

# The City Record

Official Publication of the City of Cleveland

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October the Twenty-Third, Nineteen Hundred and Ninety-Six

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<b>Mayor</b>	
Michael R. White	
<b>President of Council</b>	
Jay Westbrook	
<b>Clerk of Council</b>	
Artha Woods	
<b>Ward</b>	<b>Name</b>
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	Gary M. Paulenske
14	Helen K. Smith
15	James Rokakis
16	Patrick J. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Dale Miller
21	David M. McGuirk

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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	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	James Rokakis	4685 Dornur Road	44109
16	Patrick J. O'Malley	6111 Brookside Drive	44144
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	Dale Miller	4300 West 143rd Street	44135
21	David McGuirk	17101 Amber Drive	44111

**MAYOR-Michael R. White**  
 LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy  
 Barry Withers, Executive Assistant for Administration  
 Judith Zimomra, Executive Assistant for Service  
 Kenneth Silliman, Executive Assistant for Economic Development  
 Richard Werner, Executive Assistant for Governmental Affairs.  
 Linda Willis, Director, Office of Equal Opportunity

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

**DEPT. OF FINANCE - Martin L. Carmody, Acting 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 - Randall T. Scott, Commissioner, Room 25  
 Engineering and Construction - J. Christopher Nielson, Acting  
 Commissioner, Room 518  
 Motor Vehicle Maintenance, Donald L. Haskins, 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 - Juan Molina Crespo, Acting 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 North-  
 field Road

**DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.**  
**DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300**  
 Ontario Street  
 Fire - 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 - Festus Cassels, 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, Susan Axelrod, Director**

**COMMUNITY RELATIONS BOARD - Room 11, Jackie R. Whitner,**  
 Acting Director; Mayor Michael R. White, Chairman Ex-Officio; Mary  
 Adele Springman, Vice-Chairman; Councilmen Michael Polensek and  
 Edward Rybka, City Council Representatives; Louise Boddie, Jr., Muqit  
 Abdul Sabur, Clifford Savren, Henry Simon, George S. Smilnak, Harry  
 Taketa, Timothy Cosgrove.

**CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson,**  
 President; \_\_\_\_\_, Vice President; Donna K. Nelson, Secretary;  
 Timothy J. Cosgrove, 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, Valerie Schwonek, Chairman;**  
 Dona Brady, Vice-Chairman; Anna Chatman, Paula Phillips, Tony  
 Petkovsek, Anthony Costanzo, Sec'y.

**BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room**  
 516, J. F. Denk, Chairman; J. Bowes, S. K. Birch, Alternate Members - D.  
 Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan. Exec. Sec'y.

**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; Todd W. Schmidt, Vice Chairman Thomas  
 D. Corrigan, 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, \_\_\_\_\_,**  
 Councilmen James Rokakis, Jay Westbrook.

**BOARD OF EXAMINERS OF ELECTRICIANS - Ralph R. Carpinelli,**  
 Chairman; Marion J. Long, Anton J. Eichmuller, Samuel Montfort  
 J. Gilbert Steele, Laszlo V. Kemes, Secretary.

**BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.;**  
 \_\_\_\_\_, 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



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 83

WEDNESDAY, OCTOBER 23, 1996

No. 4324

## CITY COUNCIL

MONDAY, OCTOBER 21, 1996

### 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; Miller, Patton, Paulenske, Robinson, White.

9:30 A.M.—**Public Health Committee:** Robinson, Chairman; Miller, Vice Chairman; Britt, Jackson, Melena, O'Malley, Zone.

#### MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Coats, Chairman; O'Malley, Vice Chairman; Britt, Johnson, McGuirk, Melena, Smith, Westbrook, White.

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

#### MONDAY

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

#### TUESDAY

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

1:30 P.M.—**Legislation Committee:** McGuirk, Chairman; Willis, Vice Chairman; Britt, Johnson, Patton, Rokakis, Rybka.

#### WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Miller, Chairman; Paulenske, Vice Chairman; McGuirk, Patton, Rokakis, White, Willis.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Jackson, Miller, O'Malley, Patton, Paulenske, Zone.

#### WEDNESDAY—Alternating

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

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Britt, Vice Chairman; O'Malley, Paulenske, Rokakis, White, Zone.

The following Committee is subject to Call of the Chairman:

**Rules Committee:** Westbrook, Chairman; Coats, Miller, Robinson, Smith.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio October 21, 1996.

The meeting of the Council was called to order, the President, Jay Westbrook in the chair.

Councilmen present: Britt, Coats, Jackson, Johnson, Lewis, McGuirk, Melena, Miller, O'Malley, Patton, Paulenske, Polensek, Rybka, Smith, Westbrook, White, Willis, Zone.

Also present were Mayor White and Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Denihan, Hamilton, Nolan, Warren, Axelrod, Willis and Acting Directors Brown, Cox and Danily.

Absent: Directors Spellman, Morrison, Acting Director Whitner.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Pastor James Beight of Madison Avenue Baptist Church. Pledge of Allegiance.

#### MOTION

On the motion of Mr. Coats the reading of the minutes of the last meeting be dispensed with and the journal approved.

#### COMMUNICATION

##### File No. 1902-96.

From the Department of Public Safety re: Gifts donated by Safariland Armor Systems. Received.

##### File No. 1903-96.

From the Council of the City of North Royalton re: Resolution No. 96-205 expressing opposition to Ohio Senate Bill 118. Received.

##### File No. 1904-96.

From the Division of Purchases and Supplies re: Monthly Report of all Departmental Requirement Contracts for October, 1996. Received.

#### FROM THE DEPARTMENT OF LIQUOR CONTROL

##### File No. 1905-96.

Re: Stock Application - 9161001 - Uno Food, Inc. dba Chili's II, 10914 Union Avenue. (Ward 3). Received.

##### File No. 1906-96.

Re: New Application - 3486248 - Haddi Liquor & Beverage, Inc., 9300 Wade Park Avenue. (Ward 7). Received.

##### File No. 1907-96.

Re: Stock Application - 6484183 - O.M.Q., Inc., 837 East 185th Street, first floor. (Ward 11). Received.

##### File No. 1908-96.

Re: New Application - 63158 140005 - Nature's Treats, Inc. dba City News, 633 Euclid Avenue. (Ward 13). Received.

##### File No. 1909-96.

Re: Transfer of Ownership Application - 76480880010 - Jehad Saa, 5474 Broadway, first floor and basement. (Ward 13). Received.

#### STATEMENT OF WORK ACCEPTED

##### File No. 1910-96.

From the Department of Parks, Recreation and Properties re: Contract No. 49412A for site improvements at Edward J. Kovacic Recreation Center Park. Received.

##### File No. 1911-96.

From the Departments of Public Safety and Public Service re: The improvement of Charles V. Carr Municipal Center (North West Building). Received.

#### OATH OF OFFICE

##### File No. 1912-96.

Oath of Office for James Williams, member of the Board of Building Standards and Building Appeals for the City of Cleveland. Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 1951-96.** James Lewis.

**Res. No. 1954-96.** Clarence Robinson.

**Res. No. 1955-96.** Sister Mary Sanders Gant.

**Res. No. 1956-96.** Harry Arthur Pulley.

**Res. No. 1957-96.** Alice Harper McCrady.

**Res. No. 1958-96.** Anthony Marks.

**CONGRATULATORY RESOLUTIONS**

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

**Res. No. 1952-96.** Riverside Church of God in Christ.

**Res. No. 1953-96.** Rev. Bertrice Y. Wood.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 1925-96.**

**By Councilmen Patton and Rokakis (by departmental request).**

**An emergency ordinance to amend Section 2 of Ordinance No. 1006-95, passed June 19, 1995, relating to an agreement for the purchase or lease of not to exceed forty eight motor vehicles, for the Division of Cleveland Public Power, Department of Public Utilities.**

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

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

**Section 1.** That Section 2 of Ordinance No. 1006-95, passed June 19, 1995, is hereby amended to read as follows:

**Section 2.** That the cost of said contract or contracts hereby authorized shall be paid from Fund Nos. 58 SF 001 and 58 SF 223, Request No. 21485.

**Section 2.** That existing Section 2 of Ordinance No. 1006-95, passed June 19, 1995, is hereby repealed.

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

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

**Ord. No. 1928-96.**

**By Councilmen Coats and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of Caterpillar and Gradall equipment parts, 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 Caterpillar and Gradall equipment 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 con-

tract, 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 21053)

**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. 1929-96.**

**By Councilmen Paulenske, Jackson and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to apply for a Section 108 Loan from the United States Department of Housing and Urban Development in order to provide economic assistance to partially finance the redevelopment of buildings located at 1001 Huron, 1020 Huron and 1104 Prospect and to enter into contract with Gateway at Playhouse Square Associates, Limited Liability Company, or its designee, to provide economic development assistance for the redevelopment of buildings located at 1001 Huron, 1020 Huron and 1104 Prospect.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to apply for a loan in the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00), from the United States Department of Housing and Urban Development ("HUD") Section 108 Loan Program ("108 Loan"), for the purposes set forth in the application and according thereto.

**Section 2.** That the Director of Community Development is hereby authorized to file all papers and execute all documents necessary to apply for the 108 Loan from HUD, to enter into contract with HUD to pledge any and all collateral necessary to secure repayment thereof under the 108 Loan agreement (including without limitation future Community Development Block grant funds), and receive the funds; and that said funds be and they hereby are appropriated for the purposes of providing economic assistance to partially finance the redevelopment of buildings located at 1001 Huron, 1020 Huron and 1104

Prospect, collectively known as The Gateway at Playhouse Square Project, as more specifically set forth in the application for said 108 loan.

**Section 3.** That the application for said 108 Loan, File No. 1929-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 4.** That the Director of Community Development is hereby authorized to enter into a contract with Gateway at Playhouse Square Associates, Limited Liability Company, or its designee, to provide economic development assistance to redevelop the buildings located at 1001 Huron, 1020 Huron and 1104 Prospect, collectively known as the Gateway at Playhouse Square Project, as housing and retail spaces.

**Section 5.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary also contained in the file mentioned in Section 3.

**Section 6.** That the costs of said contract shall not exceed Two Million Five Hundred Thousand Dollars (2,500,000.00), and shall be paid from Fund No. 13 SF 839, Request No. 23057, and from future community development block grant funds and UDAG repayment funds which are appropriated to pay the costs of said contract.

**Section 7.** That the Director of Community Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Sections 3 and 5 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 8.** That the Director of Community Development is hereby authorized to accept monies in repayment of the loan, and to deposit said monies into Fund No. 13 SF 839.

**Section 9.** That the Director of Community Development is hereby authorized to accept charges 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. 13 SF 839.

**Section 10.** 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 11.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 1930-96.**

**By Councilmen Paulenske, Jackson and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to apply for a Section 108 Loan from the United States Department of Housing and Urban**

**Development in order to provide economic assistance to partially finance the redevelopment of the Bardons and Oliver Building and to enter into contract with Water Street Associates, Limited Liability Company, or its designee, to provide economic development assistance for the redevelopment of the Bardons and Oliver Building.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to apply for a loan in the amount of One Million Two Hundred Thousand Dollars (\$1,200,000.00), from the United States Department of Housing and Urban Development ("HUD") Section 108 Loan Program ("108 Loan"), for the purposes set forth in the application and according thereto.

**Section 2.** That the Director of Community Development is hereby authorized to file all papers and execute all documents necessary to apply for the 108 Loan from HUD, to enter into contract with HUD to pledge any and all collateral necessary to secure repayment thereof under the 108 Loan agreement (including without limitation future Community Development Block grant funds), and receive the funds; and that said funds be and they hereby are appropriated for the purposes of providing economic assistance to partially finance the redevelopment of the Bardons and Oliver Building located at 1133 West Ninth Street, as more specifically set forth in the application for said 108 loan.

**Section 3.** That the application for said 108 Loan, File No. 1930-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 4.** That the Director of Community Development is hereby authorized to enter into a contract with Water Street Associates, Limited Liability Company, or its designee, to provide economic development assistance to redevelop the Bardons and Oliver Building, located at 1133 West Ninth Street.

**Section 5.** That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary also contained in the file mentioned in Section 3.

**Section 6.** That the costs of said contract shall not exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00), and shall be paid from Fund No. 13 SF 839, Request No. 23059, and from future community development block grant funds and UDAG repayment funds which are appropriated to pay the costs of said contract.

**Section 7.** That the Director of Community Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Sections 3 and 5 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 8.** That the Director of Community Development is hereby authorized to accept monies in repayment of the loan, and to deposit said monies into Fund No. 13 SF 839.

**Section 9.** That the Director of Community Development is hereby authorized to accept charges 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. 13 SF 839.

**Section 10.** 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 11.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 1931-96.**  
**By Councilmen Paulenske, Jackson and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Water Street Associates, Limited Liability Company, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the redevelopment of the Bardons and Oliver Building located at 1133 West Ninth Street.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into a Community Development Float Loan Agreement with Water Street Associates, Limited Liability Company, or its designee, to provide financial assistance to partially finance the redevelopment of the Bardons and Oliver Building located at 1133 West Ninth Street.

**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. 1931-96-A.

**Section 3.** That the costs of said contract shall not exceed Five Million Dollars (\$5,000,000.00), and shall be paid from Fund No. 14 SF 810, Request No. 23059.

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

**Section 5.** That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 14 SF 810.

**Section 6.** That the Director of Community Development is hereby

authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing, and servicing of the loan.

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

**Ord. No. 1932-96.**  
**By Councilmen Johnson, Jackson, Rybka and Rokakis (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9418 Hilgert Road and 3005 East 126 Street to Buckeye Area Development Corp. or designee.**

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed 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. 129-25-106 and 128-20-056, as more fully described in Section 2 below, to Buckeye Area Development Corp. or designee.

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

P.P. No. 129-25-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 367 in the L. H. Wain Land Company's Rice Heights Allotment of part of Original One Hundred Acre Lots Nos. 428, 429, 436 and 437 as shown by the recorded plat in Volume 45 of Maps, Page 8 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 126th Street and extending back between parallel lines, 175 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 128-20-056

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 110 in the Helper Woodland Hills Park Subdivision of part of Original One Hundred Acre Lot Nos. 433 and 434, as shown by the recorded plat in Volume 42 of Maps, Page 26 of Cuyahoga County Records and being 40 feet front on the Southerly side of Kilgert Drive, S.E., 130 feet on the Easterly line, 130 feet on the Westerly line and has a rear line of 34.69 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

**Ord. No. 1933-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract without competitive bidding with Pitney Bowes for maintenance of one mail inserter system, for the Division of Water, Department of Public Utilities.**

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

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

**Section 1.** That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Pitney Bowes. Therefore, the Director of Public Utilities is hereby authorized and directed to make a written contract with said Pitney Bowes upon the basis of its proposal dated September 15, 1996, for maintenance on a mail inserter system, including appurtenances, to be

purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20973.

