

The City Record

Official Publication of the City of Cleveland

April the Second, Nineteen Hundred and Ninety-Seven

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

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

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

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

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

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

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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, Daniel A. Novik, Acting Commissioner, Harvard Yards
Architecture - Kenneth Nobile, Commissioner, Room 517

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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CITY COUNCIL

MONDAY, MARCH 31, 1997

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

2:00 P.M.—**Finance Committee:** Westbrook, Chairman; Polensek, Vice Chairman; Britt, Coats, Johnson, Lewis, Patton, Paulenske, 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:** Willis, Chairman; Melena, Vice Chairman; Dolan, Johnson, Rybka, Sweeney, White.

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

March 26, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 26, 1997, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Acting Director Milton, Directors Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Absent: None.

Others: William Moon, Commissioner, Purchases and Supplies, Linda Walker, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 178-97.

By Director Carmody.
Whereas, pursuant to Ordinance No. 645-96, passed by the Cleveland City Council on May 20, 1996, this Board of Control, by its Resolution No. 41-97, adopted January 22, 1997 affirmed and approved Sabo Fastener and Supply ("Sabo") as the lowest and best bidder for an estimated quantity of certain items of fasteners, Sections 1, 4, 5 and 6, Sections 8 and 9, Sections 11 and 13, Sections 14, 15 and 16; and

Whereas, subsequent to the adoption of said Resolution No. 41-97, it was noted that the prices bid by Sabo for certain items of Sections 14, 15, and 16 were so substantially lower than those of the next lowest bidders that they could not reasonably be regarded as correct bids by Sabo or prices at which Sabo rea-

sonably could or would sell such items; and

Whereas, Bolts and Nuts, Inc. was the next lowest and best bidder for the items of fasteners identified in Sections 14, 15, and 16; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the affirmance and approval by this Board in Resolution No. 41-97 of Sabo Fastener and Supply as lowest and best bidder for the certain items of fasteners, Section 14, 15 and 16, as identified in said resolution, is hereby rescinded, and said resolution is hereby amended by the deleting all references therein to said items, and by changing total amount for the estimated quantities of fasteners to \$6,974.68.

Be it further resolved that all other provisions of said Resolution No. 41-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Be it further resolved that the bid of Bolts and Nuts, Inc. for an estimated quantity of fasteners, Section 14 (Items #325 thru #331), Section 15, and Section 16, for the various divisions of City Government, Department of Finance, received on December 4, 1996, pursuant to the authority of Ordinance No. 645-96, passed May 20, 1996, which on the basis of the estimated quantities would amount to \$45,026.05 is hereby affirmed and approved as the lowest and best, and the Director of Finance is hereby requested to enter into a requirement contract for such goods, which shall provide for the immediate purchase as the initial amount of such contract of the following:

REQUISITION NO. 00435

which shall be certified against such contract in the sum of Twenty Thousand Dollars and 00/100 Dollars (\$20,000.00).

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

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

Nays: None.

Absent: None.

Resolution No. 179-97.

By Director Carmody.
Resolved by the Board of Control of the City of Cleveland that all bids received on January 31, 1997 for Building Materials - items 22 and 23

for the Various Divisions of City Government, Department of Finance, pursuant to the authority of Ordinance No. 2205-96, passed by the Council of the City of Cleveland on January 13, 1997, be and the same are hereby rejected.

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

Resolution No. 180-97.

By Director Carmody.
Resolved, by the Board of Control of the City of Cleveland that the bid of Kurtz Bros., Inc., for an estimated quantity of Building Materials - items 14 and 16 for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 31st day of January, 1997, pursuant to the authority of Ordinance No. 2205-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Fifteen Thousand One Hundred Eighty Dollars and 00/100, (\$15,180.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 097298
which shall be certified against such contract in the sum of Eight Hundred Dollars and 00/100.

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

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

Resolution No. 181-97.

By Director Carmody.
Resolved, by the Board of Control of the City of Cleveland that the bid of Granger Trucking, Inc., for an estimated quantity of Building Materials - items 4 and 6 for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 31st day of January, 1997, pursuant to the authority of Ordinance No. 2205-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Three Hundred Eighteen Thousand Eight Hundred Dollars and 00/100, (\$318,800.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00479
which shall be certified against such contract in the sum of Fifteen Thousand Nine Hundred Forty Dollars and 00/100, (\$15,940.00).

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.

Be it further resolved, by the Board of Control of the City of Cleveland that the following sub-contractors to Granger Trucking, Inc. for the purchase of Building Materials on items 4, and 6, hereby is approved:

Delta Plumbing
dba Fox Construction
\$47,820 — 25% FBE

Arnold Trucking
\$79,700 — 15% MBE

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

Resolution No. 182-97.

By Director Carmody.
Resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Central Enterprises Corp., for an estimated quantity of Building Materials - items 2, 3, 5 and 13 for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 31st day of January, 1997, pursuant to the authority of Ordinance No. 2205-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Two Hundred Eight Thousand Three Hundred Sixty Dollars and 00/100, (\$208,360.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00478
which shall be certified against such contract in the sum of Ten Thousand Five Hundred Dollars and 00/100, (\$10,500.00).

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

Be it further resolved, by the Board of Control of the City of Cleveland that the following sub-contractors to Cleveland Central Enterprises Corp. for the purchase of Building Materials on items 2, 3, 5, and 13, hereby is approved:

Granger Trucking
\$41,672 — 20% MBE

Interstate Safety
\$33,337 — 16% FBE

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

Resolution No. 183-97.

By Director Carmody.
Resolved, by the Board of Control of the City of Cleveland that the bid of Cuyahoga Supply & Tool, Inc., for an estimated quantity of Building Materials - items 1, 7, 8, 11, 12, 15, 17, 18, 19, 20, 21 and 24 for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 31st day of January, 1997, pursuant to the authority of Ordinance No. 2205-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to One Hundred Twelve Thousand Two Hundred Forty-Seven Dollars and 00/100, (\$112,247.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00477
which shall be certified against such contract in the sum of Sixteen Thousand Dollars and 00/100, (\$16,000.00).

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

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

Resolution No. 184-97.

By Director Carmody.
Resolved, by the Board of Control of the City of Cleveland that the bid of Bostwick Braun Co. for an estimated quantity of Hand Tools and Hand Held Power Tools - (Item #1 Ames price list less 60.6%, Nupia price list less 35%) (Item #2 Milwaukee price list less 48% and Black & Decker list price less 45%) (Item #4 Ridgid list prices 10.2% thru 48%) (Item #6 list less 55.1%) (Item #8 Klein list price less 46.01% and Cip list price less 50.1%) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 31st day of January, 1997, pursuant to the authority of Ordinance No. 2209-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Seventy-Seven Thousand Dollars and 00/100, (\$77,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate

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

Requisition No. 00493 which shall be certified against such contract in the sum of Seven Thousand Dollars and 00/100, (\$7,000.00).

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

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

Resolution No. 185-97.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Royal Supply, Inc. for an estimated quantity of Hand Tools and Hand Held Power Tools - (Item #5 only discount offered 62% off list price) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 31st day of January, 1997, pursuant to the authority of Ordinance No. 2209-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Sixteen Thousand Dollars and 00/100, (\$16,000.00), (Net 30 Days), (1% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00494 which shall be certified against such contract in the sum of Three Thousand Dollars and 00/100, (\$3,000.00).

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

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

Resolution No. 186-97.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Woodhill Supply, Inc. for an estimated quantity of Hand Tools and Hand Held Power Tools - (Item #3 Klein Tools 47% off list price firm thru 6/30/97 with a 7% maximum on average price increase to 4/30/98) (Item #7 offered less 47% off list price) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the

31st day of January, 1997, pursuant to the authority of Ordinance No. 2209-96, passed January 13, 1997, which on the basis of the estimated quantity would amount to Twenty Seven Thousand Dollars and 00/100, (\$27,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 08586

which shall be certified against such contract in the sum of Two Thousand Dollars and 00/100, (\$2,000.00).

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

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

Resolution No. 187-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Julian Supply for the following: copper pipe (items 1 and 2) for the Division of Water, Department of Public Utilities, received on the 19th day of February, 1997, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of order quantity would amount to Thirty Thousand Two Hundred Forty Four Dollars (\$30,244.00), (0% 30 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, Acting Director Milton, Directors Carmody, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
Nays: None.
Absent: None.

Resolution No. 188-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Choice Construction Co., Inc., for the public improvement of Baldwin Filtration Plant - PHASE IV Landscaping & Site Improvements for all bid items 1-36 inclusive, including the 5% contingency line item, for the Division of Water, Department of Public Utilities, received on January 8, 1997, pursuant to the authority of Ordinance No. 877-90, passed June 11, 1990, upon a unit basis, for the improvement in the aggregate amount of Two hundred sixty-five thousand, four hundred eighty-three and 05/100 (\$265,483.05) 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 by the

Board of Control of the City of Cleveland that the employment of the following subcontractors for Choice Construction Co., Inc., on the public improvement contract for Baldwin Filtration Plant - PHASE IV Landscaping & Site Improvements hereby are approved:

SUBCONTRACTORS RESPONSIBILITY

Flasher Safety Co. Landscaping (MBE)

Thompson Ground Demolition & Trucking (MBE)

Barrow Sign Signage (FBE)

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

Resolution No. 189-97.

By Director Cunningham.

Whereas, pursuant to the authority of Ordinance No. 764-95, passed by the Cleveland City Council on June 12, 1995, and Resolution No. 576-95, adopted by the Board of Control of the City on August 21, 1996, the City of Cleveland entered into a contract with Eagle International Truck Sales, Inc. for the purchase of one dump truck with central hydraulic system and high speed reversible plow for a total amount of seventy-seven thousand seven hundred eighty-one and no/100 (\$77,781.00), Contract No. 50381; and

Whereas, Eagle International Truck Sales, Inc. and Wise International Trucks of Ohio, Inc. have, by their joint letter dated March 20, 1997, requested consent of the City to assignment of said Contract No. 50381 to Wise International Trucks of Ohio, Inc. and Wise International Trucks of Ohio, Inc. has stated its intention to undertake Eagle International Truck Sales, Inc. obligations under said contract; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the March 20, 1997, request of Eagle International Truck Sales, Inc. and Wise International Trucks of Ohio for consent of the City to the assignment of Contract No. 50381 for the purchase of one dump truck with central hydraulic system and high speed reversible plow is hereby granted.

Be it further resolved that the Director of Port Control is hereby authorized to execute all documents and do all things necessary and appropriate to effect such assignment.

A copy of the assignment shall be filed in the office of the Commissioner of Accounts.

Yeas: None.

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

Resolution No. 190-97.

By Director Cunningham.

Whereas, pursuant to Ordinance No. 929-96, passed by the Cleveland City Council on June 18, 1996, this Board of Control by its Resolution No. 122-97, adopted February 26, 1997, affirmed and approved Innerscope Technical Services, Inc. ("Innerscope") as the lowest responsible bidder for the public improvement of asbestos abatement of the speedwalk building at Cleveland Hopkins International Airport; and

Whereas, Innerscope has failed to fulfill the promises made in its bid to furnish a satisfactory performance bond and further demands an increase in the amount of the contract by fifty-five thousand dollars and no/100 (\$55,000.00) after notice of an award of contract; and

Whereas, Coleman Trucking, Inc. was the next lowest responsible bidder for said improvement; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that Innerscope which this Board affirmed and approved by Resolution No. 122-97, adopted February 26, 1997, as the lowest responsible bidder for the public improvement of asbestos abatement of the speedwalk building at Cleveland Hopkins International Airport is hereby declared to be in default of its bid promises as a result of which its bid bond shall be forfeited to the City as the agreed amount of liquidated damages.

Be it further resolved that in light of the default of Innerscope set forth above, the bid of Coleman Trucking, Inc. for the public improvement of asbestos abatement of the speedwalk building at Cleveland Hopkins International Airport Department of Port Control, received on February 6, 1997, pursuant to the authority of Ordinance No. 929-96, passed June 18, 1996 for the improvement in the aggregate amount of four hundred sixty thousand six hundred and no/100 (\$460,600.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into a contract for said improvement with said bidder.

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

Resolution No. 191-97.

By Director Cunningham.

