAL COMMUNITY RELATIONS BOARD	\$818,408	\$818,408
DEPARTMENT OF PUBLIC SERVICE		
PUBLIC SERVICE ADMINISTRATION		\$309,562
I. Personnel and Related Expenses	\$289,435	
II. Other Expenses	20,127	
DIVISION OF ARCHITECTURE		\$543,735
I. Personnel and Related Expenses	\$493,467	
II. Other Expenses	50,268	
DIVISION OF WASTE COLLECTION & DISPOSAL		\$25,835,796
I. Personnel and Related Expenses	\$14,467,575	
II. Other Expenses	11,368,221	
DIVISION OF ENGINEERING AND CONSTRUCTION		\$4,517,567
I. Personnel and Related Expenses	\$4,009,062	
II. Other Expenses	508,505	
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$31,206,660	\$31,206,660
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
PARKS, RECREATION AND PROPERTIES ADMINISTRATION		\$744,815
I. Personnel and Related Expenses	\$570,774	
II. Other Expenses	174,041	
DIVISION OF RESEARCH, PLANNING & DEVELOPMENT		\$680,722
I. Personnel and Related Expenses	\$594,532	
II. Other Expenses	86,190	
DIVISION OF RECREATION		\$9,628,805
I. Personnel and Related Expenses	\$6,942,547	
II. Other Expenses	2,686,258	
DIVISION OF PARKING FACILITIES-ON STREET		\$921,137
I. Personnel and Related Expenses	\$880,431	
II. Other Expenses	40,706	
DIVISION OF PROPERTY MANAGEMENT		\$10,417,842
I. Personnel and Related Expenses	\$7,975,269	
II. Other Expenses	2,442,573	
DIVISION OF PARK MAINTENANCE & PROPERTIES		\$12,072,758
I. Personnel and Related Expenses	\$8,068,618	
II. Other Expenses	4,004,140	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$34,466,079	\$34,466,079
BOXING AND WRESTLING COMMISSION		
BOXING AND WRESTLING COMMISSION		\$8,437
I. Personnel and Related Expenses	\$8,253	
II. Other Expenses	184	
TOTAL DEPARTMENT BOXING AND WRESTLING COMMISSION	\$8,437	\$8,437
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
DIVISION OF ADMINISTRATIVE SERVICES		\$83,864
I. Personnel and Related Expenses	\$83,864	

DIVISION OF BUILDING & HOUSING		\$5,625,740
I. Personnel and Related Expenses	\$5,057,971	
II. Other Expenses	567,769	
DIRECTOR'S OFFICE		\$100,210
I. Personnel and Related Expenses	\$100,210	
DIVISION OF NEIGHBORHOOD DEVELOPMENT		\$429,170
I. Personnel and Related Expenses	\$219,170	
II. Other Expenses	210,000	
DIVISION OF NEIGHBORHOOD SERVICES		\$78,015
I. Personnel and Related Expenses	\$78,015	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT	\$6,316,999	\$6,316,999
REGULATORY BOARDS & COMMISSIONS		
LANDMARKS COMMISSION		\$92,285
I. Personnel and Related Expenses	\$78,997	
II. Other Expenses	13,288	
BOARD OF BUILDING STANDARDS & APPEALS		\$95,251
I. Personnel and Related Expenses	\$76,000	
II. Other Expenses	19,251	
BOARD OF ZONING APPEALS		\$232,171
I. Personnel and Related Expenses	\$211,001	
II. Other Expenses	21,170	
BOARD OF EXAMINERS OF PLUMBERS AND ELECTRICIANS		\$88,814
I. Personnel and Related Expenses	\$84,367	
II. Other Expenses	4,447	
FAIR CAMPAIGN FINANCE COMMISSION		\$9,843
II. Other Expenses	\$9,843	
TOTAL REGULATORY BOARDS	\$518,364	\$518,364
DEPARTMENT OF ECONOMIC DEVELOPMENT		
ECONOMIC DEVELOPMENT ADMINISTRATION		\$1,200,741
I. Personnel and Related Expenses	\$1,162,338	
II. Other Expenses	38,403	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT	\$1,200,741	\$1,200,741
OFFICE OF EQUAL OPPORTUNITY		\$535,948
I. Personnel and Related Expenses	\$451,426	
II. Other Expenses	84,522	
CITY PLANNING COMMISSION		\$1,171,861
I. Personnel and Related Expenses	\$1,107,290	
II. Other Expenses	64,571	
DIVISION OF HARBORS		\$58,336
I. Personnel and Related Expenses	\$58,336	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$9,802,249	\$9,802,249
DEPARTMENT OF PUBLIC HEALTH		
PUBLIC HEALTH AND WELFARE ADMINISTRATION		\$247,729
I. Personnel and Related Expenses	\$136,001	
II. Other Expenses	111,728	
DIVISION OF CORRECTION		\$5,025,718
I. Personnel and Related Expenses	\$3,975,457	
II. Other Expenses	1,050,261	
DIVISION OF HEALTH		\$2,905,220
I. Personnel and Related Expenses	\$2,358,736	
II. Other Expenses	546,484	