**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. 1934-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials to maintain and repair elevators at various plants and facilities, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.**

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20971)

**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. 1936-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to haul and dispose of water plant residuals, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.**

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20972)

**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. 1937-96.**  
**By Councilmen Paulenske, Jackson, Rybka and Rokakis (by departmental request).**  
**An emergency ordinance establishing a Community Reinvestment Area in the area of West Ninth Street, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.**

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

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

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

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

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

**Section 1.** That based upon information and data presented to this Council and the information contained in Council File No. 1937-96-A, it is hereby found and determined that the area located at 1133 West Ninth Street (Permanent Parcel Nos. 101-08-006 and 101-08-007) is a blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

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

**Section 3.** That the conversion of the Bardons and Oliver Buildings will create approximately 102 apartments in the Community Reinvestment Area is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland in the following manner: seventy-five percent (75%) for years one through five, fifty percent (50%) for years six through ten, and twenty-five percent (25%) for years eleven and twelve on the residential improvements for the construction activities described above.

**Section 4.** That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 *et seq.* of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 *et seq.* of the Ohio Revised Code and this ordinance.

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

**Section 6.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

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

**Ord. No. 1938-96.**  
**By Councilmen Paulenske, Jackson, Rybka and Rokakis (by departmental request).**

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

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

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

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

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

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

**Section 1.** That based upon information and data presented to this Council and the information contained in Council File 1938-96-A, it is hereby found and determined that the area located at 1001 Huron Road (Permanent Parcel No. 101-36-022); 1020 Huron Road (Permanent Parcel Nos. 101-36-028 to 101-36-031); and 1104 Prospect Avenue (Permanent Parcel No. 101-36-042) is a blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

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

**Section 3.** That the conversion of three vacant buildings into approximately 165 units in the Community Reinvestment Area is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleve-

land in the following manner: seventy-five percent (75%) for years one through five, fifty percent (50%) for years six through ten, and twenty-five percent (25%) for years eleven and twelve on the residential improvements for the construction activities described above.

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

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

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

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

**Ord. No. 1939-96.**  
**By Councilmen Polensek and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of meals served to prisoners at the Police Justice Center and various district jails, 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 meals served to prisoners at the Police Justice Center and various district jails 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 desir-

able 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 20103)

**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. 1940-96.**  
By Councilmen Patton, Jackson, Rybka and Rokakis (by departmental request).

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 17406 Dynes Avenue to Deborah M. Moore.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 143-09-022, as more fully described in Section 2 below, to Deborah M. Moore.

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

P.P. No. 143-09-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 124 in the Lee Miles Subdivision, of part of Original Warrensville Township Lot No. 83, as shown by the recorded plat in Volume 102 of Maps, Page 22 of Cuyahoga County Records, and also a part of two vacated alleys immediately adjacent thereto, said alleys being vacated by Cleveland Ordinance No. 2383-53, dated December 14, 1953 and Ordinance No. 2382-53, dated December 7, 1953, and also the Southerly 14.00 feet of Dynes Avenue, S.E., as vacat-

ed by Cleveland Ordinance No. 1409-67 and shown in Volume 201 of Maps, Page 11 of Cuyahoga County Records, which accrues to said Sublot No. 124 and the previous two vacated alleys and together forming a parcel of land being about 80 feet, along the centerline of Dynes Avenue N.E., as so vacated, and extending back about 98.44 feet on the Westerly line, about 71.00 feet on the Easterly line, which is along the center line of said vacated alley, and having a rear line of about 84.57 feet along the center line of said vacated alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

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

**Ord. No. 1941-96.**  
By Councilmen Patmon, Jackson, Rybka and Rokakis (by departmental request).

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 922-932 East 105 Street to Kathryn R. Tyler Neighborhood Center, Inc.**

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. 108-22-034, as more fully described in Section 2 below, to Kathryn R. Tyler Neighborhood Center, Inc.

**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. 108-22-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublots 45, 46 and 47, Columbia Allotment of a part of Original 100 Acre Lot No. 369, as shown in Plat Book 29, Page 4, Cuyahoga County Records; beginning in the westerly side of East 105th Street, 60 feet wide, at the northerly side of Columbia Avenue, 50 feet wide, and the southeasterly corner of Sublot 47; then northerly in the westerly side of East 105th Street, 86.80 feet; then westerly, parallel with and 1.80 feet northerly from the southerly line of Sublot 45, about 90.78 feet to a line parallel with and 50.50 feet, easterly from the westerly line of Sublot 45; then southerly parallel with the westerly line of Sublots 45, 46 and 47, 86.8 feet to the northerly side of Columbia Avenue; then easterly in the northerly side of Columbia Avenue 90.60 feet, to the beginning, be the same more or less, but subject to all legal highways.

Subject to conditions, Book 753, Page 302; Book 1042, Page 225; Book 1076, Page 584; Book 5830, Page 116, Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

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

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

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

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



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

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

**Ord. No. 1942-96.**

**By Councilman Rokakis (by departmental request).**

**An emergency ordinance to amend Sections 2 and 3 of Ordinance No. 646-96, passed May 20, 1996; and to supplement said ordinance by adding new Section 3a, relating to the purchase of long distance telephone service for various city departments, the sale of long distance telephone services through pay telephones located on City property, and the vending of prepaid telephone calling cards on City property.**

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

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

**Section 1.** That Sections 2 and 3 of Ordinance No. 646-96, passed May 20, 1996, are hereby amended to read, respectively, as follows:

**Section 2.** That the Director of Finance is also hereby authorized and directed to enter into a concession agreement or concession agreements in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, each for periods not to exceed three years, for "dial zero plus" long distance telephone service to be sold from coin operated telephones located on city property, provided that each such agreement shall provide that a commission of not less than 18% of revenues from such sales be paid to the city over the term of such agreements.

**Section 3.** That the cost of said contract authorized by Section 1 hereof 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 21543)

**Section 2.** That existing Sections 2 and 3 of Ordinance No. 646-96, passed May 20, 1996, are hereby repealed.

**Section 3.** That Ordinance No. 646-96, passed May 20, 1996, is hereby supplemented by adding new Section 3a to read as follows:

**Section 3a.** That the Director of Finance is also hereby authorized and directed to enter into a concession agreement or concession agreements, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, each for a period not to exceed three years, for the placement of prepaid telephone calling card vending devices on city property, provided that each such agreement shall provide that a commission of not less than 18% of the revenue from the sales from such devices be paid to the City over the term of such agreement.

**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 Finance, Law; Committee on Finance.

**Ord. No. 1946-96.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8711 Meridian Avenue to Rose Johnson/Hazel Bell.**

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. 107-16-122, as more fully described in Section 2 below, to Rose Johnson/Hazel Bell.

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

P.P. No. 107-16-122

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 69 in W.J. Crawford and James Parmalee's Subdivision of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Meridian Street (now known as Meridian Avenue, N.E.) and extending back of equal width 90 feet deep, as appears by said plat.

Also subject to zoning ordinances, if any.

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

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

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

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

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

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

**Ord. No. 1947-96.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1212 East 74 Street to Elaine Fannel and Napoleon Robinson.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 105-29-072, as more fully described in Section 2 below, to Elaine Fannel and Napoleon Robinson.

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

P.P. No. 105-29-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 90 feet of Sublot No. 15 in Morison and Massie's Allotment of part of Original 100 Acre Lot No. 345, as shown by the recorded plat in Volume 16 of Maps, Page 20 of Cuyahoga County Records and being 35 feet front on the Westerly side of East 74th Street (formerly Hodge Avenue) and extending back 90 feet deep on the Northerly line, which is also the Southerly line of Hecker Avenue, N.E., 90 feet deep on the Southerly line and 35 feet wide in

the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

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

**Ord. No. 1948-96.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1323 East 77 Street to Bernice Gibbs.**

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. 106-05-150, as more fully described in Section 2 below, to Bernice Gibbs.

**Section 2.** That the real property

to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

**P.P. No. 106-05-150**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 38 in James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 17 of Maps, Page 10 of Cuyahoga County Records, and being 29.10 feet front on the North-easterly side of East 77th Street, 100 feet along the Northwesterly line, 100.56 feet along the Southeasterly line and being 39.67 feet wide in the rear, according to the survey of Charles W. Root, Registered Professional Engineer and Surveyor, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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

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

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

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

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

**Ord. No. 1949-96.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 8811 Harkness Road to Dorothy M. and Elaine Eggleton.**

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. 107-16-155, as more fully described in Section 2 below, to Dorothy M. and Elaine Eggleton.

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

**P.P. No. 107-16-155**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 95 in Crawford and Parmelee's Subdivision of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 14 of Maps, Page 19 of Cuyahoga County Records and being 36 feet on the Northerly side of Harkness Road, N.E. 146.78 feet deep on the Westerly line, 127.97 feet deep on the Easterly line and 59.05 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

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

**Ord. No. 1950-96.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1831 East 87 Street to Harry Stewart.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-05-048, as more fully described in Section 2 below, to Harry Stewart.

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

P.P. No. 119-05-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 12 feet of Sublot No. 31 and the Northerly 23 feet of Sublot No. 32 in P. H. Babcock's Allotment of part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat in Volume 15 of Maps, Page 38 of Cuyahoga County Records and together forming a parcel of land 35 feet front on the Easterly side of East 87th Street (formerly Brookfield Street) and extending back of equal width 169.56 feet, as appears by said plat.

Also subject to Zoning Ordinances, if any.

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

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

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

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

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

**Ord. No. 1927-96.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10400-14 Cedar Avenue to Calvary Hill Baptist Church.**

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. 121-18-014, as more fully described in Section 2 below, to Calvary Hill Baptist Church.

**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. 121-18-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 76, 77 and 78 in W. H. Doan's Subdivision of part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 12 of Maps, Page 23 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of the Southerly line of Cedar Avenue, S.E., with the Westerly line of East 105th Street (formerly Doan Street); thence Westerly along said Southerly line of Cedar Avenue, S.E., 113.40 feet to a point that is 16 feet 8 inches West of the Northeasterly corner of said Sublot No. 76; thence Southerly and parallel with the Easterly line of said Sublot No. 76; 140 feet to the Southerly line of said Sublot Nos. 76 and 77, 33 feet 8 inches; thence Northerly and parallel with said Easterly line of said Sublot No. 76, 40 feet; thence Easterly in a direct line, about 86.16 feet to a point in the Westerly line of East

105th Street, distant 100 feet Southerly, measured along said Westerly line of East 105th Street, from its intersection with the Southerly line of Cedar Avenue, S.E.; thence Northerly along said Westerly line of East 105th Street, 100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

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

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

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

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

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

#### FIRST READING ORDINANCE REFERRED

**Ord. No. 1944-96.**

**By Councilman Robinson.**

**An ordinance to change the Use and Area Districts of lands on the east side of E. 131 Street between Southview Avenue, S.E. and Chapelside Avenue, S.E. (Map Change No. 1920, Sheet No. 10)**

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

**Section 1.** That the Use and Area Districts of lands bounded and described as follows,

Beginning at the intersection of the center line of Chapelside Avenue, S.E. and the center line of East 131 Street; thence northerly along said center line of East 131 Street to the center line of Southview Avenue, S.E.; thence easterly along said center line of Southview Avenue, S.E. to its intersection with the northerly extension of a line located two hundred eighty (280) feet east of the easterly line of East 131 Street; thence southerly along said northerly extension and along said line which is parallel to and two hundred eighty (280) feet east of said easterly line of East 131 Street to its intersection with the southerly line of Sublot No. 80 in the Southview (L. J. Sinnott) Allotment as recorded in Volume 61, Page 4 of

the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 80 and continuing easterly along the southerly line of Sublots Nos. 79, 78, 77 and 76 in said Southview (L. J. Sinnott) Allotment to its intersection with the easterly line of Sublot No. 4 in the J. V. Kofron Allotment as recorded in Volume 44, Page 27 of the Cuyahoga County Map Records; thence southerly along said easterly line of said Sublot No. 4 and along its southerly extension to the center line of Chapelside Avenue, S.E.; thence westerly along said center line of Chapelside Avenue, S.E. to the place of beginning, and as outlined in red on the map hereto attached, be and the same are hereby changed to a Multi-Family Use District and a 'C' Area District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1920, Sheet No. 10 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

#### FIRST READING EMERGENCY RESOLUTIONS REFERRED

##### Res. No. 1926-96.

By Councilman Zene.

**An emergency resolution urging the Ohio General Assembly to create an advisory committee to review and update the minimum eligibility requirements for members of municipal school boards, including the Cleveland City School Board.**

Whereas, a perceived lack of faith by the electorate as to the capabilities of members of the Cleveland City School Board has been demonstrated by past failures of proposed school levies; and

Whereas, there exists State control of the Cleveland City School System and the accumulation of debt; and

Whereas, other existing negative conditions include the state of disrepair of school facilities, the high percentage of school students unable to pass state proficiency tests, the shortage of text books and after-school activities available to students, and increasing safety concerns for both students and teachers around school facilities; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety in that the challenges facing members of Cleveland City School Board are so daunting that the taxpayers need to be assured that the individuals occupying positions on the Board are committed, skilled and prepared to undertake these challenges; now, therefore,

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

**Section 1.** That this Council urges the Ohio General Assembly to create an advisory committee to review and update the minimum eligibility requirements of members of municipal school boards, including the Cleveland City School Board.

**Section 2.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to all members of the Ohio General Assembly who represent the City of Cleveland and 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.

Referred to Director of Law; Committee on Finance.

##### Res. No. 1935-96.

By Councilman Polensek.

**An emergency resolution urging the Director of Parks, Recreation and Properties or other appropriate director of the City to undertake a comprehensive facilities utilization analysis to address the present and future needs of the several departments and divisions of the City of Cleveland.**

Whereas, the Mayor is proposing that this Council authorize the acquisition and renovation of the real property located at 1440 Lakeside Avenue for use by multiple divisions and departments of the City of Cleveland, including the Department of Public Utilities, Division of Water, and

Whereas, the Mayor is proposing that this Council authorize the demolition of City-owned facilities located at 1700 and 1875 Lakeside Avenue; and

Whereas, this Administration must undertake a comprehensive facilities analysis to study the City's present needs and its needs as we enter the 21st century.

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

**Section 1.** That this Council strongly urges the Administration, through the Director of Parks, Recreation and Properties, or other appropriate director, to undertake a comprehensive facilities analysis to address the present and future needs of the several departments and divisions of the City of Cleveland.

**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.

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

##### Res. No. 1945-96.

By Councilmen Miller and Rokakis (by departmental request).