Whereas, pursuant to the authority of Ordinance No. 764-95, passed by the Cleveland City Council on June 12, 1995, and Resolution No. 576-95, adopted by the Board of Control of the City on August 21, 1996, the City of Cleveland entered into a contract with Eagle International Truck Sales, Inc. for the purchase of one dump truck with central hydraulic system and high speed reversible plow for a total amount of seventy-seven thousand seven hundred eighty-one and no/100 (\$77,781.00), Contract No. 50381; and

Whereas, Eagle International Truck Sales, Inc. and Wise International Trucks of Ohio, Inc. have, by their joint letter dated March 20, 1997, requested consent of the City to assignment of said Contract No. 50381 to Wise International Trucks of Ohio, Inc. and Wise Sales, Inc.

obligations under said contract; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the January 22, 1997, request of Eagle International Truck Sales, Inc. and Wise International Trucks of Ohio for consent of the City to the assignment of Contract No. 50381 for the purchase of one dump truck with central hydraulic system and high speed reversible plow is hereby granted.

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

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

Resolution No. 192-97.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that the bid of Hutchinson Equipment Sales, Inc. for the following: one tar kettle for the Division of Burke Lakefront Airport, Department of Port Control, received on the 11th day of October, 1996, pursuant to the authority of Ordinance No. 764-95, passed June 12, 1995, which on the basis of order quantity would amount to \$25,454.00, (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into contract for such items.

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

Resolution No. 193-97.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that all bids received on October 4, 1996 for one 4x4 medium duty passenger vehicle for the Division of Burke Lakefront Airport, Department of Port Control, pursuant to the authority of Ordinance No. 956-92, passed by the Council of the City of Cleveland on June 8, 1992, be and the same are hereby rejected.

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

Resolution No. 194-97.

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Co. (FBE) for an estimated quantity of upgrading electric meter equipment (Item Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13) for the Various Divisions of the Department of Port Control, for the period beginning with execution of contract and ending one year later received on the 29th day of January, 1997, pursuant to the authority of Ordinance No. 875-96, passed June 10, 1996, which on the

basis of the estimated quantity would amount to eighty-seven thousand ninety-nine and no/100 (\$87,099.00) Dollars, is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 098802 which shall be certified against such contract in the sum of seventeen thousand five hundred and no/100 (\$17,500.00) Dollars.

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

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

Resolution No. 195-97.

By Director Guzman.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of S.E. Johnson Companies, Inc., P.O. Box 29A, Maumee, Ohio 43537 for the public improvement of East 9th Street (Bridge over Conrail and Waterfront Pier Construction) - phase II For the Division of Engineering and Construction, Department of Public Service received on January 30, 1997, pursuant to the authority of Ordinance No. 1092-94 and 1466-94 passed June 13 and November 21, 1994, - upon a unit basis - for the improvement in the aggregate amount of Two million nine hundred eighty eight thousand eight hundred ninety and 37/100 (\$2,988,890.37) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Service is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors of S.E. Johnson Companies, Inc. for the aforementioned public improvement hereby are approved:

SUBCONTRACTORS

U.S. Utility Contractor Co., Inc.
1235 Marquette Street, Suite B
Cleveland, Ohio 44114
(\$170,179.02)
FBE 5.69%

Steward Supply &
Construction Co., Inc.
623 S. Green Road
South Euclid, Ohio 44121
(\$589,983.00)
MBE 19.73%

Dean Contracting, Inc.
1111 Fairfield Avenue
Cleveland, Ohio 44113
(\$36,200.00)
FBE 1.21%

Short Steel Erection, Inc.
1046 Bellows Street
Akron, Ohio 44311
(\$15,360.00)
MBE 0.51%

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

Resolution No. 196-97.

By Director Denihan.
Resolved, by the Board of Control of the City of Cleveland that the bid of Tom Paige Catering Co. for an estimated quantity of Meals for the Prisoners, All Items, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on March 13, 1997, pursuant to the authority of Ordinance No. 1939-96, passed December 2, 1996, which on the basis of the estimated quantity would amount to five hundred fourteen thousand, eight hundred eleven and 64/100 Dollars (\$514,811.64) (2% 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. 82235

Prisoner meals for one month, as specified which shall be certified against such contract in the sum of Forty thousand and no/100 Dollars (\$40,000.00).

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

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

Resolution No. 197-97.

By Director Spellman.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of Brilliant Electric Sign Co., Ltd., for the public improvement of Rockefeller Park Signage - PHASE II Sign Improvements for all base bid items 1-14 inclusive, including the 2% contingency line item, and including Add Alternate bid items 1-5, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, received on November 6, 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 One hundred - six thousand, two hundred eighty and 03/100 (\$106,280.03) 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.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for Brilliant Electric Sign Co., Ltd., on the public improve-

ment contract for Rockefeller Park Signage - PHASE II Sign Improvements hereby are approved:

SUBCONTRACTORS RESPONSIBILITY

Kushatea & Sons	Demolition & Installation (MBE)
Barrow Sign	Construction Signage & Manufacturing & Installation of Vinyl Letters (FBE)

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

Resolution No. 198-97.

By Director Spellman.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Becker Arena Products, Inc., for the public improvement of Dasher Board Installation at the Luke Easter Recreation Center, for the Division of Recreation, Department of Parks, Recreation and Properties, received on February 28, 1997, pursuant to the authority of Ordinance No. 1455-94, passed November 21, 1994, for a gross price for the improvement in the aggregate amount of Forty-Four Thousand Nine Hundred Twenty and No/100 Dollars (\$44,920.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

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

Resolution No. 199-97.

By Director Hamilton.
Be it resolved, by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 2458-92, passed by the Council of the City of Cleveland on January 25, 1993, Progress Software Corporation, is hereby selected from a list of firms determined, after a full and complete canvass by the Director of Community Development, as the firm to be employed by contract to provide professional services necessary to provide the required software and perform the required training for the implementation of the ACES system for the Department of Community Development.

Be it further resolved that the Director of Community Development hereby is requested to enter into a contract with Progress Software Corporation, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services upon execution of a contract for an aggregate fee not in excess of \$39,318.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

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

Resolution No. 200-97.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 125-02-108 located at 2955 East 57th Street in Ward 12; 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, David A. and Elmer J. Imka, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 has consented to the proposed sale;
2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;
3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with David A. and Elmer J. Imka for the sale and development of Permanent Parcel No. 125-02-108 located at 2955 East 57th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

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

Resolution No. 201-97.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 118-33-096 located at 7310 Montgomery Avenue in Ward 5; 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, Jimmy L. and Gennie E. Wallace, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Jimmy L. and Gennie E. Wallace for the sale and development of Permanent Parcel No. 118-33-096 located at 7310 Montgomery Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

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

Nays: None.

Absent: Mayor White.

Resolution No. 202-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 131-20-021 located at 3462 East 50th Street in Ward 12; 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, Howard and Nancy Valderin, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 has consented to the proposed sale;

2. The parcel is either less than

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Howard and Nancy Valderin for the sale and development of Permanent Parcel No. 131-20-021 located at 3462 East 50th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

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

Nays: None.

Absent: Mayor White.

Resolution No. 203-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 125-24-043 located at 5604 Drake Avenue in Ward 12; and

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

Whereas, Arthur J. Jarem, 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 12 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Arthur J. Jarem for the sale and development of Permanent Parcel No. 125-24-043 located at 5604 Drake Avenue, in accordance with the Land Reutilization Program in such manner as

best carries out the intent of said Program.

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

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

Nays: None.

Absent: Mayor White.

Resolution No. 204-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 119-29-149 located at 2246 East 84th 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, Edwin, Kenneth, John, Owin, Turner Malone and Ellen Mathews, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 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 are neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Edwin, Kenneth, John, Owin, Turner Malone and Ellen Mathews for the sale and development of Permanent Parcel No. 119-29-149 located at 2246 East 84th Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

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

Nays: None.

Absent: Mayor White.

Resolution No. 205-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 141-08-008 located at 16101 South Lotus Drive in Ward 1; and

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

Whereas, Pamela A. Vanhooose, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Pamela A. Vanhooose for the sale and development of Permanent Parcel No. 141-08-008 located at 16101 South Lotus Drive, 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 \$400.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

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

Nays: None.

Absent: Mayor White.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final

closing date slated in the examination announcement.

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 14, 1997

9:30 A.M.

Calendar No. 97-46: 9503 Denison Ave., S.W.

AmeriCall, Inc., c/o Jerry Burger, appeals, under authority of Section 76-6 of the Charter, from the Order of Removal issued by William M. Denihan, Director, Department of Public Safety, on March 4, 1997, relating to the public pay telephone located on the premises known as 9503 Denison Ave.

Calendar No. 97-47: 750 Prospect Ave., S.E.

Jerome H. Schmelzer, Trustee, owner, to convert to 42 dwelling units the 2nd through 8th floors of the 70' x 111' 8 story retail and office building located in an E-General Retail District on a 70' x 100' (av.) through parcel at 750 Prospect Ave. and extending through to Huron Rd.; the gross floor area of said dwelling units to be 56,195 square feet contrary to the 37,453.5 square feet maximum of Sections 355.04 and 357.03 and the rear yard to be 0' instead of the 30' required by Sections 357.03 and 357.08 and the interior sideyards being 0' instead of the 22.5' each required by Sections 357.03 and 357.09 of the Codified Ordinances.

Calendar No. 97-48: 3384 W. 90 St.

Christina Miller, owner, to erect a 24' x 8' one story addition, by enclosing the existing front porch, to the front of the 24' x 24' frame two story one family dwelling house on a 35' x 93' lot located in a A-One Family District at 3384 W. 90 St.; said addition to be contrary to the setback encroachment provisions of Section 357.13 of the Codified Ordinances.

Calendar No. 97-49: 530 Euclid Ave.

Sion Khaimov, appeals, under authority of Section 76-6 of the Charter, from the refusal to issue a Second Hand Dealer License for the premises at 530 Euclid Ave. by John A. Hunt, Commissioner of Assessments and Licenses, upon recommendation of William Denihan, Director, Department of Public Safety (Division of Police).

Calendar No. 97-50: 17400 Glenshire Ave. S.W.

Angelo A. Polzella, Jr., owner, to erect approximately 74' of 5' high board-on-board wood fence to partially enclose the 40' x 115' corner

lot located in a One Family District on the northwest corner of Glenshire Ave. and W. 174 St. and occupied by a one and one-half story frame one family dwelling house known as 17400 Glenshire Ave.; portions of said proposed fence to be located within the 4' side street setback and therefore contrary to the height and encroachment provisions of Section 357.13 of the Codified Ordinances.

Calendar No. 97-52: 5712 Harvard Ave., S.E.

Kim McDermott, owner, and Ray McDermott, tenant, to erect a 45' x 35' one story plumbing contractor's storage garage on the rear of the 45' x 146' (av.) irregular shaped lot located in a General Retail District with a two story frame store and suite building on the front known as 5712 Harvard Ave.; said use as a storage garage being contrary to the retail use limitations of Section 343.11 and there being no accessory off-street parking on the lot contrary to the provisions of Section 349.03 and 349.04 and said lot not to conform to the landscaping provisions of Section 352.11 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 31, 1997

At the Meeting of the Board of Zoning Appeals, on Monday, March 24, 1997, the following appeals were heard by the Board, and decided on Monday, March 31, 1997.

The following appeal was **Granted**:

Calendar No. 97-33: 4395 Rocky River Drive, S.W.

Bishop Anthony Pilla, owner, c/o St. Patrick's Church West Park, c/o Joyce Needham, to convert to a "community center".

The following appeal was **Withdrawn**:

Calendar No. 97-5: 601 Erieside Avenue, N.E.

The following appeal was postponed to April 14, 1997

Calendar No. 97-36: 11414 Kinsman Road, S.E

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

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

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

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

PUBLIC NOTICE**LOT CLEANING AND
MAINTENANCE PROGRAM 1997**

Under the City's 1997 Lot Cleaning and Operation Clean Sweep Program, the City will bill each lot that they clean on a square foot basis.

