

The City Record

Official Publication of the City of Cleveland

June the Twelfth, Nineteen Hundred and Ninety-Six

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	James Rokakis
16	Patrick J. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Dale Miller
21	David M. McGuirk

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	James Rokakis	4685 Dornur Road	44109
16	Patrick J. O'Malley	6111 Brookside Drive	44144
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Dale Miller	4300 West 143rd Street	44135
21	David McGuirk	17101 Amber Drive	44111

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

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

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

DEPT. OF FINANCE - Kathryn Burrer Hyer, 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 - Martin Carmody, Acting Commissioner, 1404 E. 9th St.

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

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

DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner, 5600 Carnegie Avenue.
Streets - Randall T. Scott, Commissioner, Room 25
Engineering and Construction - J. Christopher Nielson, Acting Commissioner, Rm. 518
Motor Vehicle Maintenance, Donald L. Haskins, 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 - Juan Molina Crespo, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Environment - Carolyn Wallace, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 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 - Festus Cassels, Commissioner.
Neighborhood Development - Terri Hamilton, Commissioner.
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

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

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

DEPT. OF AGING - Rm. 122, Susan Axelrod, Director

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

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson, President; James J. Marniella, Vice President; Donna K. Nelson, Secretary; Timothy J. Cosgrove, Member.

SINKING FUND COMMISSION - Michael R. White, President; Patricia Stokes, Asst. Sec'y.; Kathryn Burrer Hyer, Director; President of Council Jay Westbrook.

BOARD OF ZONING APPEALS - Room 516, Valerie Schwonek, Chairman; Dona Brady, Vice-Chairman; Anna Chatman, Paula Phillips, Tony Petkovsek, Anthony Costanzo, Sec'y.

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

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

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

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

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director; Rev. Albert T. Rowan, Chairman; Todd W. Schmidt, Vice Chairman Thomas D. Corrigan, Anthony J. Coyne, Lawrence A. Lumpkin, Gloria Jean Pinkney, Councilman Edward W. Rybka.

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

MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, Kathryn Burrer Hyer, Councilmen James Rokakis, Jay Westbrook.

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

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.; Ben S. Eulinberg, Martin J. Kilbane, 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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OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 83

WEDNESDAY, JUNE 12, 1996

No. 4305

CITY COUNCIL

MONDAY, JUNE 10, 1996

The City Record

Published weekly under authority of the Charter of the City of Cleveland
Subscription (by mail) \$75.00 a year
January 1 to December 31
Interim subscriptions prorated \$6.00 per month
Address all communications to

ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

The following Committee is subject to Call of the Chairman:

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio June 10, 1996.

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

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

Also present were Mayor White and Directors Sobol Jordan, Hyer, Konicek, Guzman, Staib, Spellman, Axelrod, Morrison and Acting Directors Holland, Sheehan and Whitner.
Absent: Directors Denihan and Cunningham.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Pastor Patrick M. Persaud of Good Shepherd Lutheran Church. The National Anthem was sung by the Cleveland BoyChoir. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 1083-96.
From the Department of Public Health re: MBE/FBE Bid "Set Aside". Received.

File No. 1084-96.
From the Department of Public Health re: MBE Bid "Set Aside". Received.

File No. 1085-96.
From the Department of Public Utilities re: Utilities Department Contracts (MBE/FBE Information). Received.

File No. 1086-96.

From the Division of Purchases and Supplies re: Excess City Property - Reference No. 005-96. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1087-96.

Re: Transfer of Ownership Application - 4616701 - Key Gees, Inc., 3936 East 93rd Street, first floor and basement. (Ward 2). Received.

File No. 1088-96.

Re: Transfer of Location Application - 1801567 - Craven Market, Inc. dba Craven Market, 3643 East 118th Street, first floor and basement. (Ward 2). Received.

File No. 1089-96.

Re: Transfer of Location Application - 0253586 - Khalid Arbabe, 12610 Larchmere Road. (Ward 6). Received.

File No. 1090-96.

Re: Transfer of Ownership Application - 59272010115 - Midland Food Services, LLC dba Pizza Hut, 18324 Euclid Avenue. (Ward 10). Received.

File No. 1091-96.

Re: Transfer of Ownership Application - 59272010145 - Midland Food Services, LLC dba Pizza Hut, 16015 Lake Shore Blvd. (Ward 11). Received.

File No. 1092-96.