**An emergency resolution authorizing declarations of official intent under U.S. Treasury Regulations with respect to reimbursements from proceeds of tax-exempt obligations for temporary advances made, prior to issuance of those obligations, for payments for airport improvements.**

Whereas, United States Treasury Regulations prescribe conditions under which proceeds of tax-exempt

bonds, notes or other obligations used to reimburse advances made for certain expenditures paid before the issuance of such obligations will be deemed to be expended (or properly allocated to expenditures) for purposes of Sections 103 and 141-150 of the Internal Revenue Code of 1986, so that upon such reimbursement the proceeds so used will not further be subject to requirements or restrictions under those sections of the Internal Revenue Code; and

Whereas, certain provisions of those Regulations require that there be a Declaration of Official Intent not later than 60 days, following payment of the expenditure expected to be reimbursed from proceeds of such obligations, and that the reimbursement occur within prescribed time periods after the expenditure is paid or after the property is placed in service; and

Whereas, the City of Cleveland expects to expand and improve its airport facilities at Cleveland Hopkins International Airport to increase and improve the transportation services available to the public; and

Whereas, this Council wishes to take steps to permit those airport improvements to be later financed with tax-exempt obligations in compliance with the above-described United States Treasury Regulations and thereby reduce the cost of those facilities, which obligations are to be authorized by separate and subsequent legislation of this Council; now therefore,

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

**Section 1. Definitions.** The following definitions apply to the terms used herein:

"Authorized Officer" means the Director of Finance of the City.

"Bonds" means and includes bonds, notes, certificates and other obligations included in the meaning of "bonds" under Section 150 of the Internal Revenue Code of 1986, issued by the City to finance improvements relating to municipal airport operations and related services and activities, including, without limitation, airport revenue bonds, special facility bonds payable solely from rental payments by a lessee and other obligations payable from fees or charges relating to airport operations or related services and activities.

"Declaration of Official Intent" means a declaration of intent, in the form and manner and time contemplated in the Reimbursement Regulations, that the advances for expenditures referred to therein are reasonably expected to be reimbursed from the proceeds of Reimbursement Bonds to be issued after those expenditures are paid.

"Reimbursement" or "reimburse" means the restoration to the City or to the lessee or other obligor under agreements between that obligor and the City, as the case may be, of money temporarily advanced from other funds and spent for capital expenditures (and certain other types of expenditures qualifying under the Reimbursement Regulations, including any issuance costs for Reimbursement Bonds) before the issuance of the Reimbursement Bonds, evidenced in writing by an allocation on the books and records of the City or the obligor that shows the use of the proceeds of the Reimbursement Bonds to restore the money advanced for the original expenditure. "Reimbursement" or

"reimburse" generally does not include the refunding or retiring of Bonds previously issued and sold to, or borrowings from, unrelated entities.

"Reimbursement Bonds" means Bonds the proceeds of which are to be used for reimbursement of such capital or other qualifying expenditures paid before issuance of the Bonds.

"Reimbursement Regulations" means Treasury Regulations Section 1.150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as at the time applicable, prescribing conditions under which the proceeds of Reimbursement Bonds when allocated or applied to a reimbursement will be treated as expended for all or any purposes of Sections 103 and 141 to 150 of the Internal Revenue Code.

**Section 2. Authorization and Requirement of Declarations of Official Intent.** The Authorized Officer is authorized to prepare and sign Declarations of Official Intent with respect to capital and other expenditures to which the Reimbursement Regulations apply (and including any costs of issuance of the Reimbursement Bonds) to be made from money temporarily available and which are reasonably expected to be reimbursed (in accordance with applicable authorizations, policies and practices) from the proceeds of Reimbursement Bonds, to make appropriate reimbursement and timely allocations from the proceeds of the Reimbursement Bonds to reimburse such prior expenditures, and to take any other actions as may be appropriate, all at the times and in the manner required under the Reimbursement Regulations to satisfy the requirements for the reimbursement to be treated as an expenditure of such proceeds for purposes of Sections 103 and 141 to 150 of the Internal Revenue Code of 1986. No advance from any fund of account or order for payment may be made for expenditures (other than expenditures excepted from such requirement under the Reimbursement Regulations) that are to be reimbursed subsequently from proceeds of Reimbursement Bonds unless a Declaration of Official Intent with respect thereto is made within the time required by the Reimbursement Regulations. All Declarations of Official Intent heretofore made on half of the City are hereby ratified and adopted.

**Section 3. Open Meeting.** This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

**Section 4. Emergency Measure.** This Resolution is declared to be an emergency measure for the immediate preservation of the public peace, property, health and safety of the City by providing authorization to carry out the Declarations of Official Intent, which are necessary to preserve the availability of tax-exempt financing for airport improvements urgently needed for the benefit of the City and, as a result, this Resolution constitutes an emergency measure providing for the usual daily operation of a municipal department, and, provided

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

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED**

**Ord. No. 1913-96.**

**By Councilman Jackson.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Community Action Against Addiction, Inc. to stretch a banner at 5209 Euclid Avenue for the period from October 22, 1996 to November 30, 1996, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Community Action Against Addiction, Inc., to install, maintain and remove banners on Euclid Avenue at East 52nd from the period from October 22, 1996 to November 30, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 1914-96.**

**By Councilmen Patton and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract without competitive bidding with Ohio Power Company for the rental of one transformer, for the Division of Cleveland Public Power, Department of Public Utilities.**

Whereas, pursuant to the emergency purchase provisions of Section 181.12 of the Codified Ordina-

nances of Cleveland, Ohio, 1976, the City contracted with Ohio Power Company on June 14, 1996, for the rental of a mobile 40 MVA transformer to be installed at Cleveland Public Power's West 41st Street substation pending the purchase and installation of a new transformer; and

Whereas, the City has initiated the purchase of a new transformer through competitive bidding, but it is estimated that the new transformer will not be delivered and installed until March 1997; and

Whereas, in order to insure the reliability of electric service to CPP customers, it is necessary to continue the rental of the mobile transformer until the installation of the new transformer; 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Ohio Power Company. Therefore, the Director of Public Utilities is hereby authorized and directed to make a written contract with said Ohio Power Company upon the basis of its proposal dated September 26, 1996, for the rental of one transformer through March 31, 1997, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 58 SF 001, Request No. 22110.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 1915-96.**

**By Councilmen Paulenske and Robinson.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Regional Transit Authority to stretch banners on Payne Avenue at East 36th Street and on Union Avenue at Kinsman Road for the period from October 21, 1996 to November 30, 1996, inclusive, publicizing its new Circulator Bus Line in Cleveland's neighborhoods.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the

Regional Transit Authority to install, maintain and remove banners on Payne Avenue at East 36th Street and on Union Avenue at Kinsman Road from the period from October 21, 1996 to November 30, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**Ord. No. 1916-96.**

**By Councilmen Paulenske and Patton.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Regional Transit Authority to stretch banners on East 55th Street at St. Clair Avenue, on St. Clair Avenue at East 71st Street, and on Lee Road in front of the Lee-Harvard Shopping Center for the period from October 21, 1996 to November 30, 1996, inclusive, publicizing its new Circulator Bus Line in Cleveland's neighborhoods.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Regional Transit Authority to install, maintain and remove banners on East 55th Street at St. Clair Avenue, on St. Clair Avenue at East 71st Street, and on Lee Road in front of the Lee-Harvard Shopping Center from the period from October 21, 1996 to November 30, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

**FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED**

**Res. No. 1901-96.**

**By Councilmen Miller, Westbrook, Coats, Polensek, Patton, White, Robinson, Johnson, Jackson, Britt, Lewis, Patton, Willis, Rybka, Paulenske, Rokakis, Smith, O'Malley, Melena, Zone, McGuirk.**

**An emergency resolution congratulating Dennis J. Kucinich for his years of outstanding service to the City of Cleveland and urging the Mayor to work with the Council to name an appropriate City facility after him.**

Whereas, Dennis J. Kucinich served four terms as Cleveland City Councilman, served as Clerk of the Cleveland Municipal Court and was elected Ohio State Senator from District 23 in 1994; and

Whereas, Dennis J. Kucinich also served as Cleveland's fifty-second mayor from 1977 to 1979; and

Whereas, Dennis J. Kucinich obtained passage of legislation creating the City of Cleveland's first air pollution code and also saved the senior meals programs and helped to establish a community responsive transit system; and

Whereas, also as Mayor of Cleveland, Dennis J. Kucinich, steadfastly opposed the sale of the Cleveland Municipal Light System, and because of that opposition, has saved its customers over \$200 million on their electric bills; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that it is most fitting and appropriate to recognize Dennis J. Kucinich for his years of dedicated service to the citizens of Cleveland by naming an appropriate public facility, such as Cleveland Public Power or a part thereof, after Dennis J. Kucinich; now, therefore,

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

**Section 1.** That this Council congratulates Dennis J. Kucinich for his many years of dedicated service to Cleveland and its citizens.

**Section 2.** That this Council hereby urges Mayor Michael R. White to work with this Council in naming an appropriate public facility, such as Cleveland Public Power or a part thereof, after Dennis J. Kucinich in order to recognize his many years of dedicated service to the people of the City of Cleveland.

**Section 3.** That this Council further urges the Mayor to work with this Council in organizing an appropriate dedication ceremony for the facility to be named after Dennis J. Kucinich.

**Section 4.** That this resolution is hereby declared to be an emergency

measure and, provided it receives the affirmative vote of two-thirds of all 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 1917-96.**

**By Councilman Polensek.**  
**An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 15721 Waterloo Avenue, first floor and basement.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 4174273, J.B. &K.L. Inc., dba Waterloo Rec Rose Garden, 15721 Waterloo Road, first floor and basement, Cleveland, Ohio 44110, to Permit No. 2843728, Charee Fountain, 15721 Waterloo Road, first floor and basement, Cleveland, Ohio 44110; 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 D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 4174273, J.B. &K.L. Inc., dba Waterloo Rec Rose Garden, 15721 Waterloo Road, first floor and basement, Cleveland, Ohio 44110, to Permit No. 2843728, Charee Fountain, 15721 Waterloo Road, first floor and basement, Cleveland, Ohio 44110,

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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 1918-96.**

**By Councilman Polensek.**

**An emergency resolution withdrawing objection to the transfer of ownership of a Liquor Permit to 15610 Lakeshore Boulevard, and repealing Res. No. 957-96, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a Liquor Permit to 15610 Lakeshore Boulevard by Res. No. 957-96, adopted May 20, 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 Liquor Permit to 15610 Lakeshore Boulevard be and the same is hereby withdrawn and Res. No. 957-96, 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 1919-96.**

**By Councilman Polensek.**

**An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 15610 Lakeshore Boulevard, and repealing Res. No. 1512-96 (amended Res. No. 1646-96), objecting to said renewal.**

Whereas, this Council objected to the renewal of a Liquor Permit to 15610 Lakeshore Boulevard by Res.

No. 1512-96 (amended Res. No. 1646-96), 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 of a Liquor Permit to 15610 Lakeshore Boulevard be and the same is hereby withdrawn and Res. No. 1512-96 (amended Res. No. 1646-96), 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 1920-96.**

**By Councilman Polensek.**

**An emergency resolution withdrawing objection to the transfer of location of a Liquor Permit to 15617 Waterloo Avenue, and repealing Res. No. 1362-96, objecting to said transfer of location.**

Whereas, this Council objected to the transfer of location of a Liquor Permit to 15617 Waterloo Avenue by Res. No. 1362-96, adopted July 17, 1996; and

Whereas, this Council wishes to withdraw its objection to the above transfer of location and consents to said transfer of location; 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 location of a Liquor Permit to 15617 Waterloo Avenue be and the same is hereby withdrawn and Res. No. 1362-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of location thereof.

**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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 1921-96.**

**By Councilman Rokakis.**

**An emergency resolution withdrawing objection to the stock transfer of a C2 and C2X Liquor Permit to 3548 Fulton Road, and repealing Res. No. 1366-96, objecting to said stock transfer.**

Whereas, this Council objected to the stock transfer of a C2 and C2X Liquor Permit to 3548 Fulton Road, by Res. No. 1366-96, adopted July 17, 1996; and

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

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

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

**Section 1.** That objection to the stock transfer of a C2 and C2X Liquor Permit to 3548 Fulton Road, be and the same is hereby withdrawn and Res. No. 1366-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer of a C2 and C2X Liquor Permit to 3548 Fulton Road 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 1922-96.**

**By Councilman Rokakis.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3893 West 23rd Street, first floor and basement, and repealing Res. No. 1231-96, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 3893 West 23rd Street, first floor and basement, by Res. No. 1231-96, adopted June 18, 1996; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3893 West 23rd Street, first floor and basement, be and the same is hereby withdrawn and Res. No. 1231-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership of a C2 and C2X Liquor Permit to 3893 West 23rd Street, first floor and basement 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 1923-96.**

**By Councilman Rybka.**

**An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 6557 Broadway Avenue, and repealing Res. No. 1531-96 (amended Res. No. 1648-96), objecting to said renewal.**

Whereas, this Council objected to the renewal of Liquor Permit to 6557 Broadway Avenue by Res. No. 1531-96 (amended Res. No. 1648-96), 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 of a Liquor Permit to 6557 Broadway Avenue, be and the same is hereby withdrawn and Res. No. 1531-96 (amended Res. No. 1648-96), 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 1924-96.**

**By Councilman Rybka.**

**An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 7527 Union Avenue, and repealing Res. No. 1533-96, objecting to said renewal.**

Whereas, this Council objected to the renewal of a Liquor Permit to 7527 Union Avenue by Res. No. 1533-96, 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 of a Liquor Permit to 7527 Union Avenue be and the same is hereby withdrawn and Res. No. 1533-

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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**Res. No. 1943-96.**

**By Councilman Lewis.**

**An emergency resolution objecting to a proposed liquor agency contract at 9300 Wade Park Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of a proposed contract for a liquor agency to be located at 9300 Wade Park Avenue which will replace State Liquor Store No. 151; and

Whereas, the granting of this proposed contract 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 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 proposed contract if 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 proposed contract 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 Chapters 4301 and 4303; and

Whereas, this resolution constituted an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare in that, pursuant to 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 proposed contract for a liquor agency to be located at 9300 Wade Park Avenue, Cleveland, Ohio, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4301.17 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**SECOND READING  
EMERGENCY ORDINANCES**

**Ord. No. 1165-96.**

By Councilmen Jackson and Rokakis (by departmental request).

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

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

1. Insert new Section 2 to read as follows:

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

2. Renumber existing Sections 2, 3, 4, 5, 6, 7, and 8 to new "Section 3", "Section 4", "Section 5", "Section 6", "Section 7", "Section 8", and "Section 9".

Amendments agreed to.

**Ord. No. 1190-96.**

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 1609 East 21st Street to Daniel R. Gray.

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

**Ord. No. 1289-96.**

By Councilmen O'Malley, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Triad Partners Limited, or its designee, to provide for a ten year abatement for certain tangible real estate taxes as an incentive to construct a corporate office and warehouse at 4640-54 State Road located in the Cleveland Area Enterprise Zone.



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

**Ord. No. 1300-96.**

By Councilmen Patton and Rokakis (by departmental request).  
An emergency ordinance determining the method of making the public improvement of maintaining and testing medium voltage switchgear at Kirtland, Fairmount and Garrett A. Morgan pumping stations, including necessary appurtenances, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

**Ord. No. 1321-96.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Thermacon, Inc., or its designee, to provide for a ten year abatement for certain tangible personal property taxes as an incentive to expand their facility at 3256 West 25th Street located in the Cleveland Area Enterprise Zone.