The following is the City's rate schedule for 1997:

SQUARE FOOT CHARGES:	SQUARE- FOOT RATE
TYPE OF SERVICE:	
LABOR CHARGES:	\$0.02
EQUIPMENT CHARGES:	\$0.01
MATERIALS	\$0.01
TOTAL EQUIPMENT, LABOR AND MATERIALS CHARGES	\$0.04

CITY OF CLEVELAND
Martin Carmody,
Director of Finance

NOTICE OF PUBLIC HEARING**Notice of Public Hearing
By the Civil Service Commission**

**Room 514, City Hall
Cleveland, Ohio
On Monday, April 21, 1997
1:00 p.m.**

Notice is hereby given to all interested parties that the Civil Service Commission will hold a public hearing in Room 514, City Hall, Cleveland, Ohio, on Monday, April 21, 1997, at 1:00 p.m., to consider a modification of Civil Service Rule 4.30:

4.30-F Psychological and/or Psychiatric Examination.

Where included, the psychological and/or psychiatric examination shall be administered by the psychologist and/or psychiatrist examiner designated by the Commission, only to those applicants receiving passing grades on the composite of the other required parts of the examination. Applicants found unsuitable by the psychologist or psychiatrist examiner may, within (10) working days following the placement of notification of such finding in the United States Mail, request a hearing before the Commission which makes the final determination.

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

Freddie J. Fenderson,
President
Civil Service Commission

March 19 and March 26 and April 2
and April 9 and April 16, 1997

CITY OF CLEVELAND BIDS**For All Departments**

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 12S, City Hall, in accordance with the appended schedule, and will be opened and read in Room 12S, 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, APRIL 16, 1997

13.8 kV Distribution Transformers, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

E-7 Scada Master Upgrade, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

A Computer Network System, Including All Hardware, Software Installation and Maintenance, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1508-92, passed by the Council of the City of Cleveland, August 19, 1992.

A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, APRIL 2, 1997, 2:00 P.M. AT THE HARVARD WAREHOUSE, 4600 HARVARD AVE.

Personal Computers, Various Peripherals and Software, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 143-95, passed by the Council of the City of Cleveland, March 25, 1995.

March 26 and April 2, 1997

FRIDAY, APRIL 18, 1997

Galion Equipment Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2027-96, passed by the Council of the City of Cleveland, December 16, 1996.

Security Services and Security Guards, for the Division of Health, Department of Public Health, as authorized by Ordinance No. 2163-94, passed by the Council of the City of Cleveland, March 6, 1995.

Building Ventilation Equipment, for the Division of Property, Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1028-93, passed by the Council of the City of Cleveland, June 7, 1993.

March 26 and April 2, 1997

THURSDAY, APRIL 17, 1997

Teletype Devices for the Deaf, for the Division of Information Systems Services, Department of Finance, as authorized by Ordinance No. 198-94, passed by the Council of the City of Cleveland, March 14, 1994.

April 2 and April 9, 1997

WEDNESDAY, APRIL 23, 1997

High Voltage Cable, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

Large Water Meters, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

Small Water Meters, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, September 21, 1992.

Pipe Repair Clamps, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

April 2 and April 9, 1997

FRIDAY, APRIL 25, 1997

Plumbing Supplies, for the Various Divisions of City Government, Department of Finance.

April 2 and April 9, 1997

THURSDAY, MAY 1, 1997

Interior Renovation at the Third District Police Station Building (17-90 D), for the Department of Public Safety, as authorized by Ordinance Nos. 1278-92 and 2053-91, passed by the Council of the City of Cleveland, July 22, 1992 and February 24, 1992, respectively.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED

FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON MONDAY, APRIL 14, 1997, 9:00 A.M. AT THE THIRD DISTRICT POLICE STATION BUILDING, 2001 PAYNE AVENUE, SECOND FLOOR OLD COURTROOM.

New Furniture for the Third District Police Station, for the Department of Public Safety, as authorized by Ordinance Nos. 1278-92 and 2053-91, passed by the Council of the City of Cleveland, July 22, 1992 and February 24, 1992, respectively.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON TUESDAY, APRIL 15, 1997, 9:00 A.M. IN THE DIVISION OF ARCHITECTURE ROOM 517, 601 LAKESIDE AVENUE.

April 2, April 9, April 16 and April 23, 1997

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 444-97.

By Councilman Johnson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 12601 Abell.

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. 4618586, Khaders Market, Inc., dba Marys Food Market, 12601 Abell, Cleveland, Ohio 44120; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 4618586, Khaders Market, Inc., dba Marys Food Market, 12601 Abell, Cleveland, Ohio 44120, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 24, 1997.

Effective March 31, 1997.

Res. No. 445-97.

By Councilman Robinson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 11728-30 Union Avenue.

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. 0805723, Boleviere Variety, Inc., dba Bolleviere Variety Store, 11728-30 Union Avenue, Cleveland, Ohio 44105; 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. 0805723, Boleviere Variety, Inc., dba Bolleviere Variety Store, 11728-30 Union Avenue, Cleveland, Ohio 44105, 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 March 24, 1997.

Effective March 31, 1997.

Res. No. 446-97.

By Councilman Moran.

An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 6125 Denison Avenue and repealing Res. No. 1518-96 as amended by Res. No. 1641-96 objecting to said renewal.

Whereas, this Council objected to the renewal of a Liquor Permit to 6125 Denison Avenue by Res. No. 1541-96, adopted August 14, 1996 as amended by Res. No. 1641-96 adopted September 9, 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 6125 Denison Avenue be and the same is hereby withdrawn and Res. No. 1541-96 and Res. No. 1641-96, 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.

Adopted March 24, 1997.

Effective March 31, 1997.

Res. No. 447-97.
By Councilman Melena.
An emergency resolution objecting to the transfer of ownership of a D1, D2 and D3 Liquor Permit to 3135 West 63rd Street, 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 and D3 Liquor Permit from Permit No. 11716440005, C & D Tavern, Inc. dba Stock Inn, 3135 West 63rd Street, first floor and basement, Cleveland, Ohio 44102, to Permit No. 5941054, Mike Ferek Corp., 3135 West 63rd Street, first floor and basement, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2 and D3 Liquor Permit from Permit No. 11716440005, C & D Tavern, Inc. dba Stock Inn, 3135 West 63rd Street, first floor and basement, Cleveland, Ohio 44102, to Permit No. 5941054, Mike Ferek Corp., 3135 West 63rd Street, first floor and basement, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

Adopted March 24, 1997.
 Effective March 31, 1997.

Res. No. 448-97.
By Councilman Rybka.
An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 3996 E 71st Street and repealing Res. No 135-97 objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 3996 E. 71st Street by Res. No. 135-97, adopted January 27, 1997; and

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

Whereas, this resolution constitutes an emergency measure 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 issuance of a C1 Liquor Permit to 3996 E. 71st Street be and the same is hereby withdrawn and Res. No. 135-97, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

Adopted March 24, 1997.
 Effective March 31, 1997.

Res. No. 449-97.
By Councilman Willis.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 1377 East 105th Street.

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. 0152406, Amal Supermarket, Inc., 1377 East 105th Street, Cleveland, Ohio 44106; and

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

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

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

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

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it

substantially interferes with public decency, sobriety, peace or good order; and

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 0152406, Amal Supermarket, Inc., 1377 East 105th Street, Cleveland, Ohio 44106, 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 March 24, 1997.
 Effective March 31, 1997.

Res. No. 450-97.
By Councilman Melena.
An emergency resolution authorizing and directing the Director of Public Service to issue a permit to Our Lady of Mt. Carmel Church to stretch small flags on various light poles on Detroit Ave., between W. 58th St. and W. 75th St., and a banner on Detroit Ave. in front of the church for the period from July 1, 1997 to July 21, 1997, inclusive, publicizing its Annual Festival.

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 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 Our Lady of Mt. Carmel Church to install, maintain and remove small flags on various light poles on Detroit Ave., between W. 58th St. and W. 75th St., and a banner on Detroit Ave. in front of the church for the period from July 1, 1997 to July 21, 1997, inclusive. Said small flags 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 small flags will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said small flags and said small flags shall be removed promptly upon the expiration of said permit.

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 March 24, 1997.

Effective March 31, 1997.

Ord. No. 877-96.

By Councilman Paulenske.

An ordinance to change the Use, Area and Height Districts of lands on the northerly side of Lakeside Avenue, N.E. to the Shoreway between E. 13 Street and E. 23 Street. (Map Change No. 1934, Sheet Nos. 1, 4 & 5)

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

Section 1. To change the Use, Area, and Height Districts of lands bounded and described as follows:

Beginning at the intersection of the northwesterly extension of the center line of East 13 Street and the center line of the Cleveland Memorial Shoreway; thence northeasterly along said center line of said Cleveland Memorial Shoreway to its intersection with the center line of the ramp leading from the South Marginal Road to the Cleveland Memorial Shoreway; thence southeasterly along said center line of said ramp leading from the South Marginal Road to said Cleveland Memorial Shoreway to its intersection with the center line of the South Marginal Road; thence southwesterly along said center line of said South Marginal Road to its intersection with the northwesterly extension of the center line of East 18 Street; thence southeasterly along said northwesterly extension of said center line of East 18 Street to the center line of the Pennsylvania Railroad tracks; thence southwesterly along said center line of said Pennsylvania Railroad tracks to the northwesterly extension of said center line of East 13 Street; thence northwesterly along said northwesterly extension of said center line of East 13 Street to the place of beginning.

and as outlined in red on the map hereto attached, be and the same are hereby changed to a Semi Industry Use District, a 'C' Area District, and a '1' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1934, Sheets Nos. 1, 4 and 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That the Use and Area Districts of lands bounded as described as follows:

Beginning at the intersection of the center line of East 13 Street and

the center line of the Pennsylvania Railroad tracks; thence northeasterly along said center line of said Pennsylvania Railroad tracks to its intersection with the northwesterly extension of said center line of East 18 Street; thence southeasterly along said northwesterly extension of said center line of East 18 Street to the center line of Davenport Avenue, N.E.; thence southwesterly along said center line of Davenport Avenue, N.E. to the center line of East 13 Street; thence northwesterly along said center line of East 13 Street to the place of beginning, and as outlined in green on the map hereto attached, be and the same are hereby changed to a Multi Family Use District and a 'C' Area District.

Section 4. That said changed designation of lands described in Section 3 shall be identified as Map Change No. 1934, Sheets Nos. 1, 4, and 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 5. That the Use, Area, and Height Districts of lands bounded and described as follows:

Beginning at the intersection of said northwesterly extension of said center line of East 18 Street and the center line of the Pennsylvania Railroad tracks; thence northeasterly along said center line of said Pennsylvania Railroad tracks to the center line of East 22 Street; thence southeasterly along said center line of East 22 Street to the center line of Davenport Avenue, N.E.; thence southwesterly along said center line of Davenport Avenue, N.E. to the center line of East 16 Street; thence southeasterly along said center line of East 16 Street to the center line of Lakeside Avenue, N.E.; thence southwesterly along said center line of Lakeside Avenue, N.E. to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 50 in the H.H. Dodge D.B. Allotment as recorded Volume 20V, Page 217 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 50 and continuing northwesterly along the southwesterly line of Sublot No. 61 in said H.H. Dodge D.B. Allotment and along its northwesterly extension to the center line of Davenport Avenue, N.E.; thence northeasterly along said center line of Davenport Avenue, N.E. to its intersection with said northwesterly extension of said center line of East 18 Street; thence northwesterly along said northwesterly extension to the place of beginning,

and as outlined in yellow on the map hereto attached, be and the same are hereby changed to a General Retail Use District, a 'C' Area District, and a '2' Height District.

Section 6. That said changed designation of lands described in Section 5 shall be identified as Map Change No. 1934, Sheets Nos. 1, 4, and 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2026-96.

By Councilmen Coats and Rokakis (by departmental request).

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21065)

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 2121-96.

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 6904-02 (S/L 42 and 6820 (S/L 43) Wade Park Avenue to Hough Area Partners In Progress.

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. 106-09-003/004, as more fully described in Section 2 below, to Hough Area Partners In Progress.

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. 106-09-003/004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly part of Sublot Nos. 42 and 43 in Talbot's Allotment of part of Original 100 Acre Lot No. 341, as shown by the recorded plat in Volume 5 of Maps, Page 36 of Cuyahoga County Records, and together being 80 feet front (80.02 measured) on the Southerly side of Wade Park Avenue, and extending back 131.227 feet (131.19 calculated) on the Easterly line, 130.83 feet (130.78 calculated) on the Westerly line and having a rear line of 80 feet (79.96 measured) along the Northerly side of Pennsylvania Avenue N.E., 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, but the amount established by the Board of Control shall not exceed one hundred dollars (\$100.00).

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

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

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 2216-96.