Re: Transfer of Ownership Application - 6804214 - Penny G Corp. dba Penny's Lounge, 3664 East 65th Street, first floor and basement. (Ward 12). Received.

File No. 1093-96.

Re: Transfer of Ownership Application - 3420935 - Grutta, Inc. dba Report Center Tavern, 15610 Waterloo Road, first floor and basement. (Ward 11). Received.

File No. 1094-96.

Re: Transfer of Ownership Application - 4238040 - Jankaus, Inc. dba Sidekicks, 2139 Broadview Road, first floor and basement. (Ward 15). Received.

File No. 1095-96.

Re: Transfer of Ownership Application - 59272010065 - Midland Food Services, LLC dba Pizza Hut, 1407 West 117th Street. (Ward 18). Received.

File No. 1096-96.

Re: Transfer of Ownership Application - 59272010155 - Midland Food Services, LLC dba Pizza Hut, 3788 Rocky River Road. (Ward 21). Received.

File No. 1097-96.

Re: Transfer of Ownership Application - 68315620005 - Raza Pervaiz dba D&J Food Market, 3324 West 31st Street, first floor and basement. (Ward 14). Received.

File No. 1098-96.

Re: Transfer of Ownership Application - 0142125 - Almallad, Inc. dba Sarah's Beverage, 5913-15 Denison Avenue, first floor, N. (Ward 16). Received.

**STATEMENT OF
WORK ACCEPTED**

File No. 1099-96.

From the Department of Port Control re: Contract No. 48309 for the rehabilitation of Runway 5L-23R - Phase II. Received.

File No. 1100-96.

From the Department of Port Control re: Contract No. 47103 for Burke Lakefront Airport Screen Planting Plan site improvements. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1121-96. Rev. Henry McMillian.

Res. No. 1132-96. John P. Williams.

CONGRATULATORY RESOLUTIONS

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

Res. No. 1133-96. Dr. Marilyn Kur-nath.

Res. No. 1134-96. Lutheran Church of the Good Shepherd.

Res. No. 1135-96. Rev. Sebastian K. John.

Res. No. 1136-96. Sister Servants of Mary Immaculate.

Res. No. 1137-96. Thomas C. Sullivan.

Res. No. 1138-96. Detective Samuel Reese.

Res. No. 1139-96. Dr. Stephen R. Sroka.

Res. No. 1140-96. Fraternal Order of Police Associates.

RESOLUTION OF RECOGNITION

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

Res. No. 1141-96. Bertram E. Gardner.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 1101-96.

By Councilmen Coats, 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 981-1003 East 149th Street aka 14900-14918 St. Clair Avenue to Collinwood Community Services Center.

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, adminis-

tered 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 Nos. 115-16-001, 115-16-025, 115-16-026, as more fully described in Section 2 below, to Collinwood Community Services Center.

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

981-1003 East 149th Street,
aka 14900-14918 St. Clair Avenue

Permanent Parcel
Numbers: 115-16-001, 025, 026,
027 & 028

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 2 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2, as shown by the recorded plat in Volume 18 of Maps, Page 9 of Cuyahoga County Records, and also a part of St. Clair Avenue, N.E., vacated by Ordinance No. 31547 of the City of Cleveland, Passed December 8, 1913 and together forming a parcel of land bounded and described as follows:

Beginning in the intersection of the Southerly line of St. Clair Avenue, N.E. (60 feet wide), with the Easterly line of East 149th Street, (formerly Gray's Court); thence Easterly along said Southerly line of St. Clair Avenue, N.E., 40 feet to its point of intersection with the Northerly prolongation of the Westerly line of land conveyed to Mary E. Mattox, by deed dated November 18, 1908 and recorded in Volume 1174, Page 428 of Cuyahoga County Records; thence Southerly along said Northerly prolongation and along said Westerly line of land so conveyed to Mary E. Mattox, 64-47/100 feet; thence Westerly about 40 feet to a point in said Easterly line of East 149th Street, distant 72-27/100 feet Northerly, (measured along said Easterly line), from the Southwesterly corner of said Sublot No. 2; thence Northerly along said Easterly line of East 149th Street, 63-18/100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