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

1. Insert a new Section 5 to read as follows:

**"Section 5. The agreement or agreements shall provide for review by the City Planning Commission of any plans for the development of the property or site improvements made thereto."**

2. Renumber existing Section 5 to new **"Section 6"**.

Amendments agreed to.

**Ord. No. 1435-96.**

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

An emergency ordinance establishing a Community Reinvestment Area in the area between East 82nd Street and East 84th Street, Euclid to Chester Avenues, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

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

**Ord. No. 1458-96.**

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

An emergency ordinance determining the method of making the public improvement of replacing and installing transformers and appurtenances at the Kirtland Pumping Station, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

**Ord. No. 1600-96.**

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 the air conditioning systems 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. 1601-96.**

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 building automation computer systems and associated equipment, 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. 1603-96.**

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed two portable TV inspection systems, for the Division of Water Pollution Control, Department of Public Utilities.

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

**Ord. No. 1605-96.**

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide material testing and geotechnical services.

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

**Ord. No. 1606-96.**

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various parts for use at the pump stations, for the Division of Water Pollution Control, Department of Public Utilities.

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

**Ord. No. 1607-96.**

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to make emergency sewer repairs and installation of new sewers, for the Division of Water Pollution Control, Department of Public Utilities.

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

**SECOND READING ORDINANCES**

**Ord. No. 1047-96.**

By Councilman Britt.

An ordinance to change the Use, Area, and Height Districts of lands north of Quincy Avenue, S.E. between E. 88 Street and E. 89 Street. (Map Change No. 1907, Sheet No. 5)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning; when amended as follows:

1. In Section 1, strike the last line in its entirety and insert in lieu thereof the following: **"Retail Business District, a "C" Area District, and a "2" Height District."**

Amendment agreed to.

**Ord. No. 1048-96.**

By Councilman Polensek.

An ordinance to change the Use District of lands on both sides of Grovewood Avenue, N.E. between E. 167 Street and E. 172 Street. (Map Change No. 1908, Sheet No. 7)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning; when amended as follows:

1. In Section 1 strike in their entirety the last two lines and insert in lieu thereof the following: **"and as outlined in red on the map hereto attached be and the same is hereby changed to a Two Family Use District."**

Amendment agreed to.

**Ord. No. 1197-96.**

By Councilman Polensek.

An ordinance to change the Use District of lands on the southerly side of Lake Shore Boulevard, N.E. between E. 169 Street and E. 174 Street. (Map Change No. 1911, Sheet No. 7)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

**Ord. No. 1198-96.**

By Councilman Polensek.

An ordinance to change the zoning of lands on both sides of Waterloo Road, N.E. between Shiloh Road, N.E. and west of E. 152 Street and between E. 160 Street and E. 162 Street. (Map Change No. 1909, Sheet No. 7)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

**Ord. No. 1199-96.**

By Councilman Zone.

An ordinance to change the Use, Area, and Height Districts of lands north of Lorain Avenue on the west side of W. 110 Street. (Map Change No. 1910, Sheet No. 2)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 1750-96.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at various sites throughout the City to Cleveland Housing Network, Limited Partnership XIII.

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

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Yeas 19. Nays 0.

**Ord. No. 1842-96.**

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

An emergency ordinance to amend the title, Sections 1, 2, 3 and 4 of Ordinance No. 607-95, passed June 5, 1995, relating to a contract with LNH, Inc., or its designee.

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

1. In Section 1, at amended Section 3, line 1, after "contract" insert the following: ", as set forth in Ordinance No. 607-95 shall be increased by Twenty Seven Thousand Dollars (\$27,000.00), and".

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Yeas 19. 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.

**THIRD READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 1447-96.**

By Councilman McGuirk (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 605.031, relating to indecent exposure.

Read third time in full. Yeas 19. Nays 0.

**MOTION**

Councilman Polensek moved that Ordinance No. 1285-96 be referred back to Second Reading for the purposes on an amendment. Without objection the motion was approved.

**SECOND READING EMERGENCY ORDINANCE PASSED**

**Ord. No. 1285-96.**

By Councilman Polensek and McGuirk (by departmental request).

An emergency ordinance to renumber Section 135.47 of the Codified Ordinances of Cleveland, Ohio, as enacted by Ordinance No. 370-96, passed June 10, 1996, to new Section 135.54.

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

1. In the title, line 6, and in Section 1, line 3, strike "135.54" and insert in lieu thereof "135.55".

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read third time in full. Passed. Yeas 19. 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.

**LAID ON THE TABLE**

**Ord. No. 2891-87.**

By Councilmen K. Johnson, Lewis, Turner and Forbes (by departmental request).

An emergency ordinance to require testing for radon gas as part of the Home Weatherization Program.

**Ord. No. 1461-94.**

By Councilmen Pianka and Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 869-94, passed June 6, 1994, relating to contracts with various agencies to provide social service programs.

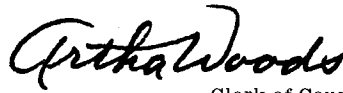
Without objection, Ordinance Nos. 2891-87 and 1461-94, were Laid on the Table, pursuant to the rules of Council.

**MOTION**

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

**MOTION**

The Council adjourned at 8:30 p.m. to meet on Monday, October 28, 1996 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. 1165-96.**

By Councilmen Jackson and Rokakis (by departmental request).

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

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into a contract with Cleveland Housing Network, or its designee, to provide economic development loan assistance in the form of a Community Development Block Grant float loan in the amount of \$3,500,000.00 to finance the purchase, rehabilitation or construction of low income rental housing in the City of Cleveland.

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

**Section 3.** That the terms of said loan shall be determined by the

Director of Community Development in accordance with regulations, state and local law, and said Director is authorized to amend said terms, from time to time, as he deems necessary to remain consistent with said laws and regulations.

**Section 4.** That the cost of said contract shall be paid from Fund No. 14 SF 810, Request No. 23051.

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

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

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

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

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

**Ord. No. 1190-96.**

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 1609 East 21st Street to Daniel R. Gray.

**Ord. No. 1289-96.**

By Councilmen O'Malley, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Triad Partners Limited, or its designee, to provide for a ten year abatement for certain tangible real estate taxes as an incentive to construct a corporate office and warehouse at 4640-54 State Road located in the Cleveland Area Enterprise Zone.

**Ord. No. 1300-96.**

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of maintaining and testing medium voltage switchgear at Kirtland, Fairmount and Garrett A. Morgan pumping stations, including necessary appurtenances, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

**Ord. No. 1321-96.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Thermagon, Inc., or its designee, to provide for a ten year abatement for certain tangible personal property taxes as an incentive to expand their facility at 3256 West 25th Street located in the Cleveland Area Enterprise Zone.

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

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

Whereas, Thermagon, Inc. (the "Enterprise") has proposed to expand their facility at 3256 West 25th Street in the City of Cleveland; and

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

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

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

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

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Thermagon, Inc., or its designee(s), to provide for a ten (10) year abatement for certain tangible personal property taxes as an incentive to expand their facility at 3256 West 25th Street in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the term as set forth in the Executive Summary contained in File No. 1321-96-A.

**Section 4.** That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 5. The agreement or agreements shall provide for review by the City Planning Commission of any plans for the development of the property or site improvements made thereto.**

**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.

**Ord. No. 1435-96.**

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

An emergency ordinance establishing a Community Reinvestment Area in the area between East 82nd Street and East 84th Street, Euclid to Chester Avenues, pursuant to Section 3735.65 *et seq.* of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

**Ord. No. 1458-96.**

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

An emergency ordinance determining the method of making the public improvement of replacing and installing transformers and appurtenances at the Kirtland Pumping Station, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

**Ord. No. 1600-96.**

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 the air conditioning systems for the various divisions of the Department of Port Control, for a period not to exceed two years.

**Ord. No. 1601-96.**

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 building automation computer systems and associated equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.

**Ord. No. 1603-96.**

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed two portable TV inspection systems, for the Division of Water Pollution Control, Department of Public Utilities.

**Ord. No. 1605-96.**

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide material testing and geotechnical services.

**Ord. No. 1606-96.**

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by

requirement contract of various parts for use at the pump stations, for the Division of Water Pollution Control, Department of Public Utilities.

**Ord. No. 1607-96.**

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to make emergency sewer repairs and installation of new sewers, for the Division of Water Pollution Control, Department of Public Utilities.

**Ord. No. 1047-96.**

By Councilman Britt.

An ordinance to change the Use, Area, and Height Districts of lands north of Quincy Avenue, S.E. between E. 88 Street and E. 89 Street. (Map Change No. 1907, Sheet No. 5)

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

**Section 1.** That the Use, Area, and Height Districts of lands bounded and described as follows,

Beginning at the intersection of the westerly extension of a line located one hundred (100) feet north of the northerly line of Quincy Avenue, S.E. and the center line of East 88 Street; thence northerly along said center line of East 88 Street to its intersection with the westerly extension of the northerly line of Sublot No. 29 in the W.H. Cleminshaw Subdivision as recorded in Volume 18, Page 18 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 29 and continuing easterly along the northerly line of Sublot No. 2 in said W.H. Cleminshaw Subdivision and along its easterly extension to the center line of East 89 Street; thence southerly along said center line of East 89 Street to its intersection with the easterly extension of said line located one hundred (100) feet north of said northerly line of Quincy Avenue, S.E.; thence westerly along said easterly extension and along said line which is parallel to and one hundred (100) feet north of said northerly line of Quincy Avenue, S.E. and along its westerly extension to the place of beginning, and as outlined in red on the map hereto attached be and the same are hereby changed to a Local **Retail Business District, a "C" Area District, and a "2" Height District.**

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1907, Sheet No. 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

**Ord. No. 1048-96.**

By Councilman Polensek.

An ordinance to change the Use District of lands on both sides of Grovewood Avenue, N.E. between E. 167 Street and E. 172 Street. (Map Change No. 1908, Sheet No. 7)

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

**Section 1.** That the Use District of lands bounded and described as follows,

Beginning at the intersection of the westerly extension of a line located one hundred thirty (130) feet south of the southerly line of Grovewood Avenue, N.E. and the center line of East 162 Street; thence northerly along said center line of East 162 Street to its intersection with the westerly extension of a line located ninety (90) feet north of the northerly line of Grovewood Avenue, N.E.; thence easterly along said westerly extension and along said line which is parallel to and ninety (90) feet north of said northerly line of Grovewood Avenue, N.E. to its intersection with a line located one hundred thirty two (132) feet west of the westerly line of East 168 Street; thence northerly along said line which is parallel to and one hundred thirty two (132) feet west of said westerly line of East 168 Street to its intersection with a line located one hundred thirty (130) feet north of said northerly line of Grovewood Avenue, N.E.; thence easterly along said line which is parallel to and one hundred thirty (130) feet north of said northerly line of Grovewood Avenue, N.E. and along its easterly prolongation to the center line of East 172 Street; thence southerly along said center line of East 172 Street to the center line of Grovewood Avenue, N.E.; thence westerly along said center line of Grovewood Avenue, N.E. to the center line of East 172 Street; thence southerly along said center line of East 172 Street to its intersection with the easterly extension of a line located fifty (50) feet south of said southerly line of Grovewood Avenue, N.E.; thence westerly along said easterly extension and along said line which is parallel to and fifty (50) feet south of said southerly line of Grovewood Avenue, N.E. to its intersection with a line located one hundred nine and sixty five hundredths (109.65) feet east of the easterly line of East 170 Street; thence southerly along said line which is parallel to and one hundred nine and sixty five hundredths (109.65) feet east of said easterly line of East 170 Street to its intersection with a line located one hundred thirty (130) feet south of said southerly line of Grovewood Avenue, N.E.; thence westerly along said line which is parallel to and one hundred thirty (130) feet south of said southerly line of Grovewood Avenue, N.E. and along its westerly prolongation to the place of beginning.

**and as outlined in red on the map hereto attached be and the same is hereby changed to a Two Family Use District.**

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1908, Sheet No. 7 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.

**Ord. No. 1197-96.**

By Councilman Polensek.

An ordinance to change the Use District of lands on the southerly side of Lake Shore Boulevard, N.E. between E. 169 Street and E. 174 Street. (Map Change No. 1911, Sheet No. 7)

**Ord. No. 1198-96.**

By Councilman Polensek.

An ordinance to change the zoning of lands on both sides of Waterloo Road, N.E. between Shiloh Road, N.E. and west of E. 152 Street and between E. 160 Street and E. 162 Street. (Map Change No. 1909, Sheet No. 7)

**Ord. No. 1199-96.**

By Councilman Zone.

An ordinance to change the Use, Area, and Height Districts of lands north of Lorain Avenue on the west side of W. 110 Street. (Map Change No. 1910, Sheet No. 2)

**BOARD OF CONTROL**

October 16, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 16, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: Director Cunningham.

Others: Willie Williamson, Acting Commissioner, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity, Stephen Sheehan, Commissioner, Port Control (C.H.I.A.).

On motion, the following resolutions were adopted.

**Resolution No. 707-96.**

By Acting Director Carmody.

Resolved by the Board of Control of the City of Cleveland that all bids received on August 9, 1996 for Computer Supplies for the Division of Information System Services, Department of Finance, pursuant to the authority of Ordinance No. 1042-96, passed by the Council of the City of Cleveland on June 18, 1996, be and the same are hereby rejected.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 708-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Triad Engineering and Contracting Company for the public improvement of Cooley Avenue area relief sewer - construction for the Division of Water Pollution Control, Department of Public Utilities, received on September 12, 1996, pursuant to the authority of Ordinance No. 111-93, passed February 8, 1993, for a upon a unit basis - for the improvement in the aggregate amount of Four million three hundred six thousand eight hundred ten and 20/100 (\$4,306,810.20) Dollars,

is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors to Triad Engineering and Contracting Company for the above-mentioned public improvement hereby is approved:

**SUBCONTRACTOR WORK**

Collinwood Shale & Brick	Supply ready mix concrete FBE
T & S Lumber	Supply lumber FBE
Choice Construction	Restoration, paving, & sewer work FBE
Lott Construction	Pipe installation MBE
Granger Trucking	Trucking MBE
Granger Trucking	Supply stone MBE
Cook Paving	Paving MBE

Yeas: None.

Nays: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

**Resolution No. 709-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Quality Buick Oldsmobile Pontiac GMC Truck, Inc., for the following: Four (4) Cargo Vans, (all items, equipment to be purchased by three (3) year lease plan including a total of \$4.00 for the purchase of the vehicles at the end of the lease), 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, received on the 14th day of June, 1996, pursuant to the authority of Ordinance No. 1006-95, passed June 19, 1995, which on the basis of order quantities would amount to Ninety Two Thousand Four Hundred Forty and 48/100 Dollars, (\$92,440.48), (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.

Yeas: None.

Nays: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

**Resolution No. 710-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Bob McDorman Chevrolet, Inc., for the following: Four (4) Utility Service Vans, (all items, equipment to be purchased by three (3) year lease plan including a total of \$4.00 for the purchase of the vehicles at the end of the lease), 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, received on the 14th day of June, 1996, pursuant to the authority of Ordinance No. 1006-95, passed June 19, 1995, which on the basis of order quantities would amount to Eighty Nine Thousand Eight Hundred Twenty and no/100 Dollars, (\$89,820.00), (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: None.