DIVISION OF ENVIRONMENT		\$2,186,812
I. Personnel and Related Expenses	\$1,980,979	
II. Other Expenses	205,833	
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$10,365,479	\$10,365,479
DEPARTMENT OF AGING		
DEPARTMENT OF AGING		\$253,265
I. Personnel and Related Expenses	\$194,597	
II. Other Expenses	58,668	
TOTAL DEPARTMENT OF AGING	\$253,265	\$253,265
SUPPORT FUNCTIONS		
FINANCIAL AND LEGAL ADMINISTRATION		
DEPARTMENT OF FINANCE		
FINANCE ADMINISTRATION		\$255,380
I. Personnel and Related Expenses	\$206,539	
II. Other Expenses	48,841	
DIVISION OF ACCOUNTS		\$1,137,397
I. Personnel and Related Expenses	\$757,168	
II. Other Expenses	380,229	
DIVISION OF ASSESSMENTS & LICENSES		\$997,755
I. Personnel and Related Expenses	\$865,346	
II. Other Expenses	132,409	
DIVISION OF TREASURY		\$374,245
I. Personnel and Related Expenses	\$310,979	
II. Other Expenses	63,266	
DIVISION OF PURCHASES & SUPPLIES		\$652,422
I. Personnel and Related Expenses	\$545,798	
II. Other Expenses	106,624	
BUREAU OF INTERNAL AUDIT		\$424,859
I. Personnel and Related Expenses	\$188,644	
II. Other Expenses	236,215	
DIVISION OF FINANCIAL REPORTING AND CONTROL		\$923,072
I. Personnel and Related Expenses	\$838,767	
II. Other Expenses	84,305	
TOTAL DEPARTMENT OF FINANCE	\$4,765,130	\$4,765,130
OFFICE OF BUDGET & MANAGEMENT-BUDGET ADMIN.		\$482,336
I. Personnel and Related Expenses	\$437,420	
II. Other Expenses	44,916	
DEPARTMENT OF LAW		\$7,546,701
I. Personnel and Related Expenses	\$5,434,185	
II. Other Expenses	2,112,516	
TOTAL FINANCIAL AND LEGAL ADMINISTRATION	\$12,794,167	\$12,794,167
PERSONNEL ADMINISTRATION		
OFFICE OF PERSONNEL		\$1,351,102
I. Personnel and Related Expenses	\$962,898	
II. Other Expenses	388,204	
CIVIL SERVICE COMMISSION		\$985,293
I. Personnel and Related Expenses	\$603,003	
II. Other Expenses	382,290	
TOTAL PERSONNEL ADMINISTRATION	\$2,336,395	\$2,336,395
NON DEPARTMENTAL		
COUNTY AUDITOR DEDUCTIONS		\$1,183,000
II. Other Expenses	\$1,183,000	

OTHER ADMINISTRATIVE		\$12,482,672
II. Other Expenses	\$12,482,672	
TOTAL NON DEPARTMENTAL	\$13,665,672	\$13,665,672
TOTAL SUPPORT FUNCTIONS	\$28,796,234	\$28,796,234
TRANSFERS TO OTHER FUNDS		\$25,091,254
II. Other Expenses	\$25,091,254	
TOTAL GENERAL FUND	\$402,274,087	\$402,274,087
SPECIAL REVENUE FUNDS		
RESTRICTED INCOME TAX FUND		\$28,343,206
I. Capital	\$20,843,206	
II. Debt Service	7,500,000	
STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND		\$24,291,992
I. Personnel and Related Expenses	\$12,838,871	
II. Other Expenses	11,453,121	
SCHOOLS RECREATION & CULTURAL ACTIVITIES FUND		\$2,000,000
II. Other Expenses	\$2,000,000	
TOTAL SPECIAL REVENUE FUNDS	\$54,635,198	\$54,635,198
INTERNAL SERVICE FUNDS		
INFORMATION SYSTEMS SERVICES-TELEPHONE EXCHANGE		\$3,877,005
I. Personnel and Related Expenses	\$379,821	
II. Other Expenses	3,497,184	
INFORMATION SYSTEMS SERVICES		\$2,676,126
I. Personnel and Related Expenses	\$1,380,931	
II. Other Expenses	1,295,195	
DIVISION OF MOTOR VEHICLE MAINTENANCE		\$14,643,427
I. Personnel and Related Expenses	\$4,427,086	
II. Other Expenses	10,216,341	
DIVISION OF PRINTING AND REPRODUCTION		\$1,109,451
I. Personnel and Related Expenses	\$519,584	
II. Other Expenses	589,867	
CITY STOREROOM AND CENTRAL WAREHOUSE		\$810,388
I. Personnel and Related Expenses	\$89,590	
II. Other Expenses	720,798	
TOTAL INTERNAL SERVICE FUNDS	\$23,116,397	\$23,116,397
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC UTILITIES		
UTILITIES ADMINISTRATION		\$2,422,302
I. Personnel and Related Expenses	\$868,282	
II. Other Expenses	1,554,020	
DIVISION OF FISCAL CONTROL		\$1,684,023
I. Personnel and Related Expenses	\$1,538,173	
II. Other Expenses	145,850	
DIVISION OF WATER		\$184,552,299
I. Personnel and Related Expenses	\$60,848,299	
II. Other Expenses	123,704,000	
DIVISION OF WATER POLLUTION CONTROL		\$17,877,525
I. Personnel and Related Expenses	\$7,194,081	
II. Other Expenses	10,683,444	
DIVISION OF CLEVELAND PUBLIC POWER		\$113,708,088
I. Personnel and Related Expenses	\$21,504,252	
II. Other Expenses	92,203,836	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$320,244,237	\$320,244,237