PARCEL NO. 2:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Easterly part of Sublot No. 2 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2, as shown by the recorded plat in Volume 18, Page 9 of Cuyahoga County Records, and also a part of St. Clair Avenue, N.E. vacated by Ordinance No. 31547 of the City of Cleveland, passed December 8, 1913

and together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of St. Clair Avenue, N.E. (60 feet wide), at its point of intersection with the Northerly prolongation of the Easterly line of land conveyed to Samantha L. Baldwin, by deed dated May 2, 1895 and recorded in Volume 599, Page 397 of Cuyahoga County records; thence Southerly along said Northerly prolongation and along said Easterly line of land so conveyed to the Southerly line of Sublot No. 2; thence Easterly along said Southerly line of Sublot No. 2 to the Southeastly corner thereof thence Northerly along said Easterly line of Sublot No. 2, and along the Northerly prolongation thereof, to said Southerly line of St. Clair Avenue, N.E.; thence Westerly along said Southerly line of St. Clair Avenue, N.E. to the place of beginning, be the same more or less, but subject to all legal highways.

PARCEL NO 3:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 3 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2, as shown by the recorded plat in Volume 18 of Maps, Page 9 of Cuyahoga County Records, and being 38 feet front on the Easterly side of East 149th Street, (formerly Gray's Court), and extending back 119.96 feet on the Northerly line, 117.47 feet on the Southerly line, and has a rear line of 38 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

PARCEL NO. 4:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 4 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2 as shown by the recorded plat in Volume 18 of Maps, Page 9 of Cuyahoga County Records, and being 45 feet front on the Easterly side of East 149th Street (formerly Gray's Court), and extending back 117.47 feet on the Northerly line, 115.44 feet on the Southerly line, and has a rear line of 52.25 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

PARCEL NO. 5:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 5 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2, as shown by the recorded plat in Volume 18 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 149th Street (formerly Gray's Court), and extending back 115.44 feet deep on the Northerly line, 113.85 feet deep on the Southerly line, and 40.03 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

PARCEL NO. 6:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 2 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2, as shown by the recorded plat in Vol-

ume 18 of Maps, Page 9 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 149th Street, at the Southwest corner of said Sublot No. 2; thence Northerly along the Easterly line of East 149th Street, about 72.27 feet to the Southerly line of land conveyed to Jacob Kutnick, by deed dated March 11, 1926 and recorded in Volume 3343, Page 153 of Cuyahoga County records; thence Easterly along the Southerly line of land so conveyed to Jacob Kutnick, about 40 feet to the Westerly line of land conveyed to Mary E. Mattox, by deed dated November 18, 1908 and recorded in Volume 1174, Page 428 of Cuyahoga County records; thence Southerly along said Westerly line of land so conveyed to Mary E. Mattox, about 74.71 feet to the Southerly line of said Sublot No. 2; thence Westerly along said Southerly line of Sublot No. 2, about 40.03 feet to the place of beginning, be the same more or less but subject to all legal highways.

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

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

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

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

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

Ord. No. 1102-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of diesel fuel, 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 diesel fuel 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 21051)

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

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

Ord. No. 1103-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21052)

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

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

Ord. No. 1104-96.

By Councilmen Coats and Rokakis (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 21314)

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

from and after the earliest period allowed by law.

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

Ord. No. 1105-96.

By Councilmen Melena, 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 4705-15 Clinton Avenue to Perry Jacobs.

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. 002-13-037, as more fully described in Section 2 below, to Perry Jacobs.

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. 002-13-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 33 and part of Sublots Nos. 32 and 34 in Jacob Perkins Subdivision of part of Original Brooklyn Township Lots Nos. 50 and 51 as shown by the recorded plat in Volume 1 of Maps, Page 19 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Southerly line of Clinton Avenue, N.W., at the Northwesterly corner of land conveyed to Helen C. Mugridge and Edwin R. Mugridge by deed dated September 26, 1951 and recorded in Volume 7405, Page 297 of Cuyahoga County Records; Thence Westerly along the Southerly line of Clinton Avenue, N.W., 73 feet 11 inches to the North-easterly corner of land conveyed to Kareem T. Salem and Sophie Salem by deed dated January 13, 1953 ad recorded in Volume 8017, Page 55 of Cuyahoga County Records; Thence Southerly along the Easterly line of land so conveyed to Kareem T. Salem and Sophie Salem, 158 feet 9 inches to the Northerly line of Vine Court, N.W.; Thence Easterly along the Northerly line of Vine Court, N.W., 68 feet 11 inches to the Southwesterly corner of land conveyed to James W. Massinghill and Rosa Lee Massinghill by deed dated April 9, 1958 and recorded in Volume 9074, Page 276 of Cuyahoga County Records; thence Northerly along the Westerly line of land so conveyed to James V. and Rosa Lee Massinghill, 67 feet to the Northwesterly

corner thereof; Thence Easterly along the Northerly line of land so conveyed to James W. and Rosa Lee Massinghill, 5 feet to the Southwesterly corner of land conveyed to Helen C. and Edwin R. Mugridge, as aforesaid; Thence Northerly along the Westerly line of land conveyed to Helen C. and Edwin R. Mugridge, 91 feet nine inches to the place of beginning, be the same more or less, but subject to all legal highways.