Nays: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

**Resolution No. 711-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Bob McDorman Chevrolet, Inc., for the following: Four (4) Step Vans, (all items, equipment to be purchased by three (3) year lease plan including a total of \$4.00 for the purchase of the vehicles at the end of the lease), 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, received on the 14th day of June, 1996, pursuant to the authority of Ordinance No. 1006-95, passed June 19, 1995, which on the basis of order quantities would amount to One Hundred Fifty Six Thousand Three Hundred Sixteen and no/100 Dollars, (\$156,316.00), (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: None.

Nays: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

**Resolution No. 712-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc., for the following: Three (3) 47' Digger Derrick and Line Construction Body Trucks, (all items, equipment to be purchased by three (3) year lease plan including a total of \$3.00 for the purchase of the vehicles at the end of the lease), 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, received on the 14th day of June, 1996, pursuant to the authority of Ordinance No. 1006-95, passed June 19, 1995, which on the basis of order quantities would amount to Four Hundred Thirty Six Thousand Six Hundred Eighty One and 56/100

Dollars, (\$436,681.56), (Net 30 Days), 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 Valley Ford Truck Sales Inc., for the abovementioned standard contract is hereby approved:

**SUBCONTRACTOR**

Logical Services, Inc.  
4614 Prospect Ave.  
Cleveland, Ohio

**WORK**

Inspect, Deliver and  
Supply Misc.  
Accessories  
(\$2,400.00)

Yeas: None.

Nays: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

**Resolution No. 713-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Quality Buick Oldsmobile Pontiac GMC Truck, Inc., for the following: Two (2) Cab and Chassis with Stake Body, (all items, equipment to be purchased by three (3) year lease plan including a total of \$2.00 for the purchase of the vehicles at the end of the lease), 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, received on the 14th day of June, 1996, pursuant to the authority of Ordinance No. 1006-95, passed June 19, 1995, which on the basis of order quantities would amount to Fifty Two Thousand Nine Hundred Sixty Three and 76/100 Dollars, (\$52,963.76), (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.

Yeas: None.

Nays: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

**Resolution No. 714-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc., for the following: Three (3) 65' Insulated Handling Capabilities, (all items, equipment to be purchased by three (3) year lease plan including a total of \$3.00 for the purchase of the vehicles at the end of the lease), 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, received on the 14th day of June, 1996, pursuant to the authority of Ordinance No. 1006-95, passed June 19, 1995, which on the basis of order quantities would amount to Three Hundred Sixty Six Thousand Twelve and 84/100 Dollars, (\$366,012.84), (Net 30 Days), 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 Valley Ford Truck Sales Inc., for the abovementioned standard contract is hereby approved:

**SUBCONTRACTOR**

Logical Services, Inc.  
4614 Prospect Ave.  
Cleveland, Ohio

**WORK**

Inspect, Deliver and  
Supply Misc.  
Accessories  
(\$2,400.00)

Yeas: None.

Nays: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

**Resolution No. 715-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Lift-All, Division of Hydra-Tech, Inc., for the following: Four (4) Insulated Aerial Bucket Trucks (all items, equipment to be purchased by three (3) year lease plan including a total of \$4.00 for the purchase of the vehicles at the end of the lease), 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, received on the 14th day of June, 1996, pursuant to the authority of Ordinance No. 1006-95, passed June 19, 1995, which on the basis of order quantities would amount to Four Hundred Thirty Six Thousand Six Hundred Five Hundred Eleven and 20/100 Dollars, (\$436,511.20), (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: None.

Nays: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

**Resolution No. 716-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc., for the following: Two (2) Six Passenger Crew Cab Heavy Duty Dump Trucks, (all items, equipment to be purchased by three (3) year lease plan including a total of \$2.00 for the purchase of the vehicles at the end of the lease), 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, received on the 14th day of June, 1996, pursuant to the authority of Ordinance No. 1006-95, passed June 19, 1995, which on the basis of order quantities would amount to One Hundred Twenty Five Thousand Two Hundred Sixty One and 12/100 Dollars, (\$125,261.12), (Net 30 Days), is hereby approved as the lowest and best bid, and the Direc-

tor 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 Valley Ford Truck Sales Inc., for the abovementioned standard contract is hereby approved:

<b>SUBCONTRACTOR</b>	<b>WORK</b>
Logical Services, Inc. 4614 Prospect Ave. Cleveland, Ohio	Inspect, Deliver and Supply Misc. Accessories (\$2,092.00)

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 717-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Eagle International Truck Sales, Inc., for the following: four (4) cabs and chassis with special utility bodies (item 1 only) for the Division of Water, Department of Public Utilities, received on the 9th day of August, 1996, pursuant to the authority of Ordinance No. 1228-95, passed January 29, 1996, which on the basis of order quantities would amount to Two Hundred Seventy Five Thousand Two Hundred Thirty Two Dollars, (\$275,232.00), (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 Eagle International Truck Sales Inc., for the abovementioned standard contract is hereby approved:

<b>SUBCONTRACTOR</b>	<b>WORK</b>
Independent Brokers, Ltd.	\$700.00 per unit, MBE

Yeas: None.

Nays: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

**Resolution No. 718-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Eagle International Truck Sales, Inc., for the following: four (4) chassis with crew cabs and special utility bodies (item 1 only) for the Division of Water, Department of Public Utilities, received on the 9th day of August, 1996, pursuant to the authority of Ordinance No. 1228-95, passed January 29, 1996, which on the basis of order quantities would amount to Two Hundred Eighty Two Thousand Five Hundred Forty Dollars, (\$282,540.00), (Net), is hereby approved as the lowest and best bid, and the Direc-

tor 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 Eagle International Truck Sales Inc., for the abovementioned standard contract is hereby approved:

<b>SUBCONTRACTOR</b>	<b>WORK</b>
Independent Brokers, Ltd.	\$700.00 per unit, MBE

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 719-96.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on September 6, 1996 for ductile iron pipe and fittings (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: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 720-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Columbiana Ford Mercury, Inc. for the following: nine (9) intermediate size station wagons (item 1 only) for the Division of Water, Department of Public Utilities, received on the 9th day of August, 1996, pursuant to the authority of Ordinance No. 1228-95, passed January 29, 1996, which on the basis of order quantities would amount to One Hundred Sixty One Thousand Nine Hundred Seventy Three Dollars (\$161,973.00), (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.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 721-96.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on September 20, 1996 for paper products (all items) for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 764-96, passed by the Council of the City of Cleveland on May 20, 1996, be and the same are hereby rejected.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren,

Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 722-96.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Licursi Co., Inc. for an estimated quantity of System Expansion Residential Reforestation Fall 1996, item nos. 1B, 9A, 11A, 12A, 12B, 17A, 18A, 19A, 20A, 22A, 24A, 24B, 25A, 29A, 36A, 36B, 39A, 41A, 41B, 45A, 46A, 50A, 51A, 53A, 55A, 55B, 56A, 57A, 58A, 58B, 61A, 61B, 62A, 63A, 64A, 66A, 69A, 75A and 76A, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract received on the 14th day of August, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to Four Hundred Sixty Five Thousand and no/100 Dollars, (\$465,300.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 88764

which shall be certified against such contract in the sum of Seventy Nine Thousand One Hundred Eighty and no/100 Dollars, (\$79,180.00).

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

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Licursi Co., Inc. for the abovementioned requirement contract is hereby approved:

<b>SUBCONTRACTOR</b>	<b>WORK</b>
Wake Forest Garden Center 4583 Lee Rd. Ave. Cleveland, Ohio 44128	Planting Trees 30% MBE

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

**Resolution No. 723-96.**

By Director Konicek.

Resolved by the Board of Control of the City of Cleveland that all bids received on September 12, 1996 for Cooley Avenue area relief sewer construction for the Division of Water Pollution Control, Department of Public Utilities, pursuant to the authority of Ordinance No. 111-93, passed by the Council of the City of Cleveland on February 8, 1993, be and the same are hereby rejected.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib,

Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 724-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Columbiana Ford Mercury, Inc. for the following: three (3) cutaway chassis and cabs for the Division of Water, Department of Public Utilities, received on the 6th day of September, 1996, pursuant to the authority of Ordinance No. 1228-95, passed January 29, 1996, which on the basis of order quantities would amount to Ninety Seven Thousand Seven Hundred Thirty Four Dollars, (\$97,734.00), (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 Columbiana Ford Mercury, Inc., for the abovementioned standard purchase is hereby approved:

**SUBCONTRACTOR WORK**

Logical Services \$700.00 per unit  
MBE

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 725-96.**

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that all bids received on September 12, 1996 for Safety supplies and equipment for the Various Divisions of the Department of Port Control, pursuant to the authority of Ordinance No. 483-96, passed by the Council of the City of Cleveland on May 6, 1996, be and the same are hereby rejected.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White.

**Resolution No. 726-96.**

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that all bids received on August 15, 1996 for Two (2) Portable Light Towers for the Various Divisions of the Department of Port Control, pursuant to the authority of Ordinance No. 244-96, passed by the Council of the City of Cleveland on April 1, 1996, be and the same are hereby rejected.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White.

**Resolution No. 727-96.**

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Building Technicians Corporation for the public improve-

ment of repairing roofs (Items A, B, C, D, E, and F) for the Various Divisions of the Department of Port Control, received on September 4, 1996, pursuant to the authority of Ordinance No. 351-96, passed April 1, 1996, for a gross price for the improvement in the aggregate amount of Eighty thousand eight hundred fifty-one and no/100 (\$80,851.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Building Technicians Corporation for repairing roofs for the Various Divisions of the Department of Port Control is hereby approved:

**SUBCONTRACTORS SERVICE**

Bradley Equipment  
Leasing  
P.O. Box 605030  
Cleveland, Ohio 44105  
Roofing  
(FBE-\$8,000-9.89%)

East-West Construction  
P.O. Box 609114  
Cleveland, Ohio 44109  
Disposal  
(MBE-\$24,250-29.99%)

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White.

**Resolution No. 728-96.**

By Director Guzman.

Whereas, pursuant to the authority of Ordinance No. 1418-86, passed June 16, 1986 by the Council of the City of Cleveland, and Resolution No. 289-87, adopted by this Board of Control on May 6, 1987, the City of Cleveland through its Director of Public Service, entered into Contract No. 38511 with John E. Foster and Associates, Inc. (Engineer) for the purpose of supplementing the regularly employed staff of the several departments of the City in order to obtain professional engineering services required for design and preparation of construction contract plans for the rehabilitation and resurfacing of Lee Road, Hough Avenue and Mount Sinai Drive in the City of Cleveland; and

Whereas, pursuant to Resolution No. 912-90, adopted by this Board of Control on November 21, 1990, the City entered into a First Modification to said contract No. 38511 modifying and increasing the scope of services to include additional engineering services; and

Whereas, the City desires to modify further the scope of services to include the additional engineering services for pavement replacement contract documents in lieu of resurfacing contract documents for 1.142 miles of Lee Road; and

Whereas, the Engineer has proposed by its letter dated July 23, 1996, as amended by its letter dated August 26, 1996, to provide the additional engineering services mentioned above for an additional amount not to exceed \$130,000.00; now, therefore,

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

the Director of Public Service hereby is authorized to enter into a second modification to Contract No. 38511 with John E. Foster and Associates, Inc., in accordance with the Engineer's letters dated August 26, 1996 and July 23, 1996 for the additional engineering services necessary for pavement replacement contract documents in lieu of resurfacing contract documents. The compensation for such additional services shall not exceed a total of \$130,000.00, thereby increasing the total fee under the agreement from \$78,055.46 to \$208,055.46. The modification authorized hereby shall be prepared by the Director of Law and shall include such provisions as such Director deems necessary to benefit and protect the public interest.

Be it further resolved that all other terms and provisions of Contract No. 38511, not expressly modified herein, shall remain in full force and effect.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White.

**Resolution No. 729-96.**

By Director Guzman.

Whereas, by Board of Control Resolution No. 524-96, adopted August 7, 1996, the City through the Director of Public Service was authorized to enter into a standard purchase contract with the Emergency Vehicle, Inc. for the purchase of four (4) ambulances (All Items) for the Division of Motor Vehicle Maintenance, Department of Public Service; and

Whereas, Resolution No. 524-96 omitted citation to Ordinance No. 1476-96; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution 524-96 adopted August 7, 1996, hereby is amended by adding "Ordinance No. 1476-96, passed August 14, 1996" to the listing of ordinance authority for the resolution.

Be it further resolved that all other provisions of said Resolution No. 524-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White.

**Resolution No. 730-96.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Great Lakes Truck Equipment, A Division of America's Body Company, Inc. for an estimated quantity of Meyer parts and labor (All Items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 20th day of September, 1996, pursuant to the authority of Ordinance No. 1016-96, passed June 18, 1996, which on the basis of the estimated quantity would amount to approximately Forty Thousand and no/100 Dollars, (\$40,000.00), (2%-40 Days), is hereby affirmed and approved as

the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 091926 which shall be certified against such contract in the sum of Twelve Thousand and no/100 Dollars, (\$12,000.00).

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 731-96.**

By Director Denihan.

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 654-96, adopted September 25, 1996, approving the bid of Wexx Corporation as the lowest and best for Uniform Clothing, Hip Length Jackets for the Division of Fire, Department of Public Safety, hereby is rescinded.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 732-96.**

By Director Denihan.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Stonewall Uniform Corporation, for an estimated quantity of Uniform Clothing, Hip Length Jackets, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 26, 1996, pursuant to Section 135.06 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Eight thousand, nine hundred thirty seven and 50/100 Dollars (\$8,937.50), (Net 30 days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 093797 65 Uniform Clothing, Hip Length Jackets, as specified, which shall be certified against such contract in the sum of Eight thousand, nine hundred thirty seven and 50/100 Dollars (\$8,937.50).

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

requisitions separately certified against said contract.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 733-96.**

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Wake Forest Garden Center (MBE) for the public improvement of Gunning Park Landscaping and Site Improvements, for all base bid items 1-18, including Add Alternate Item #2 and including the revised 7% contingency line item, for the Division of Research, Planning & Development, Department of Parks, Recreation and Properties, received on August 16, 1996, pursuant to the authority of Ordinance No. 1455-94, passed November 21, 1994, upon a unit basis for the improvement in the aggregate amount of Seventy-one thousand, nine hundred thirty-four dollars and 82/100 (\$71,934.82) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties, is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 734-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 106-22-021 under said Land Reutilization Program; and

Whereas, Ordinance No. 1806-96 passed September 30, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Irving and Catherine V. Dominic have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1806-96 passed September 30, 1996 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Irving and Catherine V. Dominic for the sale and development of Permanent Parcel No. 106-22-021, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said 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 the Land Reutilization Program.