By Councilman Jackson.

An ordinance to change the Use and Height Districts of lands from the south side of Harris Avenue, S.E. to the north side of Union Avenue, S.E. between E. 88 Street and west of E. 93 Street. (Map Change No. 1925, Sheets Nos 5 & 6)

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

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

Beginning at the intersection of the center line of East 88 Street and the center line of Harris Avenue, S.E.; thence easterly along said center line of Harris Avenue, S.E. to its intersection with the northerly extension of the easterly line of Sublot No. 92 in the W.J. Crawford and J. Parmelle Re-Subdivision as recorded in Volume 15, Page 26 of the Cuyahoga County Map Records; thence southerly along said northerly extension and along said easterly line of said Sublot No. 92 and continuing southerly along the easterly line of Sublot No. 53 in said W. J. Crawford and J. Parmelle Re-Subdivision and along its southerly extension to the center line of Marshall Avenue, S.E.; thence westerly along said center line of Marshall Avenue, S.E. to the center line of East 89 Street; thence southerly along said center line of East 89 Street to its intersection with a line located one hundred five (105) feet south of the southerly line of Easton Avenue, S.E.; thence easterly along said line which is parallel to and one hundred five (105) feet south of said southerly line of Easton Avenue, S.E. to its intersection with the easterly line of Sublot No. 19 in the James Patton Allotment as recorded in Volume 5, Page 59 of the Cuyahoga County Map Records; thence southerly along said easterly line of said Sublot No. 19 and along its southerly extension to the center line of Bessemer Avenue, S.E.; thence easterly along said center line of Bessemer Avenue, S.E. to its intersection with the southerly extension of the westerly line of Sublot No. 24 in said James Patton Allotment, thence northerly along said southerly extension and along westerly line of said Sublot No. 24 to its intersection with said line located one hundred five (105) feet south of said southerly line of Easton Avenue, S.E.; thence easterly along said line which is parallel to and one hundred five (105) feet south of said southerly line of Easton Avenue, S.E. to its intersection with the easterly line of Sublot No. 33 in said James Patton Allotment; thence southerly along said easterly line of said Sublot No. 33 and along its southerly extension to the center line of Bessemer Avenue, S.E.; thence westerly along said center line of Bessemer Avenue, S.E. to its intersection with the northerly extension of the easterly line of Sublot No. 44 in said James Patton Allotment; thence southerly along said northerly extension and along said easterly line of said Sublot No. 44 to its intersection with the

southerly line thereof; thence westerly along said southerly line of said Sublot No. 44 to its intersection with the easterly line of Sublot No. 40 in the T.E. Burton Allotment as recorded in Volume 12, Page 1 of the Cuyahoga County Map Records; thence southerly along said easterly line of said Sublot No. 40 and along its southerly extension to its intersection with the easterly line of Sublot No. 33 in said T.E. Burton Allotment; thence southerly along said easterly line of said Sublot No. 33 to its intersection with a line located one hundred twenty one (121) feet south of the southerly line of Laisy Avenue, S.E.; thence easterly along said line which is parallel to and one hundred twenty one (121) feet south of said southerly line of Laisy Avenue, S.E. to its intersection with a line located one hundred (100) feet west of the westerly line of East 93 Street; thence southerly along said line which is parallel to and one hundred (100) feet west of said westerly line of East 93 Street to its intersection with the northerly line of Sublot No. 20 in the Sherban H. Wightman Allotment as recorded in Volume 3, Page 41 of the Cuyahoga County Map Records; thence westerly along said northerly line of said Sublot No. 20 and continuing westerly along the northerly lines of Sublots Nos. 19, 18, 17 and 16 in said Sherban H. Wightman Allotment to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 16 and along its southerly extension to the center line of St. Catherine Avenue, S.E.; thence easterly along said center line of St. Catherine Avenue, S.E. to its intersection with the northerly extension of a line located one hundred forty (140) feet west of said westerly line of East 93 Street; thence southerly along said northerly extension and along said line which is parallel to and one hundred (140) feet west of said westerly line of East 93 Street to its intersection with a line located one hundred fifty (150) feet south of the southerly line of St. Catherine Avenue, S.E.; thence westerly along said line which is parallel to and one hundred fifty (150) feet south of said southerly line of St. Catherine Avenue, S.E. to its intersection with the easterly line of Sublot No. 22 in said Sherban H. Wightman Allotment; thence southerly along said easterly line of said Sublot No. 22 to its intersection with a line located one hundred seventy nine and eighty eight hundredths (179.88) feet north of the northerly line of Union Avenue, S.E.; thence westerly along said line which is parallel to and one hundred seventy nine and eighty eight hundredths (179.88) feet north of said northerly line of Union Avenue, S.E. to its intersection with the westerly line of Sublot No. 1 in said Sherban H. Wightman Allotment; thence southerly along said westerly line of said Sublot No. 1 to its intersection with a line located approximately ninety nine and eight tenths (99.8) feet north of the northerly line of Union Avenue, S.E.; thence westerly along said line which is parallel to and approximately ninety nine and eight tenths (99.8) feet north of said northerly line of Union Avenue, S.E. and along its westerly extension to the center line of East 88 Street; thence northwesterly and northeasterly along said center line of East 88 Street to the place of beginning, and as out-

lined in red on the map hereto attached, be and the same are hereby changed to a Two Family Use District and a 'I' Height District and as outlined in red on the map hereto attached, be and the same are hereby changed to a Two Family Use District and a 'I' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1925, Sheets Nos. 5 & 6 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.

Passed March 24, 1997.
Effective May 3, 1997.

Ord. No. 17-97.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to rehabilitate snow removal trucks and to rehabilitate or replace salt inserts, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to rehabilitate snow removal trucks and labor and materials necessary to rehabilitate or replace salt inserts in the estimated sum of \$250,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21070)

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

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 117-97.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair motorcycles, for the Division of Police, Department of Public Safety, for a period not to exceed two years.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20108)

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 118-97.

By Councilmen Polensek and Rokakis (by departmental request).

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

Whereas, this ordinance consti-

tutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20106)

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 119-97.

By Councilmen Polensek and Rokakis (by departmental request).

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

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of various supplies for the care and feeding of horses in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20107)

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 125-97.

By Councilman Polensek.

An ordinance to change the Use District of lands on the west side of East 156 Street between Lakeshore Boulevard and Glencoe Road, N.E. (Map Change No. 1932, 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 center line of Lakeshore Boulevard, N.E. and the center line of East 156 Street; thence southerly along said center line of East 156 Street to the center line of Glencoe Road, N.E.; thence westerly along said center line of Glencoe Road, N.E. to its intersection with the southerly extension of a line located one hundred ten (110) feet west of the westerly line of East 156 Street; thence northerly along said southerly extension and along said line which is parallel to and one hundred ten (110) feet west of said westerly line of East 156 Street to its intersection with a line located one hundred eighty (180) feet south of the point of intersection of the northwesterly line of Lakeshore Boulevard, N.E. and the westerly line of East 156 Street; thence westerly along said line which is one hundred eighty (180) feet south of said point of intersection of said northwesterly line of Lakeshore Boulevard, N.E. and said westerly line of East 156 Street to its intersection with a line located one hundred twenty seven (127) feet west of said westerly line of East 156 Street; thence northerly along said line which is parallel to and one hundred twenty seven (127) feet west of said westerly line of East 156 Street for a distance of ninety five (95) feet; thence northwesterly from this point to said center line of Lakeshore Boulevard, N.E.; thence northeasterly along said center line of Lakeshore Boulevard, N.E. to the place of beginning,

and as outlined in red on the map hereto attached, be and the same is hereby changed to a Local Retail Use District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1932, 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.

Passed March 24, 1997.

Effective May 3, 1997.

Ord. No. 161-97.

By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Mayor to apply for, and the Director of Community Development to accept, a XXIII year grant pursuant to Title I of the Housing and Community Development Act of 1974; and authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the Federal HOME Grant Program, the 1997 Emergency Shelter Program, and the Housing Opportunities for Persons with AIDS Program.

Whereas, pursuant to Title I of the Housing and Community Development Act of 1974 (hereinafter referred to as the "Act"), the City of Cleveland may apply for and be granted approximately Thirty One Million Five Hundred Ninety Thousand Dollars (\$31,590,000.00) from the United States Department of Housing and Urban Development (hereinafter referred to as "HUD"); and

Whereas, under the Act, the City of Cleveland is defined as the entitlement City; and

Whereas, in accordance with Section 104(a) of the Act, the City of Cleveland has held public hearings to inform the public concerning the nature of the Act to obtain the public's views on Community Development and housing needs; and

Whereas, the application requires that the Mayor and the Director of Law sign certain assurances that the City will comply with the Civil Rights Act of 1964 and 1968 and Executive Order 11063 on Equal Opportunity Housing, as well as assurances set forth in the Housing Act of 1974; and

Whereas, under the Act, the Chief Executive Officer assumes the stature of the responsible Federal official under the National Environmental Policy Act of 1969 for projects to be carried out pursuant to the application and grant; and

Whereas, the Community Development Plan and Program as set forth in the application gives maximum feasible priority to activities which benefit low and moderate income families to aid in the prevention or elimination of slum and blight; and

Whereas, the City of Cleveland may also apply for and accept approximately Eight Million Three Hundred Thirty-Six Thousand Dollars (\$8,336,000.00) from the United States Department of HUD to implement the Federal Home Grant Program, the Emergency Shelter Grant

Program and the Housing Opportunities for Persons with AIDS Program; and

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

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

Section 1. That the Mayor is hereby authorized to submit an application to HUD on behalf of the City of Cleveland for a XXIII year grant under Title I of the Housing and Community Development Act of 1974, as amended, for the fullest extent of funding allowed and determined under said Act. That the Mayor is hereby authorized to act as the authorized representative of the City of Cleveland for purposes of said Act, and to provide such further information as may be necessary to obtain a grant under the Act.

Section 2. That the application, Community Development Plan and Program as set forth in File No. 161-97-A, with the adjustments to the line items as reflected in the document title Community Development Block Grant, Year XXIII Submission Projected Use of Funds (Revised 3-11-97), a copy of which is also in said file is hereby approved.

Section 3. That the Director of Community Development is hereby authorized to accept the XXIII year grant, pursuant to Title I of the Housing and Community Act of 1974.

Section 4. That the Mayor, the Directors of Community Development and Law and such other officers of the City of Cleveland as may be necessary, are hereby authorized to execute such assurances and certifications as may be required under the Community Development Block Grant Rules and Regulations.

Section 5. That the Director of Community Development is hereby authorized to apply for and accept a grant in the amount of \$6,898,000 from the United States Department of Housing and Urban Development to conduct the Federal Home Grant Program; a grant in the amount of \$846,000 to conduct the Emergency Shelter Grant Program; and a grant in the amount of \$592,000 to conduct the Housing Opportunities for Persons with AIDS Program, for the purposes set forth in the application and according thereto; that the Director of Community Development is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grants; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grants.

Section 6. That the applications for the grants authorized in Section 5 of this ordinance, placed in the file specified in Section 2 above, are made a part hereof as if fully rewritten herein, are hereby approved in all respects.

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 March 24, 1997.

Effective March 31, 1997.

**APPROPRIATION FOR THE YEAR 1997
ORDINANCE NO. 172-97**

Ord. No. 172-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland for the year 1997.