DEPARTMENT OF PORT CONTROL		
DIVISIONS OF CLEVELAND HOPKINS & BURKE LAKEFRONT		
AIRPORTS-OPERATIONS \$56,484,723		
I.	Personnel and Related Expenses	\$15,995,723
II.	Other Expenses	40,489,000
AIRPORT DEVELOPMENT FUND \$60,000		
II.	Other Expenses	\$60,000
TOTAL DEPARTMENT OF PORT CONTROL		\$56,544,723
		\$56,544,723
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
DIVISION OF CEMETERIES \$1,851,229		
I.	Personnel and Related Expenses	\$1,340,932
II.	Other Expenses	510,297
GOLF COURSE FUND \$2,200,226		
I.	Personnel and Related Expenses	\$923,200
II.	Other Expenses	1,277,026
DIVISION OF PARKING FACILITIES-OFF STREET PARKING \$7,214,864		
I.	Personnel and Related Expenses	\$832,760
II.	Other Expenses	6,382,104
DIVISION OF CONVENTION CENTER & STADIUM-CONVENTION CENTER \$6,931,059		
I.	Personnel and Related Expenses	\$1,876,090
II.	Other Expenses	5,054,969
DIVISION OF CONVENTION CENTER & STADIUM-WEST SIDE MARKET \$1,099,706		
I.	Personnel and Related Expenses	\$349,325
II.	Other Expenses	750,381
DIVISION OF PROPERTY MANAGEMENT-EAST SIDE MARKET \$184,288		
I.	Personnel and Related Expenses	\$39,269
II.	Other Expenses	145,019
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES		\$19,481,372
		\$19,481,372
TOTAL ENTERPRISE FUNDS		\$396,270,332
		\$396,270,332
AGENCY FUND		
CENTRAL COLLECTION AGENCY \$5,728,454		
I.	Personnel and Related Expenses	\$3,595,575
II.	Other Expenses	2,132,879
TOTAL AGENCY FUND		\$5,728,454
		\$5,728,454
DEBT SERVICE FUND		
SINKING FUND COMMISSION \$43,051,265		
I.	Personnel and Related Expenses	\$107,487
II.	Other Expenses	351,044
III.	Debt Service	42,592,734
STADIUM BOND FUND \$862,500		
III.	Debt Service	\$862,500
TOTAL DEBT SERVICE FUNDS		\$43,913,765
		\$43,913,765

Section 2. That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate File No. 172-97-A, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 1996 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 1997 or prior years. The Mayor's Estimate File No. 172-97-A, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 1997 and shall be subject to the control of the Mayor, provided, however, that no transfer from I.- Personnel and Related Expenses, or II.- Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

Section 3. That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

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

Passed March 24, 1997.

Effective March 31, 1997.

COUNCIL COMMITTEE MEETINGS

Monday, April 7, 1997

Public Health Committee: 9:30 A.M. — Present: Robinson, Chrm.; Zone, Vice Chrm.; Britt, Gordon, Moran. Excused: Jackson, Melena.

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

Finance Committee: 2:00 P.M. — Present: Westbrook, Chrm.; Polensek, Vice Chrm.; Britt, Coats, Johnson, Lewis, Patmon, Paulenske, Robinson, Rybka. Excused:Smith.

Wednesday, April 9, 1997

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

City Planning Committee: 12:30 P.M. — Present: Rybka, Chrm.; Britt, Vice Chrm.; Moran, Gordon, Zone. Excused: White.

Public Parks, Property and Recreation Committee: 1:30 P.M. — Present: Johnson, Chrm.; Rybka, Vice Chrm.; Patton, Sweeney, White. Excused: Robinson.

Public Parks, Property and Recreation Committee (Joint with City Planning Committee): 2:00 P.M. — Present: Johnson, Chrm.; Rybka, Vice Chrm.; Patton, Sweeney, White. Excused: Robinson.

City Planning Committee (Joint with Public Parks, Property and Recreation Committee): 2:00 P.M. — Present: Rybka, Chrm.; Britt, Vice Chrm.; Moran, Gordon, White, Zone.

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