Yeas: Director Sobol Jordan, Act-

ing Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 735-96.**

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. 119-30-065 located at 2268 East 86 Street in Ward 6; and

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

Whereas, Rose M. Benjamin, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Rose M. Benjamin for the sale and development of Permanent Parcel No. 119-30-065 located at 2268 East 86 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: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 736-96.**

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. 139-03-078 located at 3782 East 143 Street in Ward 3; 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, Mt. Pleasant Now Development Corp., 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 3 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Mt. Pleasant Now Development Corp. for the sale and development of Permanent Parcel No. 139-03-078 located at 3782 East 143 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 \$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: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 737-96.**

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. 139-02-115 located at 3662 East 143 Street in Ward 3; 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, Mt. Pleasant Now Development Corp., 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 3 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Mt. Pleasant Now Development Corp. for the sale and development of Permanent Parcel No. 139-02-115 located at 3662 East 143 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 \$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: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 738-96.**

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. 002-28-098 located at 6017 Wakefield Avenue in Ward 17; 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, Cleveland Housing Network Limited Partnership XIII, 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 17 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Cleveland Housing Network Limited Partnership XIII for the sale and development of Permanent Parcel No. 002-28-098 located at 6017 Wakefield Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the

intent of said program.

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 739-96.**

By Director Warren.

Be it resolved by The Board of Control of the City of Cleveland that Pursuant to authority of Ordinance No. 56-94 passed by the City Council of the City of Cleveland June 13, 1994, the firm of Williams Trebilcock Whitehead Ohio, nominated by the Director of Economic Development from a list of qualified consultants available for such employment as determined after a full and complete canvas by the Director of Economic Development, is hereby selected for the purpose of providing master planning studies at the Collinwood Yard Site to determine appropriate land uses and site configurations for use, in part, for a Community Development Plan.

Be it further resolved that the Director of Economic Development is hereby authorized to enter into a contract with Williams Trebilcock Whitehead Ohio based upon the firm's proposal of February 7, 1996, which contract shall provide that the compensation paid Williams Trebilcock Whitehead Ohio shall not exceed \$45,000, shall be paid by the Director of Economic Development and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

**Resolution No. 740-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Aaron Landscaping Inc. for an estimated quantity of System Expansion Residential Reforestation Fall 1996, item nos. 1A, 2A, 26A, 47A, 59A, 68A, 70A, 71A, 72A, and 73A, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract, received on the 14th day of August, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, on the basis of the estimated quantity would amount to Eighty Two Thousand Four Hundred Seventy Five and no/100 Dollars, (\$82,475.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 88757

which shall be certified against such contract in the sum of Sixty Five Thousand Three Hundred Thirty and no/100 Dollars, (\$65,330.00).

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

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Aaron Landscaping, Inc., for the abovementioned requirement contract is hereby approved:

**SUBCONTRACTOR WORK**

Wake Forest Garden  
Center  
4583 Lee Rd. Ave.  
Cleveland, Ohio 44128

Planting Trees  
30% MBE

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 741-96.**

By Director Konicek.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of Edward Hines d.b.a. Wake Forest Garden Center, for an estimated quantity of System Expansion Residential Reforestation Fall 1996, item nos. 31A, 32A, 35A and 38A, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of six (6) months beginning with the date of execution of a contract, received on the 14th day of August, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, on the basis of the estimated quantity would amount to Twenty Eight Thousand Four Hundred Thirty Six and no/100 Dollars, (\$28,436.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 88767

which shall be certified against such contract in the sum of Nineteen Thousand Five Hundred Eighty and no/100 Dollars, (\$19,580.00).

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

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: None.

**Resolution No. 742-96.**

By Director Guzman.  
Resolved by the Board of Control of the City of Cleveland, that all

bids received on October 10, 1996 for Eddy Road Rehabilitation for the Division of Engineering and Construction, Department of Public Service, pursuant to the authority of Ordinance No. 905-93, 802-94 and 1012-95, passed by the Council of the City of Cleveland on June 14, 1993, June 13, 1994 and August 23, 1995, be and the same are hereby rejected.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White.

**Resolution No. 743-96.**

By Acting Director Carmody.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Jeter Systems Corporation, for an estimated quantity of Civil and Criminal Filing System, All Items, Freight Included for the Cleveland Municipal Court, for the period of one (1) year beginning with the date of execution of a contract, received on October 2nd, 1996, pursuant to the authority of Ordinance No. 1041-96, passed June 18, 1996, which on the basis of the estimated quantity would amount to Forty Two Thousand Eight Hundred Forty Eight and 49/100 Dollars, (\$42,848.49), (1% 10 Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance, on behalf of the Cleveland Municipal Court, 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. 090845

which shall be certified against such contract in the sum of Thirty Eight Thousand One Hundred Thirty Dollars and 56/100 Dollars, (\$38,130.56).

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.  
Absent: Mayor White.

JEFFREY B. MARKS,  
Secretary

**BOARD OF CONTROL**

October 18, 1996

A special meeting of the Board of Control convened in the Mayor's office on Friday, October 18, 1996, at 3:00 p.m., with Mayor White presiding.

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

Absent: None.

Others: Martin Carmody, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity.

On motion, the following resolution was adopted.

**Resolution No. 744-96.**

By Director Spellman.  
Be it resolved by the Board of Control of the City of Cleveland, that the bid of Demco Inc., including Alternate Nos. 2A and 2B, for the public improvement of the Cleveland Municipal Lakefront Stadium Demolition, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on October 15, 1996, pursuant to the authority of Ordinance No. 304-96, passed March 8, 1996, for a gross price for the improvement in the aggregate amount of Two Million Eight Hundred Eighty-Six Thousand and no/100 Dollars, (\$2,886,000.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

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

Granger Trucking  
MBE, \$500,000.00

Perk Company  
MBE, \$250,000.00

Delta Plumbing dba  
Fox Construction Company  
FBE, \$250,000.00

Chem/Ty Environmental  
FBE, \$150,000.00

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

Nays: None.  
Absent: None.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date 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, NOVEMBER 4, 1996**

**9:30 A.M.**

Calendar No. 96-183: 11710 Shaker Blvd., S.E.

Academy Medical Center Inc., c/o Nabil Ghali, appeals, under authority of Section 76-6 of the Charter, from the revocation of Abortion Services License #8 by John A. Hunt, Commissioner of Assessments and Licenses, pursuant to Sections 231.06 and 231.07 of the Codified Ordinances.

Calendar No. 96-184: 11710 Shaker Blvd., S.E.

Academy Medical Center Inc., c/o Nabil Ghali, appeals, under authority of Section 76-6 of the Charter, from the "Notice to Cease Operations" issued September 16, 1996 by Robert A. Staib, Director of Public Health, pursuant to Section 231.99 of the Codified Ordinances.

ANTHONY COSTANZO,  
Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, OCTOBER 21, 1996**

At the Meeting of the Board of Zoning Appeals, on Monday, October 14, 1996, the following appeals were heard by the Board, and decided on Monday, October 21, 1996.

The following appeal was **Granted**:

Calendar No. 96-78: 12515 Summerland Ave., S.W.

Carol Redding, owner, to erect a 17' x 10' one story addition to the front of the 30' x 27' one story one family dwelling.

The following appeals were **Refused**:

Calendar No. 96-167: 5230 St. Clair Ave., N.E.

Marc Eppler, owner, and Cleveland Health Care For the Homeless, tenant, c/o John McKinney, to convert to a boarding house with 25 beds, with accessory counseling.

Calendar No. 96-152: 10522 Edgewater Dr., N.W.

Paul S. Novosel, owner, to erect a 16' x 22' storage shed, a 33' x 22' private garage, attached to the existing one family dwelling house.

The following appeals were **Withdrawn**:

Calendar No. 96-179: 9515 Woodland Avenue, S.E.

Calendar No. 96-186: 4281 West 130th Street.

The following appeal was **Postponed**:

Calendar No. 96-180: 7500 Superior Avenue, N.E. to November 11, 1996.

ANTHONY COSTANZO,  
Secretary

**REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS**

Re: Report of the Meeting of October 16, 1996

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-119-96.**

RE: Appeal of West Chateau Condominium Association, Owner of the Property located on the premises known as 10301 Lake Road from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated July 8, 1996, 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 VIOLATION NOTICE (dated July 8, 1996) was issued erroneously; that the smoke detector ordinance applies to the dwelling unit itself and not to the corridors of the building, therefore, smoke detectors are not required in the corridors under this ordinance. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

\* \* \*

**Docket A-127-96.**

RE: Appeal of Helen Burrell, Owner of the Residential Property located on the premises known as 1337 East 114th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 10, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1337 East 114th Street to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

\* \* \*

**Docket A-128-96.**

RE: Appeal of United Companies Lending Corp., Mortgagee of the Residential Property located on the premises known as 3125 West 70th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated August 1, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at this 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 January 30, 1997. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

\* \* \*

**Docket A-131-96.**

RE: Appeal of Leondas Nash Jr., Owner of the Residential Property located on the premises known as 3305-07 East 93rd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated August 7, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant four months (4 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at this 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 February 28, 1997. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-132-96.**

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1903 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-132-96 has been POSTPONED; to be rescheduled for a later date.

**Docket A-133-96.**

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1905 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-133-96 has been POSTPONED; to be rescheduled for a later date.

\* \* \*

**Docket A-134-96.**

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1907 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-134-96 has been POSTPONED; to be rescheduled for a later date.

\* \* \*

**Docket A-135-96.**

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1909 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-135-96 has been POSTPONED; to be rescheduled for a later date.

\* \* \*

**Docket A-136-96.**

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1915 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-136-96 has been POSTPONED; to be rescheduled for a later date.

\* \* \*

**Docket A-137-96.**

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1925 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-137-96 has been POSTPONED; to be rescheduled for a later date.

\* \* \*

**Docket A-138-96.**

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises

known as 1935 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-138-96 has been POSTPONED; to be rescheduled for a later date.

\* \* \*

**Docket A-140-96.**

RE: Appeal of Richard Bryant, Owner of the Residential Property located on the premises known as 6608 Denison Avenue from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated May 15, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 3372 East 114th Street to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-141-96.**

RE: Appeal of Antonio Nieves, Owner of the Property located on the premises known as 6608 Denison Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated July 10, 1996, 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 variance request and require the Appellant to comply with the Codified Ordinances of the City of Cleveland. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-144-96.**

RE: Appeal of National City Mortgage, Mortgagee of the Residential property located on the premises known as 3241 West 73rd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 25, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 3241 West 73rd Street to the Division of Building and Housing for supervision and further action and to require that the property remain boarded and secured and the grounds debris during any extended period of time. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

**Docket A-151-96.**

RE: Appeal of LTV Steel Company, Inc., Owner of the Property located on the premises known as 3100 East 45th Street from a NOTICE OF VIOLATION of the Commissioner of the Division of the Environment/Air Pollution Control dated July 23, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-151-96 has been WITHDRAWN at the request of the Appellant.

\* \* \*

**Docket A-173-96.**

RE: Appeal of Phyllis Gerber, Owner of the Property located on the premises known as 2826 Franklin Boulevard from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated October 4, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action.

\* \* \*

**Docket A-175-96.**

RE: Appeal of Kathryn R. Tyler Neighborhood Center, Inc., Owner of the Property located on the premises known as 900 East 105th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated September 17, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to Sections 1612.0 and 1603.6 and permit the building to remain as constructed under the previous structural Codified Ordinances that exclude earthquake design requirements, with the provision that the footings and walls be tied in with rebar to the new structure but not tied to the existing structure. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

\* \* \*

**APPROVAL OF AMENDED RESOLUTION:**

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

**Docket L-6-96.**

Harold W. Shaw - Journeyman Plumber License;

FROM: . . . permit Mr. Shaw to renew his JOURNEYMAN PLUMBER LICENSE for 1993 and 1994 without retaking the test and without payment of the late filing fees, noting that the letter to renew was sent to the wrong address . . .

TO: . . . permit Mr. Shaw to renew his JOURNEYMAN PLUMBER LICENSE for

1995 and 1996 without retaking the test and without payment of the late filing fees, noting that the letter to renew was sent to the wrong address . . .

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Not Voting: Mr. Sullivan.

\* \* \*

**APPROVAL OF RESOLUTIONS:**

A separate motion was entered by Mr. Williams and seconded by Mr. Bowes for Approval and Adoption of the Resolution as presented by the Secretary for the following Docket, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

A-110-96—Vincent B. Weaver.

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Not Voting: Mr. Sullivan.

\* \* \*

Separate motions were entered by Mr. Bowes and seconded by Mr. Saunders 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-112-96—Vincent B. Weaver.

A-125-96—Metmor Financial Inc.

A-143-96—United Companies Lending Corp.

A-150-96—E.G.S. Realty Company.

A-169-96—Kirkwood Carbon Company.

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Not Voting: Mr. Sullivan.

\* \* \*

**APPROVAL OF MINUTES:**

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

October 2, 1996.

Yeas: Messrs. Denk, Bowes, Williams, Saunders. Nays: None. Not Voting: Mr. Sullivan.

\* \* \*

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**

NONE

**CITY OF CLEVELAND BIDS**

**For All Departments**

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

**WEDNESDAY, OCTOBER 30, 1996**

Natural Gas, for the Various Divisions of the City Government, Department of Finance, as authorized by Ordinance No. 50-95, passed by the Council of the City of Cleveland, February 13, 1995.

October 16 and October 23, 1996

**THURSDAY, NOVEMBER 7, 1996**

Cleveland Convention Center Exterior Facade Restoration and Little Theater Wall Repair, for the Division of Architecture, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1283-96, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY (\$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, OCTOBER 29, 1996, 9:00 A.M. AT THE CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE (ENTER VIA ARCHED ENTRANCE).

Computer Hardware and Software Maintenance, for the Department of Finance on behalf of the Cleve-

land Municipal Court, as authorized by Ordinance No. 1095-95, passed by the Council of the City of Cleveland, July 19, 1995.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, OCTOBER 31, 1996, 11:00 A.M. IN THE CIJIS COMPUTER TRAINING ROOM, 3RD FLOOR, 1200 ONTARIO AVENUE, CLEVELAND, OHIO.

October 16 and October 23, 1996

**FRIDAY, NOVEMBER 8, 1996**

One (1) Low Profile Dump Truck with Central Hydraulics System, Spreader and Plow Hitch, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 764-95, passed by the Council of the City of Cleveland, June 12, 1995.

Blaw Knox Paver, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 532-96, passed by the Council of the City of Cleveland, May 20, 1996.

October 16 and October 23, 1996

**FRIDAY, NOVEMBER 15, 1996**

New Parking Structure and Associated Appurtenances at Cleveland Hopkins International Airport, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 1107-96, passed by the Council of the City of Cleveland.

PLANS AND SPECIFICATIONS MAY BE PURCHASED FOR \$250.00 (CERTIFIED CHECK, CASHIER'S CHECK OR MONEY ORDER ONLY) AFTER OCTOBER 21, 1996. THE AMOUNT IS NON-REFUNDABLE. A PRE-BID MEETING WILL BE HELD ON MONDAY, OCTOBER 28, 1996, 1:30 P.M., IN THE "B" CONCOURSE CONFERENCE ROOM, CLEVELAND HOPKINS AIRPORT INTERNATIONAL AIRPORT TERMINAL. ATTENDANCE IS STRONGLY ENCOURAGED.