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

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

Section 1. That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 1997, the following sums be and they are hereby appropriated viz:

The sum of Four hundred two million two hundred seventy four thousand eighty seven dollars (\$402,274,087) from the General Fund;

The sum of Fifty four million six hundred thirty five thousand one hundred ninety eight dollars (\$54,635,198) from the Special Revenue Funds;

The sum of Twenty three million one hundred sixteen thousand three hundred ninety seven dollars (\$23,116,397) from the Internal Service Funds;

The sum of Three hundred ninety six million two hundred seventy thousand three hundred thirty two dollars (\$396,270,332) from the Enterprise Funds;

The sum of Five million seven hundred twenty eight thousand four hundred fifty four dollars (\$5,728,454) from the Trust and Agency Funds;

The sum of Forty three million nine hundred thirteen thousand seven hundred sixty five dollars (\$43,913,765) from the Debt Service Fund;

All set forth in the Mayor's Estimate on file with Council and identified as File No. 172-97-A in the aggregate amount for each department as follows:

APPROPRIATION FOR THE YEAR 1997

GENERAL FUND

Legislative Branch		\$3,550,873
Municipal Court		20,575,515
Executive Branch		
Office of the Mayor		1,737,601
Department of Public Safety		235,602,033
Community Relations Board		818,408
Department of Public Service		31,206,660
Department of Parks, Recreation & Properties		34,466,079
Boxing & Wrestling Commission		8,437
Urban Planning & Development		9,802,249
Department of Public Health		10,365,479
Department of Aging		253,265
Support Functions		28,796,234
Transfers to Other Funds		25,091,254
TOTAL EXECUTIVE BRANCH		\$378,147,699
TOTAL GENERAL FUND		\$402,274,087
Special Revenue Funds		\$53,970,198
Internal Service Funds		23,116,397
Enterprise Funds		396,270,332
Trust and Agency Funds		5,728,454
Debt Service Funds		43,913,765
TOTAL APPROPRIATIONS FOR 1997		\$925,938,233

GENERAL GOVERNMENT

LEGISLATIVE BRANCH

COUNCIL AND CLERK OF COUNCIL		\$3,550,873
I. Personnel and Related Expenses	\$2,534,116	
II. Other Expenses	1,016,757	
TOTAL LEGISLATIVE BRANCH	\$3,550,873	\$3,550,873
MUNICIPAL COURT		

MUNICIPAL COURT-JUDICIAL DIVISION		\$12,216,735
I. Personnel and Related Expenses	\$10,731,823	
II. Other Expenses	1,484,912	

MUNICIPAL COURT-HOUSING DIVISION		\$1,584,439
I. Personnel and Related Expenses	\$1,508,265	
II. Other Expenses	76,174	

MUNICIPAL COURT-CLERK'S DIVISION		\$6,774,341
I. Personnel and Related Expenses	\$5,048,845	
II. Other Expenses	1,725,496	
TOTAL MUNICIPAL COURT	\$20,575,515	\$20,575,515
EXECUTIVE BRANCH		
OFFICE OF THE MAYOR		\$1,737,601
I. Personnel and Related Expenses	\$1,461,716	
II. Other Expenses	275,885	
TOTAL EXECUTIVE BRANCH	\$1,737,601	\$1,737,601
DEPARTMENT OF PUBLIC SAFETY		
PUBLIC SAFETY ADMINISTRATION		\$10,022,036
I. Personnel and Related Expenses	\$9,179,707	
II. Other Expenses	842,329	
DIVISION OF POLICE		\$142,416,287
I. Personnel and Related Expenses	\$132,202,913	
II. Other Expenses	10,213,374	
DIVISION OF FIRE		\$64,621,437
I. Personnel and Related Expenses	\$62,099,984	
II. Other Expenses	2,521,453	
DIVISION OF EMERGENCY MEDICAL SERVICES		\$14,583,783
I. Personnel and Related Expenses	\$13,562,843	
II. Other Expenses	1,020,940	
DIVISION OF TRAFFIC ENGINEERING		\$3,296,732
I. Personnel and Related Expenses	\$2,562,786	
II. Other Expenses	733,946	
DIVISION OF DOG POUND		\$661,758
I. Personnel and Related Expenses	\$509,850	
II. Other Expenses	151,908	
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$235,602,033	\$235,602,033
COMMUNITY RELATIONS BOARD		\$818,408
I. Personnel and Related Expenses	\$752,775	
II. Other Expenses	65,633	
TOTAL COMMUNITY RELATIONS BOARD	\$818,408	\$818,408
DEPARTMENT OF PUBLIC SERVICE		
PUBLIC SERVICE ADMINISTRATION		\$309,562
I. Personnel and Related Expenses	\$289,435	
II. Other Expenses	20,127	
DIVISION OF ARCHITECTURE		\$543,735
I. Personnel and Related Expenses	\$493,467	
II. Other Expenses	50,268	
DIVISION OF WASTE COLLECTION & DISPOSAL		\$25,835,796
I. Personnel and Related Expenses	\$14,467,575	
II. Other Expenses	11,368,221	
DIVISION OF ENGINEERING AND CONSTRUCTION		\$4,517,567
I. Personnel and Related Expenses	\$4,009,062	
II. Other Expenses	508,505	
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$31,206,660	\$31,206,660
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
PARKS, RECREATION AND PROPERTIES ADMINISTRATION		\$744,815
I. Personnel and Related Expenses	\$570,774	
II. Other Expenses	174,041	
DIVISION OF RESEARCH, PLANNING & DEVELOPMENT		\$680,722
I. Personnel and Related Expenses	\$594,532	
II. Other Expenses	86,190	

DIVISION OF RECREATION		\$9,628,805
I. Personnel and Related Expenses	\$6,942,547	
II. Other Expenses	2,686,258	
DIVISION OF PARKING FACILITIES-ON STREET		\$921,137
I. Personnel and Related Expenses	\$880,431	
II. Other Expenses	40,706	
DIVISION OF PROPERTY MANAGEMENT		\$10,417,842
I. Personnel and Related Expenses	\$7,975,269	
II. Other Expenses	2,442,573	
DIVISION OF PARK MAINTENANCE & PROPERTIES		\$12,072,758
I. Personnel and Related Expenses	\$8,068,618	
II. Other Expenses	4,004,140	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$34,466,079	\$34,466,079
BOXING AND WRESTLING COMMISSION		
BOXING AND WRESTLING COMMISSION		\$8,437
I. Personnel and Related Expenses	\$8,253	
II. Other Expenses	184	
TOTAL DEPARTMENT BOXING AND WRESTLING COMMISSION	\$8,437	\$8,437
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
DIVISION OF ADMINISTRATIVE SERVICES		\$83,864
I. Personnel and Related Expenses	\$83,864	
DIVISION OF BUILDING & HOUSING		\$5,625,740
I. Personnel and Related Expenses	\$5,057,971	
II. Other Expenses	567,769	
DIRECTOR'S OFFICE		\$100,210
I. Personnel and Related Expenses	\$100,210	
DIVISION OF NEIGHBORHOOD DEVELOPMENT		\$429,170
I. Personnel and Related Expenses	\$219,170	
II. Other Expenses	210,000	
DIVISION OF NEIGHBORHOOD SERVICES		\$78,015
I. Personnel and Related Expenses	\$78,015	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT	\$6,316,999	\$6,316,999
REGULATORY BOARDS & COMMISSIONS		
LANDMARKS COMMISSION		\$92,285
I. Personnel and Related Expenses	\$78,997	
II. Other Expenses	13,288	
BOARD OF BUILDING STANDARDS & APPEALS		\$95,251
I. Personnel and Related Expenses	\$76,000	
II. Other Expenses	19,251	
BOARD OF ZONING APPEALS		\$232,171
I. Personnel and Related Expenses	\$211,001	
II. Other Expenses	21,170	
BOARD OF EXAMINERS OF PLUMBERS AND ELECTRICIANS		\$88,814
I. Personnel and Related Expenses	\$84,367	
II. Other Expenses	4,447	
FAIR CAMPAIGN FINANCE COMMISSION		\$9,843
II. Other Expenses	\$9,843	
TOTAL REGULATORY BOARDS	\$518,364	\$518,364

DEPARTMENT OF ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT ADMINISTRATION		\$1,200,741
I. Personnel and Related Expenses	\$1,162,338	
II. Other Expenses	38,403	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT	\$1,200,741	\$1,200,741
OFFICE OF EQUAL OPPORTUNITY		\$535,948
I. Personnel and Related Expenses	\$451,426	
II. Other Expenses	84,522	
CITY PLANNING COMMISSION		\$1,171,861
I. Personnel and Related Expenses	\$1,107,290	
II. Other Expenses	64,571	
DIVISION OF HARBORS		\$58,336
I. Personnel and Related Expenses	\$58,336	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$9,802,249	\$9,802,249

DEPARTMENT OF PUBLIC HEALTH

PUBLIC HEALTH AND WELFARE ADMINISTRATION		\$247,729
I. Personnel and Related Expenses	\$136,001	
II. Other Expenses	111,728	
DIVISION OF CORRECTION		\$5,025,718
I. Personnel and Related Expenses	\$3,975,457	
II. Other Expenses	1,050,261	
DIVISION OF HEALTH		\$2,905,220
I. Personnel and Related Expenses	\$2,358,736	
II. Other Expenses	546,484	
DIVISION OF ENVIRONMENT		\$2,186,812
I. Personnel and Related Expenses	\$1,980,979	
II. Other Expenses	205,833	
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$10,365,479	\$10,365,479

DEPARTMENT OF AGING

DEPARTMENT OF AGING		\$253,265
I. Personnel and Related Expenses	\$194,597	
II. Other Expenses	58,668	
TOTAL DEPARTMENT OF AGING	\$253,265	\$253,265

SUPPORT FUNCTIONS

FINANCIAL AND LEGAL ADMINISTRATION

DEPARTMENT OF FINANCE

FINANCE ADMINISTRATION		\$255,380
I. Personnel and Related Expenses	\$206,539	
II. Other Expenses	48,841	
DIVISION OF ACCOUNTS		\$1,137,397
I. Personnel and Related Expenses	\$757,168	
II. Other Expenses	380,229	
DIVISION OF ASSESSMENTS & LICENSES		\$997,755
I. Personnel and Related Expenses	\$865,346	
II. Other Expenses	132,409	
DIVISION OF TREASURY		\$374,245
I. Personnel and Related Expenses	\$310,979	
II. Other Expenses	63,266	
DIVISION OF PURCHASES & SUPPLIES		\$652,422
I. Personnel and Related Expenses	\$545,798	
II. Other Expenses	106,624	

BUREAU OF INTERNAL AUDIT		\$424,859
I. Personnel and Related Expenses	\$188,644	
II. Other Expenses	236,215	
DIVISION OF FINANCIAL REPORTING AND CONTROL		\$923,072
I. Personnel and Related Expenses	\$838,767	
II. Other Expenses	84,305	
TOTAL DEPARTMENT OF FINANCE	\$4,765,130	\$4,765,130
OFFICE OF BUDGET & MANAGEMENT-BUDGET ADMIN.		\$482,336
I. Personnel and Related Expenses	\$437,420	
II. Other Expenses	44,916	
DEPARTMENT OF LAW		\$7,546,701
I. Personnel and Related Expenses	\$5,434,185	
II. Other Expenses	2,112,516	
TOTAL FINANCIAL AND LEGAL ADMINISTRATION	\$12,794,167	\$12,794,167
PERSONNEL ADMINISTRATION		
OFFICE OF PERSONNEL		\$1,351,102
I. Personnel and Related Expenses	\$962,898	
II. Other Expenses	388,204	
CIVIL SERVICE COMMISSION		\$985,293
I. Personnel and Related Expenses	\$603,003	
II. Other Expenses	382,290	
TOTAL PERSONNEL ADMINISTRATION	\$2,336,395	\$2,336,395
NON DEPARTMENTAL		
COUNTY AUDITOR DEDUCTIONS		\$1,183,000
II. Other Expenses	\$1,183,000	
OTHER ADMINISTRATIVE		\$12,482,672
II. Other Expenses	\$12,482,672	
TOTAL NON DEPARTMENTAL	\$13,665,672	\$13,665,672
TOTAL SUPPORT FUNCTIONS	\$28,796,234	\$28,796,234
TRANSFERS TO OTHER FUNDS		\$25,091,254
II. Other Expenses	\$25,091,254	
TOTAL GENERAL FUND	\$402,274,087	\$402,274,087
SPECIAL REVENUE FUNDS		
RESTRICTED INCOME TAX FUND		\$28,343,206
I. Capital	\$20,843,206	
II. Debt Service	7,500,000	
STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND		\$24,291,992
I. Personnel and Related Expenses	\$12,838,871	
II. Other Expenses	11,453,121	
SCHOOLS RECREATION & CULTURAL ACTIVITIES FUND		\$2,000,000
II. Other Expenses	\$2,000,000	
TOTAL SPECIAL REVENUE FUNDS	\$54,635,198	\$54,635,198
INTERNAL SERVICE FUNDS		
INFORMATION SYSTEMS SERVICES-TELEPHONE EXCHANGE		\$3,877,005
I. Personnel and Related Expenses	\$379,821	
II. Other Expenses	3,497,184	
INFORMATION SYSTEMS SERVICES		\$2,676,126
I. Personnel and Related Expenses	\$1,380,931	
II. Other Expenses	1,295,195	