October 16 and October 23, 1996

**WEDNESDAY, NOVEMBER 6, 1996**

Rockefeller Park Phase II, Signage Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1284-96, passed by the Council of the City of Cleveland.

A DEPOSIT OF TWENTY-FIVE (\$25.00) 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.

Rockefeller/Gordon Holden Parks Trust Pavement Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1284-96, passed by the Council of the City of Cleveland.

A DEPOSIT OF TWENTY-FIVE (\$25.00) 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.

October 23 and October 30, 1996

**THURSDAY, NOVEMBER 7, 1996**

**Eddy Road Rehabilitation**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 905-93, 802-94 and 1012-95, passed by the Council of the City of Cleveland, June 14, 1993, June 13, 1994 and August 25, 1995, respectively.

A DEPOSIT OF FIFTY (\$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.

October 23 and October 30, 1996

**THURSDAY, NOVEMBER 14, 1996**

**Manhole Risers**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1104-96, passed by the Council of the City of Cleveland, August 14, 1996.

**Paper Products**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 764-96, passed by the Council of the City of Cleveland, May 20, 1996.

**Drug House Board-Up**, for the Division of Building and Housing, Department of Community Development, as authorized by Ordinance No. 622-96, passed by the Council of the City of Cleveland, May 20, 1996.

**One Venturi Flow Meter**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1295-96, passed by the Council of the City of Cleveland, August 14, 1996.

October 23 and October 30, 1996

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 1884-96.**

**By Councilman Miller.**

**An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 16800 Brookpark Road.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 1294751, Cart Ride Corp., 16800 Brookpark Road, Cleveland, Ohio 44135, to Permit No. 9324188, W.P.T.

Inc., 16800 Brookpark Road, 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 transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 1294751, Cart Ride Corp., 16800 Brookpark Road, Cleveland, Ohio 44135, to Permit No. 9324188, W.P.T. Inc., 16800 Brookpark Road, 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.

Adopted October 14, 1996.

Effective October 22, 1996.

**Res. No. 1885-96.**

**By Councilman O'Malley.**

**An emergency resolution objecting to the stock transfer of a C2 and C2X Liquor Permit to 6723 Denison Avenue.**

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

transfer of a C2 and C2X Liquor Permit to Permit No. 7989240-0005, Serv-A-Rack Inc., dba Dave's Discount, 6723 Denison Avenue, Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the stock transfer of a C2 and C2X Liquor Permit to Permit No. 7989240-0005, Serv-A-Rack Inc., dba Dave's Discount, 6723 Denison Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 14, 1996.

Effective October 22, 1996.

**Res. No. 1886-96.**

**By Councilman Paulenske.**

**An emergency resolution withdrawing objection to the stock transfer of a D5 and D6 Liquor Permit to 711-15 Vincent Avenue, first and second floor bars, and repealing Res. No. 1360-96, objecting to said stock transfer.**

Whereas, this Council objected to the stock transfer of a D5 and D6 Liquor Permit to 711-15 Vincent Avenue, first and second floor bars, by Res. No. 1360-96, adopted July 17, 1996; and

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

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

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

**Section 1.** That objection to the stock transfer of a D5 and D6 Liquor Permit to 711-15 Vincent Avenue, first and second floor bars, be and the same is hereby withdrawn and Res. No. 1360-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

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

Adopted October 14, 1996.

Effective October 22, 1996.

**Res. No. 1887-96.**

**By Councilman Smith.**

**An emergency resolution objecting to the transfer of ownership and location of a C2 and C2X Liquor Permit to 4423 Detroit Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 9116881, 2623 Woodhill Inc., dba Central Market, 2623 Woodhill Road, first floor, Cleveland, Ohio 44104, to Permit No. 3757066, Nader H. Henen, 4423 Detroit Avenue, Cleveland, Ohio 44113; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure pro-

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 9116881, 2623 Woodhill Inc., dba Central Market, 2623 Woodhill Road, first floor, Cleveland, Ohio 44104, to Permit No. 3757066, Nader H. Henen, 4423 Detroit Avenue, Cleveland, Ohio 44113, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 14, 1996.

Effective October 22, 1996.

**Res. No. 1888-96.**

**By Councilman Zone.**

**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 12207 Lorain Road.**

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. 8799239, Taqueria Mexico Tacos Inc., dba Mi Pueblo, 12207 Lorain Road, Cleveland, Ohio 44111; 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 consti-

tutes 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. 8799239, Taqueria Mexico Tacos Inc., dba Mi Pueblo, 12207 Lorain Road, Cleveland, Ohio 44111, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 14, 1996.

Effective October 22, 1996.

**Ord. No. 920-96.**

**By Mayor White and Councilmen Polensek and Rokakis.**

**An emergency ordinance authorizing the Mayor to apply for and accept a grant from the United States Department of Commerce, Minority Business Development Center for the operation of the 1996-97 Minority Business Development Center.**

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

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

**Section 1.** That the Mayor is hereby authorized to apply for and accept a grant in the amount of \$108,498, from the United States Department of Commerce, Minority Business Development Agency, for the operation of the 1996-97 Minority Business Opportunity Committee, for the purposes set forth in the application and according thereto; that the Mayor 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. 920-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in kind services in the amount of \$86,557.00 and cash matching funds in the sum of \$36,591.00 from Fund No. 01-13-02-0901.

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

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

Passed October 14, 1996.

Effective October 22, 1996.

**Ord. No. 1183-96.**

**By Councilmen McGuirk, Jackson and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into a lease with Kamm's Development Corporation for the parking lot located on Albers Avenue.**

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to enter into a lease with Kamm's Development Corporation for the parking lot located on the north side of Albers Avenue, between Rocky River Drive and West 168th Street, Permanent Parcel Nos. 025-25-031 through 025-25-040, for a term of five (5) years, renewable at the City of Cleveland's discretion, upon approval of Council by appropriate legislation; legislation renewing the lease shall be accompanied by an executive summary outlining any changes to the previous lease.

**Section 2.** That all lands leased pursuant to this ordinance shall be leased at fair market value as determined by the Board of Control.

**Section 3.** That the lease shall be prepared by the Director of Law and shall contain such other terms as shall protect the interests of the City of Cleveland and shall be executed by the Director of Community Development on behalf of the City of Cleveland. Within ten (10) days of execution of the lease authorized herein, and any amendments thereto, a copy of same shall be delivered to Council and placed in File No. 1183-96-A.

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

Passed October 14, 1996.

Effective October 22, 1996.

**Ord. No. 1282-96.**

**By Councilmen Johnson and Rokakis (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating or otherwise improving the City Hall building; 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 architects or engineers 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 rehabilitating, renovating or otherwise improving the City Hall Building, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

**Section 3.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract one or more architects or engineers or one or more firms of architects or engineers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the improvement authorized in Section 2 of this ordinance.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of 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 Nos. 10 SF 006, 20 SF 300, 20 SF 310, 20 SF 320 and 20 SF 331, Request No. 20559.

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

Passed October 14, 1996.

Effective October 22, 1996.

**Ord. No. 1284-96.**

**By Councilmen Johnson and Rokakis (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, expanding or otherwise improving parks, recreation facilities, the West Side Market parking lot and park maintenance buildings; 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, rehabilitating, expanding or otherwise improving recreation facilities and park maintenance buildings, including the Humphrey Park Maintenance Facility, the Johnson Park Maintenance Facility and the East 40th Mall Station Maintenance Facility, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

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

**Section 4.** 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 5.** 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 improvement authorized in Section 2 and Section 4 of this ordinance.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of 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 6.** That the cost of said improvement and professional services hereby authorized shall be paid from Fund Nos. 10 SF 006, 20 SF 303, 20 SF 313, 20 SF 323, 20 SF 330 and 20 SF 334, Request No. 20558.

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

Passed October 14, 1996.  
Effective October 23, 1996.

**Ord. No. 1303-96.**

**By Councilmen Patton, Rybka and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the Director of Public Utilities to enter into agreements with the State of Ohio, through its Director of Transportation, for the adjustment of existing waterline facilities, as necessitated by the improvements to I-480, Snow Road, Chardon Road, East Aurora Road and Solon Road, in various communities.**

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

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

**Section 1.** That notwithstanding the provisions of Section 531.01 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities is hereby authorized and directed to enter into agreements with the State of Ohio, acting by and through its Director of Transportation, for the adjustment of the existing waterline facilities, necessitated by the improvements to the following: I-480 (Sec. 23.45/0.00) in the Cities of Warrensville Heights, Maple Heights and Bedford Heights; Snow Road in the City of

Parma; Chardon Road (Sec. 25.64) in the Cities of Euclid and Richmond Heights; River View Road in the City of Brecksville; East Aurora Road (Sec. 3.40) in the City of Macedonia, Summit County; and Solon Road (CR 51) in the Village of Bentleyville.

**Section 2.** That said agreements shall be in a form approved by the Director of Law and shall provide that the cost of adjusting the existing waterline facilities shall be financed from funds provided by the State.

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

Passed October 14, 1996.  
Effective October 22, 1996.

**Ord. No. 1306-96.**

**By Councilmen Robinson, Jackson and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with various agencies for implementation of the Housing Opportunities for People with AIDS Program.**

Whereas, this Council in Ordinance No. 138-96, passed March 11, 1996, authorized the Director of Community Development to apply for and accept a grant from the United States Department of Housing and Urban Development to conduct the Housing Opportunities for Persons with AIDS Program; and

Whereas, the Director of Community Development applied for and accepted said grant; and

Whereas, the Director of Community Development and the Director of Public Health have agreed that the Department of Public Health, because of its expertise and experience in dealing with the AIDS crisis, should administer the grant funds; 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 Health is hereby authorized and directed to enter into contract with various agencies to administer, operate and provide services for implementation of the Housing Opportunities for People with AIDS Grant Program.

**Section 2.** That the responsibilities of the Department of Public Health for administering this Program shall be memorialized in a Memorandum of Understanding between it and the Department of Community Development.

**Section 3.** That the cost of said contracts shall be paid from Fund No. 13 SF 438.

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

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

Passed October 14, 1996.  
Effective October 22, 1996.

**Ord. No. 1320-96.**

**By Councilmen Smith, Johnson, Rybka and Rokakis (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating or otherwise improving McCafferty Health Center; 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 architects, engineers and/or asbestos consultants to provide professional services related to this improvements.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating or otherwise improving McCafferty Health Center, including all necessary appurtenances incidental thereto, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

**Section 3.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract one or more architects, engineers and/or asbestos consultants or one or more firms of 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 improvement authorized in Section 2 of this ordinance.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of 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. 20 SF 331, Request No. 20561.

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

Passed October 14, 1996.  
Effective October 22, 1996.

**Ord. No. 1440-96.**

**By Councilmen Jackson, Polensek, Rybka and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to enter into and execute a Lease for land at the northwest corner of East 55th Street and Carnegie Avenue with Encore Manufacturing Corporation and Koch Showalter Company for a term not to exceed one year, with an option to renew one term not to exceed one additional year.**

Whereas, the City of Cleveland owns land at the corner of East 55th Street and Carnegie Avenue which is not needed for public use for the next year; and

Whereas, Encore Manufacturing Corporation and Koch Showalter Company proposed to lease such land; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is authorized to enter into a Lease with Encore Manufacturing Corporation and Koch Showalter Company of the following described property which is determined to be not needed for public use during the term specified in Section 2 below:

**Parcel No. 2**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Sublot No. 11 in M. Schiely's Subdivision of part of Original Ten Acre Lot No. 73, as shown by the recorded plat in Volume 3, Page 19 of Cuyahoga County Map Records, and being further bounded and described as follows:

Beginning at the intersection of the Westerly sideline of East 55th Street, 100 feet wide, with the Northerly sideline of Carnegie Avenue, S.E., 86 feet wide;

Thence South 82° 02' 10" West along said Northerly sideline of Carnegie Avenue, S.E., a distance of 200.00 feet to a point;

Thence due North and parallel with said Westerly sideline of East 55th Street, a distance of 75.00 feet to a point;

Thence North 82° 02' 10" East and parallel with said Northerly sideline of Carnegie Avenue, a distance of 200.00 feet to the Northeasterly corner thereof; said point also being on said Westerly sideline of East 55th Street;

Thence due South along said Westerly sideline of East 55th Street, a distance of 75.00 feet to the place of beginning, be the same more or less but subject to all legal highways.

**Section 2.** That the term of the Lease authorized by Section 1 shall not exceed one year, with an option to renew one additional term not to exceed one year additional exercisable by the Director of Public Safety.

**Section 3.** That land leased pursuant to this ordinance shall be leased at one hundred dollars (\$100.00) per month.

**Section 4.** That the Lease shall be prepared by the Director of Law and shall contain such additional terms and conditions as are required to protect the interest of the City.

**Section 5.** That the Directors of Public Safety and Law, and other appropriate City officials, are hereby authorized and directed to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the Lease authorized pursuant to this ordinance.

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

Passed October 14, 1996.  
Effective October 22, 1996.

**Ord. No. 1467-96.**

**By Councilmen Rybka, Jackson, Coats and Rokakis (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating and reconstructing East 55th Street from Blanche Avenue to Woodland Avenue; authorizing the Director of Public Service to employ professional design engineering services to design the public improvement; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commission of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public 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, it is hereby determined to make the public improvement of rehabilitating and reconstructing East 55th Street from Blanche Avenue to Woodland Avenue including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construc-

tion, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the 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 the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

**Section 3.** That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Service 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 Service for the purpose of compiling such a list. The compensation to be paid for such services shall be prepared by the Director of Law, approved by the Director of Public Service, and certified by the Director of Finance.

**Section 4.** That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

**Section 5.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

**Section 6.** That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

**Section 7.** That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21797, and from the proceeds of any grant funds from the Ohio Public Works Commission.

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

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

Passed October 14, 1996.

Effective October 22, 1996.

**Ord. No. 1468-96.**

**By Councilmen Rybka, Jackson, Coats and Rokakis (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating and reconstructing Bessemer Avenue from East 65th Street to East 88th Street; authorizing the Director of Public Service to employ professional design engineering services to design the public improvement; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public 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, it is hereby determined to make the public improvement of rehabilitating and reconstructing Bessemer Avenue from East 65th Street to East 88th Street, including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the 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 the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

**Section 3.** That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Service 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 Service for the purpose of compiling such a list. The compensation to be paid for such services shall be prepared by the Director of Law, approved by the Director of Public Service, and certified by the Director of Finance.

**Section 4.** That the Director of

Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

**Section 5.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

**Section 6.** That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

**Section 7.** That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21798, and from the proceeds of any grant funds from the Ohio Public Works Commission.

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

Passed October 14, 1996.

Effective October 22, 1996.