DIVISION OF MOTOR VEHICLE MAINTENANCE		\$14,643,427
I. Personnel and Related Expenses	\$4,427,086	
II. Other Expenses	10,216,341	
DIVISION OF PRINTING AND REPRODUCTION		\$1,109,451
I. Personnel and Related Expenses	\$519,584	
II. Other Expenses	589,867	
CITY STOREROOM AND CENTRAL WAREHOUSE		\$810,388
I. Personnel and Related Expenses	\$89,590	
II. Other Expenses	720,798	
TOTAL INTERNAL SERVICE FUNDS	\$23,116,397	\$23,116,397
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC UTILITIES		
UTILITIES ADMINISTRATION		\$2,422,302
I. Personnel and Related Expenses	\$868,282	
II. Other Expenses	1,554,020	
DIVISION OF FISCAL CONTROL		\$1,684,023
I. Personnel and Related Expenses	\$1,538,173	
II. Other Expenses	145,850	
DIVISION OF WATER		\$184,552,299
I. Personnel and Related Expenses	\$60,848,299	
II. Other Expenses	123,704,000	
DIVISION OF WATER POLLUTION CONTROL		\$17,877,525
I. Personnel and Related Expenses	\$7,194,081	
II. Other Expenses	10,683,444	
DIVISION OF CLEVELAND PUBLIC POWER		\$113,708,088
I. Personnel and Related Expenses	\$21,504,252	
II. Other Expenses	92,203,836	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$320,244,237	\$320,244,237
DEPARTMENT OF PORT CONTROL		
DIVISIONS OF CLEVELAND HOPKINS & BURKE LAKEFRONT AIRPORTS-OPERATIONS		\$56,484,723
I. Personnel and Related Expenses	\$15,995,723	
II. Other Expenses	40,489,000	
AIRPORT DEVELOPMENT FUND		\$60,000
II. Other Expenses	\$60,000	
TOTAL DEPARTMENT OF PORT CONTROL	\$56,544,723	\$56,544,723
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
DIVISION OF CEMETERIES		\$1,851,229
I. Personnel and Related Expenses	\$1,340,932	
II. Other Expenses	510,297	
GOLF COURSE FUND		\$2,200,226
I. Personnel and Related Expenses	\$923,200	
II. Other Expenses	1,277,026	
DIVISION OF PARKING FACILITIES-OFF STREET PARKING		\$7,214,864
I. Personnel and Related Expenses	\$832,760	
II. Other Expenses	6,382,104	
DIVISION OF CONVENTION CENTER & STADIUM-CONVENTION CENTER		\$6,931,059
I. Personnel and Related Expenses	\$1,876,090	
II. Other Expenses	5,054,969	
DIVISION OF CONVENTION CENTER & STADIUM-WEST SIDE MARKET		\$1,099,706
I. Personnel and Related Expenses	\$349,325	
II. Other Expenses	750,381	

DIVISION OF PROPERTY MANAGEMENT-EAST SIDE MARKET		\$184,288
I. Personnel and Related Expenses	\$39,269	
II. Other Expenses	145,019	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$19,481,372	\$19,481,372
TOTAL ENTERPRISE FUNDS	\$396,270,332	\$396,270,332
AGENCY FUND		
CENTRAL COLLECTION AGENCY		\$5,728,454
I. Personnel and Related Expenses	\$3,595,575	
II. Other Expenses	2,132,879	
TOTAL AGENCY FUND	\$5,728,454	\$5,728,454
DEBT SERVICE FUND		
SINKING FUND COMMISSION		\$43,051,265
I. Personnel and Related Expenses	\$107,487	
II. Other Expenses	351,044	
III. Debt Service	42,592,734	
STADIUM BOND FUND		\$862,500
III. Debt Service	\$862,500	
TOTAL DEBT SERVICE FUNDS	\$43,913,765	\$43,913,765

Section 2. That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate File No. 172-97-A, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 1996 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 1997 or prior years. The Mayor's Estimate File No. 172-97-A, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 1997 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. - Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

Section 3. That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

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

Schedule of Items asked for in the Mayor's Estimate refused or changed by Council and the reason for such changes. (Published pursuant to Section 30 of the Charter.)

The following changes are made to provide for reductions in various departments and increases in other departments of City Government resulting from additional revenue sources in the amount of \$1,035,000 to correct the total of the 1997 Appropriation Ordinance No. 172-97.

1. Increase in request for Municipal Court-Housing Division		
By the Sum of	\$35,000	
By adding to:		
I. Personnel and Related Expenses		\$35,000
Division of Streets		
By the Sum of	\$1,000,000	
By adding to:		
I. Personnel and Related Expenses		\$230,000
II. Other Expenses	\$770,000	
2. Reduction in request for Division of Streets		
By the Sum of	\$335,000	
By subtracting from:		
II. Other Expenses		\$335,000
Subsidies to Other Funds		
By the Sum of	\$335,000	
By subtracting from:		
II. Other Expenses		\$335,000

Ordinance No. 172-97 is herein published following the Public Hearings and before the third reading and final passage and reflects the necessary amendments required by this schedule.

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 173-97.

By Councilman Westbrook.
An ordinance to change the Use, Area, and Height Districts of lands on the southwesterly side of Detroit Avenue between West 110 Street and the N.Y.C. Railroad tracks. (Map Change No. 1931, Sheet No. 1)

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 northwesterly extension of a line located one hundred seven (107) feet southwest of the southwesterly line of Detroit Avenue, N.W. and the center line of West 110 Street; thence northeasterly along said center line of West 110 Street to the center line of Detroit Avenue, N.W.; thence southeasterly along said center line of Detroit Avenue, N.W. to the center line of the New York Central Railroad tracks; thence southwesterly along said center line of said New York Central Railroad tracks to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 8 in the Jennings Wetmore Schilling, Et. Al. Allotment as recorded in Volume 3, Page 47 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 8 and continuing northeasterly along the southwesterly lines of Sublots Nos. 6, and 5 in said Jennings, Wetmore, and Schilling, Et. Al. Allotment to its intersection with a line located one hundred ten (110) feet southeast of the southeasterly line of West 107 Street; thence northeasterly along said line which is parallel to and one hundred ten (110) feet southeast of said southeasterly line of West 107 Street to its intersection with a line located one hundred fifty one and ten hundredths (151.10) feet southwest of the southwesterly line of Detroit Avenue, N.W.; thence northwesterly along said line which is parallel to and one hundred fifty one and ten hundredths (151.10) feet southwest of said southwesterly line of Detroit Avenue, N.W. and along its northwesterly extension to the center line of West 107 Street; thence southwesterly along said center line of West 107 Street to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 1 in the John W. Wetmore Trustees Subdivision as recorded in Volume 15, Page 14 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 1 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Sublot No. 1 to its intersection at a point located one hundred ten (110) feet southwest of said southwesterly line of Detroit Avenue, N.W.; thence northwesterly from said point to a point located on the southeasterly side of West 110 Street one hundred seven (107) feet southwest of said southwesterly line of Detroit Avenue, N.W. and along its northwesterly 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 Residence Office Use District, a 'C' Area District and a '2' Height District.

Section 2. That said changed designation of lands described in Sec-

tion 1 shall be identified as Map Change No. 1931, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That the Use District of lands bounded and described as follows,

Beginning at the intersection of the center line of West 107 Street and the southeasterly extension of the southwesterly line of Sublot No. 4 in said John W. Wetmore Trustees Subdivision as recorded in Volume 15, Page 14 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 4 to its intersection with the northwesterly line thereof; thence northeasterly along said northwesterly line of said Sublot No. 4 to its intersection with a line located one hundred ten (110) feet southwest of said southwesterly line of Detroit Avenue, N.W.; thence southwesterly along said line which is parallel to and one hundred ten (110) feet southwest of said southwesterly line of Detroit Avenue, N.W. to its intersection with a line located sixty (60) feet northwest of the northwesterly line of West 107 Street; thence southwesterly along said line which is parallel to and sixty (60) feet northwest of said northwesterly line of West 107 Street to its intersection with the northeasterly line of said Sublot No. 4; thence southeasterly along said northeasterly line of said Sublot No. 4 and along its southeasterly extension to the center line of West 107 Street; thence southwesterly along said center line of West 107 Street to the place of beginning,

and as outlined in green on the map hereto attached, be and the same is hereby changed to a Local Retail District.

Section 4. That said changed designation of lands described in Section 3 shall be identified as Map Change No. 1931, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed March 24, 1997.

Effective May 3, 1997.

Ord. No. 205-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic cones and safety drums, for the Division of Streets, Department of Public Service.

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

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

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

requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of traffic cones and safety drums in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21322)

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 206-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of plow blades and curb bumpers, for the Division of Streets, Department of Public Service.

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

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

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

until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21329)

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 207-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of cold mix material, for the Division of Streets, Department of Public Service.

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21326)

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

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 208-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of manhole risers, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of manhole risers in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any 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 21327)

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 209-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of SSI tack coat, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21319)

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 210-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of asphalt concrete material, for the Division of Streets, Department of Public Service.

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

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

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

by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21325)

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

Passed March 24, 1997.
Effective March 31, 1997.

Ord. No. 212-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of emulsion, for the Division of Streets, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21328)

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

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

Passed March 24, 1997.
Effective March 31, 1997.

Ord. No. 213-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of guard rail elements, posts, endwings, and necessary hardware, for the Division of Streets, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of guard rail elements, posts, endwings, and necessary hardware in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the 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 21321)

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 214-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the procurement by requirement contract of the rental of large capacity trucks with operators, for the Division of Streets, Department of Public Service.

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

a municipal department; now, therefore,

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which purchase, together with all subsequent procurements, 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 21330)

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

Passed March 24, 1997.
Effective March 31, 1997.

Ord. No. 226-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing a contract on behalf of the Cleveland Municipal Court for professional services necessary to place criminal defendants in community service, for the Cleveland Municipal Court for a period of one year, with a one year option to renew.

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 on behalf of the Cleveland Municipal Court, the Director of Finance is hereby authorized and directed to enter into contract with Court Community Service for professional services necessary to arrange community service for persons the Court refers to Court Community Service, for a period of one year with one (1) option exercisable by the Director of Finance, to renew for an additional one-year term, and cancellable upon thirty days' written notice by said director, on the basis of its proposal dated October 2, 1996, in the total sum of not to exceed \$86,000, payable from

Fund No. 01-01-15-0320, Request No. 21814, for the Cleveland Municipal Court.

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 March 24, 1997.

Effective March 31, 1997.

Ord. No. 254-97.
By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and rehabilitate refuse packers, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22877)

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

Passed March 24, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 255-97.
By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to enter into contract without competitive bidding with Envirotest for the purchase of not to exceed sixteen hundred vouchers for state required E-checks, 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Envirotest. Therefore, the Director of Public Service is hereby authorized and directed to make a written contract with said Envirotest for not to exceed sixteen hundred (1,600) vouchers for state required E-checks to be performed by state contracted facilities, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Motor Vehicle Maintenance, Department of Public Service.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-40-05-0336, Request No. 21075.

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 260-97.
By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into one or more contracts for computer hardware, software and peripherals, installation and professional services for training, for computers at various City recreation centers.

Whereas, pursuant to Section 133.02, of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to manage the City recreation areas; 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 Parks, Recreation and Properties is authorized and directed to enter into one or more requirement contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the purchase of computer equipment, including hardware, software, printers, cables, modems, and associated supplies, furniture for computer terminals, installation and maintenance, as necessary to install computers at various City recreation

centers. The purchases authorized herein shall be made by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as a single contract, or by separate contract for each or any combination of the 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 period. The costs shall be paid from Fund No. 10 SF 039, and the Director of Finance shall certify the amount of the initial purchase, which together with all subsequent purchases shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against the contract or contracts duly certified by the Director of Finance. (RL 21432)

Section 2. That the Director of Parks, Recreation and Properties is authorized and directed to enter into a written contract or contracts, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the labor and materials necessary to modify and adapt physical space at the various City recreation centers to accommodate the computer installations referred to in Section 1, including without limitation, labor and materials for mechanical work, electrical work, carpentry, painting, and moving of furniture, walls, carpeting, and other obstacles. The purchases shall be made by the Commissioner of Purchases and Supplies for a gross price for the Division of Recreation, Department of Parks, Recreation and Properties.