**Ord. No. 1469-96.**

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

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the southeast corner of Union Avenue and East 82nd Street.**

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned Oman Playground, no longer needed for public use and located on the southeast corner of Union Avenue and East 82nd Street, Permanent Parcel Number 133-06-011; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

Permanent Parcel Number

133-06-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being parts of Sublots Nos. 66 and 67 in E. S. Gillette's Allotment, of part of Original Newburgh Township One Hundred Acre Lot No. 447, as recorded in Volume 9, Page 14 of Cuyahoga

County Map Records and described as follows:

Bounded Northerly by the Southerly line of Union Avenue, S.E.; bounded Westerly by the Easterly line of East 82nd Street; bounded Easterly by the Easterly line of said Sublot No. 67; and bounded Southerly by the Northerly line of Parcel No. 1 of land conveyed to the City of Cleveland by deed dated July 23, 1915, and recorded in Volume 1710, Page 282 of Cuyahoga County Deed Records and excepting all of Parcel No. 2 of land conveyed to the City of Cleveland by the aforesaid deed recorded in Volume 1710 Page 282 of Cuyahoga County Deed Records.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Frank Was at a price not less than fair market value as determined by the Board of Control.

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

**Section 4.** That the Director of Parks, Recreation and Properties is hereby authorized to deposit the sale proceeds into Fund No. 20 SF 092.

**Section 5.** That the proceeds from the sale of the property authorized by Section 2 of this ordinance shall be used to pay the cost of the public improvement of constructing a new playground at the Oman park site as otherwise authorized by ordinance of this Council.

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

Passed October 14, 1996.

Effective October 22, 1996.

**Ord. No. 1471-96.**

**By Councilmen Willis, Coats, Rybka and Rokakis (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating and reconstructing portions of Arlington Avenue, East 123rd Street and East 125th Streets; authorizing the Director of Public Service to employ professional design engineering services to design the public improvement; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as necessary to make the public 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, it is hereby determined to make the public improvement of rehabilitating and reconstructing Arlington Avenue from East 123rd to East 125th Streets; East 123rd Street from Superior Avenue to East 125th Street; and East 125th Street from Arlington Avenue to St. Clair Avenue, including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the 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 the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

**Section 3.** That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Service 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 Service for the purpose of compiling such a list. The compensation to be paid for such services shall be prepared by the Director of Law, approved by the Director of Public Service, and certified by the Director of Finance.

**Section 4.** That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

**Section 5.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

**Section 6.** That the Director of Public Service is hereby authorized to execute on behalf of the City all

documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

**Section 7.** That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21800, and from the proceeds of any grant funds from the Ohio Public Works Commission.

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

Passed October 14, 1996.

Effective October 22, 1996.

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**Ord. No. 1619-96.**  
By Councilmen Westbrook, Jackson, Rybka and Rokakis (by departmental request).

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Schilling Square Development, L.L.C., or its designee, for various pre-development and development activities for the Detroit Manor Building project, CDBG Year 221.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into contract with Schilling Square Development, L.L.C., or its designee, for various pre-development and development activities related to the Detroit Manor Building project, including but not limited to acquisition, rehabilitation and relocation.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$160,000.00 and shall be paid from Fund No. 14 SF 021, Request No. 23056.

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

Passed October 14, 1996.

Effective October 22, 1996.

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**Ord. No. 1880-96.**  
By Councilman Jackson.

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Triedstone Baptist Church to stretch a banner in front of the church, 3782 Community College Avenue, for the period from October 15, 1996 to November 15, 1996, inclusive, publicizing its Anniversaries.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Triedstone Baptist Church to install, maintain and remove a banner in front of the church, 3782 Community College Avenue, for the period from October 15, 1996 to November 15, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed October 14, 1996.

Effective October 22, 1996.

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**Ord. No. 1881-96.**  
By Councilman Johnson.  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Second New Hope Missionary Baptist Church to stretch a banner in front of the church, 2917 East 116th Street, for the period from October 15, 1996 to October 29, 1996, inclusive, publicizing its Anniversary.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Second New Hope Missionary Baptist Church to install, maintain and remove a banner in front of the church, 2917 East 116th Street, for the period from October 15, 1996 to October 29, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

Passed October 14, 1996.  
Effective October 22, 1996.

**Ord. No. 1882-96.**  
**By Councilman McGuirk.**  
**An emergency ordinance consenting and approving the issuance of a permit for a Mission Walk on October 27, 1996, sponsored by St. Mary's Romanian Orthodox Church.**

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 Mission Walk, sponsored by St. Mary's Romanian Orthodox Church, on October 27, 1996, beginning at the church, 3256 Warren Road, proceed south on Warren to Triskett, Triskett to Lorain, Lorain to Rocky River Drive, Rocky River Drive to Edgecliff, Edgecliff to Warren and finish at the church, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

Passed October 14, 1996.  
Effective October 22, 1996.

**Ord. No. 1883-96.**  
**By Councilman Paulenske.**  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Rock & Roll Hall of Fame to hang a Christmas tree on a pole 30 feet above Erieside Avenue for the period from November 30, 1996 to January 4, 1997, inclusive, to publicize Christmas.**

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.** Pursuant to the provision of Section 503.05 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service be and he hereby is authorized and directed to issue a permit to the Rock & Roll Hall of Fame to hang a Christmas tree on a pole 30 feet above Erieside Avenue (which pole is the property of the Rock & Roll Hall of Fame) for the period from November 30, 1996 to January 4, 1997, inclusive. Said Christmas tree shall be approved by the Director of Public Service as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. No commercial advertising shall be printed or permitted on said Christmas tree and said Christmas tree shall be removed promptly upon the expiration of said permit.

**Section 2.** That this ordinance is hereby declared to be an emergency

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

Passed October 14, 1996.  
Effective October 22, 1996.

**COUNCIL COMMITTEE MEETINGS**

**Monday, October 21, 1996**

**Employment, Affirmative Action and Training Committee: 11:00 A.M.** — Present: Patmon, Chrm.; Jackson, Lewis, Melena. Excused: Smith, Vice Chrm., Polensek, Robinson.

**Finance Committee: 2:00 P.M.** — Present: Rokakis, Chrm., Westbrook, Vice Chrm., Johnson, Lewis, McGuirk, Patmon, Polensek, Rybka, Smith. Excused: Coats, Robinson.

**Tuesday, October 22, 1996**

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

**Wednesday, October 23, 1996**

**Public Safety Committee: 10:00 A.M.** — Present: Polensek, Chrm.; Willis, Vice Chrm., Jackson, Miller, O'Malley, Patmon, Patton, Paulenske, Zone.

**Public Utilities Committee: 1:30 P.M.** — Present: Patton, Chrm.; Polensek, Vice Chrm., Coats, Lewis, McGuirk, O'Malley, Patmon, Willis, Zone.

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Contract of labor and materials — to maintain and repair the air conditioning system (O 1600-96) .....	1991-1993
Contract of labor and materials necessary to haul and dispose of water plant (O 1936-96) .....	1980
Contract of labor and materials necessary to make emergency sewer repairs and installation (O 1607-96) .....	1991-1993
Contract of meals served to prisoners — Justice Center and various district jails (O 1939-96) .....	1981
Contract of various parts for use — pump stations (O 1606-96) .....	1991-1993
Declaration of official intent under U.S. Treasury regulations with respect to reimbursements from proceeds of tax-exempt (R 1945-96) .....	1986
Determining Method making public improvement — testing medium voltage switchgear at Kirtland, Fairmount and Garrett A. Morgan — pumping stations. (O 1300-96) .....	1991-1992
Determining method — improvement rehabilitating renovating — McCafferty Health Center — employ one or more firms of architects (O 1320-96) .....	<b>2007</b>
Employ one or more professional consultants to provide material testing (O 1605-96) .....	1991-1993
Enter into Enterprise Zone Agreement with Triad Partners Limited — ten year abatement for tangible real estate (O 1289-96) .....	1990-1992
Enter into and execute a Lease — northwest corner — Encore Manufacturing Corporation and Koch Showalter — not to exceed one year (O 1440-96) .....	<b>2008</b>
Enter into contract without competitive bidding — Pitney Bowes (O 1933-96) .....	1980

**Health Division**

Enter into contract — agencies for implementation — Housing Opportunities (O 1306-96) .....	<b>2007</b>
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**Home Weatherization Program**

Testing—radon gas—home weatherization program (O 2891-87) .....	<b>1992-T</b>
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**Law Department**

Supplement Codified Ordinances — enacting new section 605.031 — urinating in public (O 1447-96) .....	1992
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**Liquor Permits**

Broadway Avenue, 6557 — withdrawing objection — (R 1923-96) .....	1990
Broadway, 5474 — Transfer of ownership — Jehad Saa (F 1909-96) .....	1977
Brookpark Road, 16800 — objecting — transfer of ownership (R 1884-96) .....	<b>2004</b>
Denison Avenue, 6723 — objecting — stock transfer (R 1885-96) .....	<b>2004</b>
East 185th Street, 837 — Stock Application — O.M.Q., Inc. (F 1907-96) .....	1977
Euclid Avenue, 633 — Nature's Treats (F 1908-96) .....	1977
Fulton Road, 3548 — withdrawing objection — stock transfer (R 1921-96) .....	1989
Lakeshore Boulevard, 15610 — withdrawing objection — repealing Res. No. 1512-96 (R 1919-96) .....	1989
Lakeshore Boulevard, 15610 — withdrawing objection — transfer of ownership (R 1918-96) .....	1989
Lorain Road, 12207 — objecting (R 1888-96) .....	<b>2005</b>
Union Avenue, 10914 — Uno Food — Stock Application (F 1905-96) .....	1977
Union Avenue, 7527 — withdrawing objection (R 1924-96) .....	1990
Vincent Avenue, 711-15 — withdrawing objection — stock transfer (R 1886-96) .....	<b>2004</b>
Wade Park, 9300 — Haddi Liquor — New Application (F 1906-96) .....	1977



Waterloo Avenue, 15617 — withdrawing objection — transfer of location (R 1920-96) ..... 1989  
 Waterloo Avenue, 15721 — objecting — transfer of ownership (R 1917-96)..... 1988  
 West 23rd Street, 3893 — withdrawing objection — transfer of ownership  
 (R 1922-96) ..... 1989

**Oath of Office**

James Williams — Board of Building Standards — Building Appeals City of Cleveland  
 (F 1912-96) ..... 1977

**Parks, Recreation and Properties Department**

City to undertake a comprehensive facilities — utilization analysis — address the  
 present and future needs — several department and division (R 1935-96) ..... 1986  
 Determining method — improvement rehabilitating renovating — McCafferty Health Center  
 — employ one or more firms of architects (O 1320-96) ..... 2007  
 Determining the method of making public improvement — constructing, rehabilitating,  
 expanding — West Side Market parking lot (O 1284-96)..... 2006  
 Enter into and execute a Lease — northwest corner — Encore Manufacturing Corporation  
 and Koch Showalter — not to exceed one year (O 1440-96)..... 2008  
 Improving City Hall building — enter into contract for such improvement  
 (O 1282-96)..... 2006  
 Purchases and Supplies — sell City-owned property no longer needed (O 1469-96)..... 2009

**Permits**

Detroit Avenue, 4423 — objecting — transfer of ownership (R 1887-96)..... 2005  
 Permit — Mission Walk — October 27, 1996 (O 1882-96) ..... 2011  
 Permit — Triedstone Baptist Church — 3782 Community College Avenue — October 15, 1996  
 to November 15, 1996 (O 1880-96)..... 2010  
 Permits — Rock & Roll Hall of Fame — November 30, 1996 to January 4, 1997  
 (O 1883-96)..... 2011

**Port Control Department**

Contract of labor and materials — maintain and repair building automation computer  
 systems and associated (O 1601-96) ..... 1991-1993  
 Contract of labor and materials — to maintain and repair the air conditioning system  
 (O 1600-96) ..... 1991-1993  
 Declaration of official intent under U.S. Treasury regulations with respect to  
 reimbursements from proceeds of tax-exempt (R 1945-96)..... 1986

**Public Hearings**

Change the Use Area and Height Districts — north of Quincy Avenue (O 1047-96) ..... 1991-1993  
 Change the Use District — Grovewood Avenue — E. 167th Street and E. 172 Street  
 (O 1048-96) ..... 1991-1993  
 Change the use Area and Height Districts (O 1199-96) ..... 1991-1994  
 Change use district of land — Lake Shore blyd. between E. 169th Street and E. 174 Street  
 (O 1197-96) ..... 1991-1994  
 Change zoning lands on both sides of Waterloo Road N.E. between Shiloh Road — West of  
 E. 152 Street and between E. 160th Street (O 1198-96)..... 1991-1994

**Purchases/Contracts**

Amend Section 1 of Ordinance No. 869-94, passed June 6, 1994 — contracts — provide  
 social service programs (O 1461-94) ..... 1992-T

**Radon Gas**

Testing—radon gas—home weatherization program (O 2891-87)..... 1992-T

**Repealed Ordinances and Resolutions (Not Codified)**

Amend the title, Section 1,2,3, and 4 of Ordinance No. 607-95 passed June 5, 1995 relating  
 to a contract with LNH (O 1842-96) ..... 1992

**Safety Department**

Contract of meals served to prisoners — Justice Center and various district jails  
(O 1939-96)..... 1981

**Service Department**

Caterpillar and Gradall equipment parts (O 1928-96)..... 1978  
Determining the method rehabilitating and reconstructing Arlington Avenue and East 123rd  
Street (O 1471-96) ..... 2009  
Rehabilitating and Reconstructing Bessemer Avenue From East 65th Street to East 88th  
Street (O 1468-96) ..... 2009  
Rehabilitating and Reconstructing East 55th Street from Blanche Avenue — employ  
professional design engineering (O 1467-96)..... 2008

**Statement of Work Acceptance**

Charles V. Carr Municipal Center (F 1911-96) ..... 1977  
Contract No. 49412A — Edward J. Kovacic (F 1910-96) ..... 1977

**Utilities Department**

Contract labor and materials necessary to maintain and repair elevators (O 1934-96)..... 1980  
Contract not to exceed two portable TV inspection system (O 1603-96) ..... 1991-1993  
Contract of labor and materials necessary to make emergency sewer repairs and installation  
(O 1607-96) ..... 1991-1993  
Contract of labor and materials necessary to haul and dispose of water plant  
(O 1936-96)..... 1980  
Contract of various parts for use — pump stations (O 1606-96) ..... 1991-1993  
Determining Method making public improvement — testing medium voltage switchgear  
at Kirtland, Fairmount and Garrett A. Morgan — pumping stations. (O 1300-96) ..... 1991-1992  
Determining method public improvement replacing and installing transformers and  
appurtenances at the Kirtland Pumping Station (O 1458-96) ..... 1991-1993  
Employ one or more professional consultants to provide material testing (O 1605-96) ..... 1991-1993  
Enter into agreements — State of Ohio — Transportation for adjustment of existing  
waterline (O 1303-96) ..... 2007  
Enter into contract without competitive bidding — Pitney Bowes (O 1933-96)..... 1980  
Enter into contract without competitive bidding — Ohio Power Company — rental of one  
transformer (O 1914-96) ..... 1987

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