Section 3. That the Director of Parks, Recreation and Properties is authorized and directed to enter into contract with one or more consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide the professional services necessary to perform training of staff and program participants in the use of computers installed, and for consultants to perform maintenance, problem-solving or improvements to the system, if needed. The selection of the consultant or consultants 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. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts 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 amounts of all purchase contracts, and professional services contracts described by this Ordinance shall not exceed Five Hundred Thirty-Five Thousand Dollars (\$535,000.00), which shall be paid from Fund No. 10 SF 039, Requests No. 21432 and No. 21433.

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 March 24, 1997.

Effective March 31, 1997.

Ord. No. 270-97.
By Councilmen Robinson, Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ a professional consultant to provide managerial services for the daily operations of the roller rink located within Luke Easter Recreational Center and the concession services of the 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 Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract a management firm for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide managerial services for the daily operations of the roller rink located within Luke Easter Recreation Center and the concession services of the center.

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

In the event that profits are realized from the daily operations of the facilities stated herein, such profits shall be used exclusively for the purpose of training and updating computers and computer software for the Division of Recreation.

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 10 SF 124 and 01-70-04-0380, Request No. 22000. All revenues received shall be deposited into Fund No. 10 SF 124 and shall be used to pay the cost of future capital improvements and operating expenses at the Luke Easter Recreational Center, which are not the obligation of the manager pursuant to the Agreement.

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

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 275-97.
By Councilman Westbrook (by departmental request).

An emergency ordinance to amend Section 5 of Ordinance No. 1095-95, passed July 19, 1995, relating to the funding source for enhancements to the Cleveland Integrated Justice Information System ("CIJIS") and to amend Ordinance No. 1249-95, passed September 25, 1995, relating to the computerization of the Probation Department.

Whereas, Section 1901.261 of the Revised Code, enacted by HB 405, authorizes a municipal court to include in its schedule of fees an additional fee for the computerization of the court; and

Whereas, on April 28, 1994, the Cleveland Municipal Court increased its schedule of fees to include an additional fee of five dollars (\$5.00) for the purpose of computerization of the Court as authorized by Section 1901.261 of the Revised Code; and

Whereas, this Council has already authorized the purchase of computerization services in Ordinance No. 1095-95; and

Whereas, the Court has requested that this Council amend Ordinance No. 1095-95 to include as a funding source the fees collected pursuant to R.C. Section 1901.261; 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 Section 5 of Ordinance No. 1095-95, passed July 19, 1995, is hereby amended to read as follows:

Section 5. That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 086 and from funds appropriated by the Council for use by the Cleveland Municipal Court, Request No. 22631.

Section 2. That existing Section 5 of Ordinance No. 1095-95, passed July 19, 1995, is hereby repealed.

Section 3. That Ordinance No. 1249-95, passed September 25, 1995, is hereby amended by adding new Sections 3, 4, 5 and 6 to read, respectively, as follows:

Section 3. That the monies deposited in the Municipal Probation Services Fund established by this ordinance are hereby appropriated for the purposes set forth in this ordinance and Section 737.41 of the Revised Code.

Section 4. That the Director of Finance is hereby authorized to make a written contract or contracts in accordance with the Charter and the Codified Ordinance of Cleveland, Ohio for the purchase, lease, or lease with option to purchase of each or all of the following items: computers, computer peripherals, software, and such other materials and services as are necessary to computerize the Probation Department of the Cleveland Municipal Court. The Director of Finance is further authorized to execute one or more license agreements for the use of any such software, which shall include authority to execute a license agree-

ment with a third party in any instance in which the successful bidder is not itself the manufacturer or an authorized licensor of the software.

Section 5. That the Director of Finance is hereby authorized to employ by contract one or more consultants or firms of consultants necessary to provide professional services to maintain the hardware or software purchased under the authority of Section 4, and including, without limitation, the purchase of professional services to evaluate the probation department's computer needs and the professional services to create new software or modify existing software, if needed.

The selection of said consultant(s) shall be made by the Board of Control upon the nomination of the Director of Finance from a list of qualified consultants available for such employment as determined after a full and complete canvass by the Probation Department of the Cleveland Municipal Court, for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. Each contract authorized by this section shall be prepared by the Director of Law, and approved and certified by the Director of Finance.

Section 6. That the cost of the contract or contracts authorized by this ordinance shall be paid from the Municipal Probation Services Fund, Fund No. 10 SF 085, and from such other funds as this Council has appropriated for the Cleveland Municipal Court for such purposes.

Section 4. That existing Section 3 of Ordinance No. 1249-95 is hereby renumbered to read "Section 7."

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 March 24, 1997.

Effective March 31, 1997.

Ord. No. 276-97.
By Councilman Westbrook.
An ordinance to change the Use District of lands on the southeasterly side of West 110 Street and Franklin Boulevard, N.W. (Map Change No. 1935, Sheet No. 1)

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 northwesterly extension of the southwesterly line of Sublot No. 16 in the Leonard Schilling Subdivision as recorded in Volume 12, Page 22 of the Cuyahoga County Map Records and the center line of West 110 Street; thence northeasterly along said center line of West 110 Street to its intersection with the northwesterly extension of the northeasterly line of said Sublot No. 16; thence southeasterly along said northwesterly extension said northwesterly extension and along said northeasterly line of said Sublot No. 16 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line of said Sublot No. 16 to its intersection with said southwesterly line

thereof; thence northwesterly along said southwesterly line of said Sublot No. 16 and along said northwesterly extension to the place of beginning.

and as outlined in red on the map hereto attached, be and the same is hereby changed to a Residence Industry Use District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1935, Sheet No. 1 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.

Passed March 24, 1997.
Effective May 3, 1997.

Ord. No. 277-97.

By Councilman Westbrook.

An ordinance to change the Use District of lands on the southeast corner of West 117 Street and Berea Road, N.W. (Map Change No. 1936, Sheet No. 1)

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 two hundred twenty five (225) feet south of the intersection of the easterly line of West 117 Street and the southeasterly line of Berea Road, N.W. and the center line of West 117 Street; thence northerly along said center line of West 117 Street to the center line of the New York Central Railroad tracks; thence southeasterly along said center line of said New York Central Railroad tracks to its intersection with a line located two hundred (200) feet east of the easterly line of West 117 Street; thence southerly along said line which is parallel to and two hundred (200) feet east of said easterly line of West 117 Street to its intersection with the easterly extension of said line located two hundred twenty five (225) feet south of said intersection of said easterly line of West 117 Street and the southeasterly line of Berea Road, N.W.; thence westerly along said easterly extension of said line and along its westerly extension to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a Residence Industry Use District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1936, Sheet No. 1 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.

Passed March 24, 1997.
Effective May 3, 1997.

Ord. No. 319-97.

By Councilman Britt.

An emergency ordinance to vacate a portion of East 90th Street, hereinafter described.

Whereas, on the 14th day of August, 1996 the Council of the City of Cleveland adopted Resolution No. 1201-96 declaring its intention to vacate a portion of East 90th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1201-96 has been served upon the owners of all the property abutting East 90th Street, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of February, 1997, the Board of Revision of Assessments approved the vacation of East 90th Street, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating East 90th Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of East 90th Street, (45 feet wide), extending Northerly from the Northerly line of Carnegie Avenue S.E. (80.00 feet wide), to the Southerly line of Euclid Avenue S.E. (80.00 feet wide), including its turnouts on Carnegie Avenue S.E. and Euclid Avenue S.E., be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power, and Division of Water and Heat equipment. The description of easement is as follows:

That portion of East 90th Street, (45 feet wide), extending Northerly from the Northerly line of Carnegie Avenue S.E. (80.00 feet wide), to the Southerly line of Euclid Avenue S.E. (80.00 feet wide), including its turnouts on Carnegie Avenue S.E. and Euclid Avenue S.E.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Light and Power, and the Commissioner of the Division of Water and Heat of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of East 90th Street, herein provided by sending him a copy of this Ordinance.

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

Passed March 24, 1997.
Effective March 31, 1997.

Ord. No. 320-97.

By Councilman Britt.

An emergency ordinance to vacate a portion of East 102nd Street, hereinafter described.

Whereas, on the 10th day of June, 1996 the Council of the City of Cleveland adopted Resolution No. 492-96 declaring its intention to vacate a portion of East 102nd Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 492-96 has been served upon the owners of all the property abutting East 102nd Street, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of February, 1997, the Board of Revision of Assessments approved the vacation of East 102nd Street, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating East 102nd Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of East 102nd Street, (44 feet wide), extending Southerly from the Southerly line of Euclid Avenue (80.00 feet wide), to the Northerly line of Carnegie Avenue (width varies), be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power equipment. The description of easement is as follows:

That portion of East 102nd Street, described as follows: East 102nd Street, (44 feet wide), extending Southerly from the Southerly line of Euclid Avenue (80.00 feet wide), to the Northerly line of Carnegie Avenue (width varies).

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Light and Power, of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of East 102nd Street, herein provided by sending him a copy of this Ordinance.

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

Passed March 24, 1997.
Effective March 31, 1997.

Ord. No. 323-97.
By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 918-96, passed June 18, 1996, as amended by Ordinance No. 1476-96, passed August 14, 1996, relating to the purchase, lease or lease with option to purchase of trucks, vans, passenger cars and heavy equipment.

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 1 of Ordinance No. 918-96, passed June 18, 1996, as amended by Ordinance No. 1476-96, passed August 14, 1996, is hereby amended to read as follows:

Section 1. That the Director of Public Service is hereby authorized to make a written contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the necessary items of trucks, vans, passenger cars and heavy equipment for use by the various departments and divisions of the City, as detailed in the document entitled "Listing of 1996 Vehicle Purchases" contained in File No. 918-96-C. For each type of vehicle listed under the column entitled "Description" on the document to said file, the vehicle(s) shall be purchased solely for the use of the department or division listed under the column entitled "Division," the total cost of each type of vehicle shall not exceed the total amount listed under the column entitled "Total Estimated Cost" and the cost of each type of vehicle shall be paid solely from the funds identified under the appropriate column. The total amount of all purchases pursuant to this ordinance shall not exceed \$6,216,270.00. Bids shall be taken in such a 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.

Section 2. That existing Section 1 of Ordinance No. 918-96, passed June 18, 1996, as amended by Ordinance No. 1476-96, passed August 14, 1996, is hereby repealed.

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 327-97.
By Councilman Jackson.
An emergency ordinance to vacate a portion of East 51st Street, hereinafter described.

Whereas, on the 27th day of January, 1997 the Council of the City of Cleveland adopted Resolution No. 131-97 declaring its intention to vacate a portion of East 51st Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 131-97 has been served upon the owners of all the property abutting East 51st Street, affected by said Resolution, notifying the said property owners

of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of February, 1997, the Board of Revision of Assessments approved the vacation of East 51st Street, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating East 51st Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of East 51st Street, (width varies), extending from the Northerly line of Woodland Avenue S.E. (99.00 feet wide), Northerly, to the Southerly line of Ruble Court S.E. (width varies), be and the same is hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of East 51st Street, herein provided by sending him a copy of this Ordinance.

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 331-97.
By Councilmen Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to apply for and accept 442 grants from the Ohio Department of Development.

Whereas, pursuant to House Bill 442, the Ohio Department of Development is authorized to make grants for purposes of land acquisition, infrastructure improvements, voluntary actions, and renovation of property to promote economic development within the state; and

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

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

Section 1. That the Director of Economic Development is hereby authorized to apply for and accept Ohio Department of Development 442 Grants ("Grant") to Fund the following Economic Development projects, as described in the Executive Summaries contained in Council File No. 331-97-A, which Executive Summaries include the budget, management and marketing plans for the Projects, as required by Ohio Revised Code §122.22(B):

A. \$1,000,000.00 to assist with development of property known as Collinwood Yards;

B. \$1,000,000.00 to assist with development of property known as Cleveland Business Park; and

C. \$1,000,000.00 to assist with development of property known as Emerald Corporate Park.

Section 2. That Grant funds awarded to the City pursuant to the authority granted herein shall be deposited in Fund Nos. 17 SF 041, 17 SF 042, 17 SF 043.

Section 3. That this Council hereby designates the following Eligible Applicants, as defined in Ohio Revised Code §122.19(B), or said Eligible Applicant's designee, to carry out the purposes set forth in Ohio Revised Code §122.20, and to undertake the projects described in the respective Executive Summaries contained in the Council File referenced in Section 1 hereof, which Executive Summaries include the budget, management and marketing plans for the Projects, as required by Ohio Revised Code §122.22(B):

Westside Industrial Retention Network (WIRENet)
 Cleveland-Cuyahoga County Port Authority
 Midtown Corridor
 Clark-Metro Development Corporation

Section 4. That the Cleveland City-wide Development Corporation shall serve as the Local Economic Development Planning Committee.

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 March 24, 1997.

Effective March 31, 1997.

Ord. No. 333-97.
By Councilmen Polensek, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a Neighborhood Development Investment Fund contract with Collinwood Properties Co., L.L.C., to provide economic development assistance to develop a 50 acre industrial park at an area now known as Collinwood Yards.

Whereas, through Ordinance No. 56-94, passed June 13, 1994, the City established the Neighborhood Development Investment Program and the Neighborhood Development Investment Fund (NDIF) for the purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; 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, provisions of Ordinance No. 56-94 passed June 13, 1995 to the contrary notwithstanding, the Director of Economic Development is hereby authorized to enter into a Neighborhood Development Investment Fund contract with Collinwood Development Corporation, L.L.C., to provide economic development assistance to develop a fifty (50) acre industrial park at an area now

known as Collinwood Yards, located at East 152nd Street and South Waterloo Road, Cleveland, Ohio.

Section 2. That the terms of said contract shall comply with the requirements of the Neighborhood Development Investment Program and NDIF, as set forth in Section 1 of Ordinance No. 56-94 passed June 13, 1994, and shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 333-97-A.

Section 3. That the costs of said contract shall not exceed One Million Dollars (\$1,000,000.00), and shall be paid from Fund No. 10 SF 501, Request No. 21597.

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

Section 5. That, the Director of Economic Development is hereby authorized to accept monies in repayment of the economic development assistance to deposit said monies in Fund No. 10 SF 502.

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

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other documents are necessary to complete the transaction in accordance with the terms of the Executive Summary contained in File No. 333-97-A.

Section 8. That, prior to entering into any contract authorized herein, the Director of Finance is required and hereby directed to certify that un-appropriated funds equal to the contract amount set forth in Section 3 of this ordinance have been collected by the City and are available to be allocated to such contract.

Section 9. That the agreement between the City and the Developer shall provide that in the event that the Developer defaults on the development requirements, the grant will convert to a loan and will be repaid to the City by the Developer at terms to be negotiated by the parties and approved by this Council.

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 344-97.
By Councilman Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to pay the cost of extraction of 1995 Ohio income tax master file data.

Whereas, the State of Ohio is the

sole source of state income tax data; and

Whereas, the State of Ohio has provided 1995 Ohio income tax master file data to the City of Cleveland; 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 Finance is hereby directed to pay the sum of Eighteen Thousand Six Hundred Twenty Dollars and 97/100 (\$18,620.97) to the treasurer of the State of Ohio from Fund No. 81 SF 001, Request No. 21204, for extraction from the 1995 Ohio Individual Master File of taxpayer information relating to the communities served by the Central Collection Agency.

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 March 24, 1997.

Effective March 31, 1997.

Ord. No. 378-97.
By Mayor White and Councilman Robinson.

An emergency ordinance to name the proposed recreation center located at Luke Easter Park as the Zelma Watson George Recreation Center.

Whereas, it is most fitting and appropriate to recognize Zelma Watson George for her years of dedicated service to the citizens of Cleveland; 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 proposed recreation center located at Luke Easter Park shall be named the Zelma Watson George Recreation Center.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized and directed to give effect to this ordinance by the placing of appropriate signs, nameplates and plaques to reflect the name of the center which will be located at Luke Easter Park.

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 386-97.
By Councilman Lewis.

An emergency ordinance amending the Title and Sections 1 and 4 of Ordinance No. 858-96, passed July 17, 1996, relating to the sale of real property as part of the Land Reutilization Program and located in Ward 7 to Hough Area Partners in Progress.

Whereas, on July 17, 1996, this Council passed Ordinance No. 858-96, authorizing the sale of certain real property located in Ward 7 and as part of the Land Reutilization Program to Auto Zone, Incorporated; and

Whereas, the City desires to substitute Hough Area Partners in Progress in place of Auto Zone, Incorporated; 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 Title and Section 1 of Ordinance No. 858-96, passed July 17, 1996, are hereby amended to read as follows:

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7508 Superior Avenue, rear of 7508 Superior Avenue, 7502 Superior Avenue, rear of 7502 Superior Avenue, 7510 Superior Avenue, 7516 Superior Avenue, 1320 East 76 Place, 1316 East 76 Place and 1314 East 76 Place to Hough Area Partners in Progress.

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 106-04-015, 106-04-096, 106-04-099, 106-04-097, 106-05-001, 106-05-002, 106-05-134, 106-05-135, and 106-05-136, more fully described in Section 2 below, to Hough Area Partners in Progress.

Section 2. That Section 4 of Ordinance No. 386-97 is hereby amended to read as follows:

"Section 4. That the consideration for the nine (9) subject parcels is established by this Council to be one dollar (\$1.00)."

Section 3. That the existing Title, Section 1, and Section 4 of Ordinance No. 858-96, passed July 17, 1996 are hereby repealed.

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 391-97.
By Councilmen Patmon, Westbrook (by departmental request).

An emergency ordinance approving the collective bargaining agreement with The Building and Construction Trades Council.

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with The Building and Construction Trades Council set forth in File No. 391-97-A, for the period from November 17, 1996, through November 16, 1999.

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 March 24, 1997.

Effective March 31, 1997.

Ord. No. 392-97.
By Councilmen Patmon and Westbrook (by departmental request).
An emergency ordinance approving the collective bargaining agreement with the City, County and Waste Paper Drivers Union, Local 244 (Seasonal Drivers).

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, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with the City, County and Waste Paper Drivers Union, Local 244 (Seasonal Drivers) set forth in File No. 392-97-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

<u>Percentage Increase</u>	<u>Effective Date of Increase</u>
Two percent (2%)	April 1, 1995
Three percent (3%)	April 1, 1996
Three percent (3%)	April 1, 1997

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 March 24, 1997.

Effective March 31, 1997.

Ord. No. 440-97.
By Councilman Robinson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1997 Federal AIDS Prevention Program; and to enter into contract with various organizations to implement the program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the estimated amount of \$500,000.00, and such other funds as may become available during the grant period ending June 30, 1997, from the Ohio Department of Health, to conduct the 1997 Federal AIDS Prevention Program, for the purposes set forth

in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 440-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Health is authorized to enter into contract with the City of East Cleveland, the Free Medical Clinic of Greater Cleveland, Case Western Reserve University, the Federation for Community Planning, Community Action Against Addiction, the Cleveland Treatment Center, the Harvard Community Service Center, the Hispanic Urban Minority Alcohol and Drug Assistance Outreach Program, the Murtis H. Taylor Multi-Service Center, the Cleveland Health Museum, the Urban League of Greater Cleveland and the AIDS Task Force of Greater Cleveland to implement the program.

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 441-97.
By Councilmen Sweeney and Jackson (by departmental request).

An emergency ordinance to amend Section 2 of Ordinance No. 1887-95, passed November 20, 1995, relating to the sale of City-owned property no longer needed for public use located east of Berea Freeway State Highway No. 713 and north of Westport Avenue to Chelm Management Company, and to strike the third whereas clause in its entirety.

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. 1187-95, passed November 20, 1995, is hereby amended to read as follows:

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized and directed to sell the following property to Chelm Management Company at a price not less than fair market value as determined by the Board of Control; the property designated "Phase 1" in Council File No. 1887-95-A, and the property designated as "Phase 2" in Council File No. 1887-95-A, for the purpose of developing it and improving a portion of it with the public infrastructure improvements, including a roadway and utilities.

Section 2. That existing Section 2 of Ordinance No. 1187-95, passed November 20, 1995, is hereby repealed.

Section 3. That the third whereas

clause of Ordinance No. 1887-95, passed November 20, 1995, is hereby stricken in its entirety.

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 442-97.
By Councilman Westbrook.
An emergency ordinance authorizing and directing the Clerk of Council to enter into contract with Marcus Advertising for the design and production of the 1996 Annual Report for the City Council.

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

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

Section 1. That the Clerk of Council is hereby authorized and directed to enter into contract with Marcus Advertising for professional services necessary to design and produce the 1996 annual report in the total sum of not to exceed \$16,000, payable from funds appropriated for the use of City Council.

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 443-97.
By Councilmen Johnson and Westbrook (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with Johnson & Higgins of Ohio, Inc. for the insurance needed to construct a new stadium.

Whereas, the Council by Ordinance No. 2193-96, passed January 13, 1997, authorized the Director of Parks, Recreation and Properties to competitively bid the purchase by the City of its insurance requirements as needed for the construction of the new stadium; and

Whereas, Ordinance No. 2193-96 also requires a return to Council for selection of the successful bidder; 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, in accordance with Ordinance No. 2193-96, passed January 13, 1997, the Director of Parks, Recreation and Properties is authorized to enter into contract with Johnson & Higgins of Ohio, Inc. to provide insurance for construction of a new stadium.

Section 2. That the cost of said contract shall be paid from Fund Nos. 20 SF 100, 20 SF 101, 20 SF 102, 20 SF 103, 20 SF 104 and 20 SF 105.

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

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 451-97.

By Councilman Lewis.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Thurgood Marshall Recreation Center to stretch banners on various light poles at the intersections of E. 79th St. and Hough, Ansel Rd. and Superior Ave., E. 101st St. and Hough Ave., E. 101st St. and Chester Ave., E. 82nd St. and Hough Ave. and E. 55th St. and Chester Ave. for the period from April 1, 1997 to May 30, 1997, inclusive, publicizing "A New Day in Hough".

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 Thurgood Marshall Recreation Center to stretch banners on various light poles at the intersections of E. 79th St. and Hough, Ansel Rd. and Superior Ave., E. 101st St. and Hough Ave., E. 101st St. and Chester Ave., E. 82nd St. and Hough Ave. and E. 55th St. and Chester Ave. for the period from April 1, 1997 to May 30, 1997, inclusive. Said banners 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 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.

Passed March 24, 1997.

Effective March 31, 1997.

Ord. No. 452-97.

By Councilman Lewis.

An emergency ordinance consenting and approving the issuance of a permit for a 3K Race and Parade on May 10, 1997, sponsored by the Thurgood Marshall Recreation 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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a 3K Race and Parade, sponsored by the Thurgood Marshall Recreation Center, on May 10, 1997, with the 3K Race beginning at 8611 Hough Ave., east on Hough Ave. to Ansel Rd., north on Ansel Rd. to Wade Park, east on Wade Park to Crawford Rd., north on Crawford Rd. to E. 94th St., E. 94th St. to Superior Ave., west on Superior Ave. to E. 79th St., E. 79th St. to Hough Ave., east on Hough Ave. and finish in front of the Thurgood Marshall Recreation Center; and the Parade to begin at the Thurgood Marshall Recreation Center, Hough Ave. to Ansel Rd., Ansel R. to Bellvue Ave., Bellvue Ave. to E. 79th, E. 79th St. to Donald Ave., Donald Ave. to E. 71st St., E. 71st St. to Superior Ave., Superior Ave. to E. 55th St., E. 55th St. to Hough Ave., out Hough Ave. to Ansel Rd., south

to Ansel Rd. to Chester Ave., west on Chester Ave. to E. 55th St., north on E. 55th St. to Hough Ave., east on Hough Ave. and finish in front of the Thurgood Marshall Recreation Center, 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 March 24, 1997.

Effective March 31, 1997.

COUNCIL COMMITTEE MEETINGS

Wednesday, April 2, 1997

Aviation and Transportation Committee: 9:00 A.M. — Present: Smith, Chrm.; Dolan, Patmon, Sweeney, White, Willis. Excused: Paulenske, Vice Chrm.

Aviation and Transportation Committee (Joint with City Planning Committee): 9:30 A.M. — Present: Smith, Chrm.; Dolan, Patmon, Sweeney, White, Willis. Excused: Paulenske, Vice Chrm.

City Planning Committee (Joint with Aviation and Transportation Committee): 9:30 A.M. — Present: Rybka, Chrm.; Britt, Vice Chrm.; Moran, Gordon, White, Zone. Excused: Paulenske.

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