Easement recorded in Volume 2610, Page 379 of Cuyahoga County Records. Zoning Ordinances, if any.

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

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

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

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

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

Ord. No. 1106-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Continental Airlines, Inc. for an aircraft hangar and freight terminal facility at Cleveland Hopkins International Airport.

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 any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary notwithstanding, the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with Continental Airlines, Inc., for the use and occupancy of approximately 5.682 acres generally located on the west side of Cargo Road, south of Five Points Road, on Permanent Parcel No. 029-36-008 at Cleveland Hopkins International Airport to maintain and operate an aircraft hangar and freight terminal

facility at the premises. The primary term of said Lease By Way of Concession shall commence upon the date the Lease is executed by both parties and, unless sooner terminated or cancelled, shall expire ten (10) years thereafter. The annual rental for the leased premises shall be as follows:

Period	Rate Per Annum
Execution through year 5	
Years 6 through 10	\$ 210,000.00
	\$ 241,500.00

Continental Airlines, Inc. may renew the Lease By Way of Concession for the following renewal periods with the first of such renewal periods commencing on the day following the expiration of the primary term and with all other terms and conditions of the Lease to remain the same during the renewal periods, except rent which shall be as follows:

1st five (5) year renewal —	\$277,725.00
2nd five (5.) year renewal —	\$319,383.00

Continental Airlines, Inc. shall be issued credits against rent or landing fees for making certain improvements approved by the Director. At no time, however shall the issuance of credits result in the rent received by the City for the premises being less than \$16,000 per year.

Section 2. That the Lease By Way of Concession authorized herein shall be prepared by the Director of Law, and shall contain such additional conditions and provisions as said Director deems necessary to protect and benefit the public interest.

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

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

Ord. No. 1107-96.

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

An emergency ordinance determining the method of making the public improvement of constructing a new parking facility and associated appurtenances at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing a new parking facility and associated appurtenances, for the Division of Cleve-

land Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Port Control is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 60 SF 112, 60 SF 115, 60 SF 117, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project, Request No. 20856.

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

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

Ord. No. 1108-96.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for a multiple-use City facility at 1440 Lakeside Avenue, for the Division of Water, Department of Public Utilities; determining the method of making the public improvement of renovating 1440 Lakeside Avenue; authorizing the Director of Public Utilities to enter into contracts for the making of such improvements; authorizing the purchase by standard purchase and requirement contracts of related labor and materials; authorizing the acquisition of various rights and interests in real property; authorizing the relocation or modification of fixtures or features on said property; and authorizing various professional services contracts for the Division of Water, Department of Public Utilities.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby autho-

riized to purchase the following described property for the purpose of creating a multiple-use City of Cleveland facility to house some of the Department of Public Utilities, Division of Water's operations and for the purpose of leasing excess office space to various other City of Cleveland divisions and departments: The property known as 1440 Lakeside Avenue, Cleveland, Ohio.

Section 2. That the Director of Public Utilities is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such property.

Section 3. That the consideration to be paid for such property shall not exceed its fair market value.

Section 4. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of renovating the existing 1440 Lakeside building for use by multiple divisions and departments of the City of Cleveland, including but not limited to, the demolition of any existing structures located at the properties known as 1440, 1700 and 1875 Lakeside Avenue, Cleveland, Ohio, for the Division of Water, Department of Public Utilities, by contracts duly let to the lowest responsible bidders after competitive bidding for a gross price for the improvements.

Section 5. That the Director of Public Utilities is hereby authorized and directed to enter into contracts for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director, each contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvements.

Section 6. That the Director of Public Utilities is hereby authorized and directed to employ by contract or contracts design engineers, construction managers, architects and other consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for the making of the public improvement described in Section 4 of this ordinance. The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Utilities 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 contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 7. That the Director of

Public Utilities is hereby authorized and directed to apply and pay for such permits, licenses, or other authorizations required by any regulatory entity or other public authority to perform the work authorized by this ordinance.

Section 8. That the Director of Public Utilities is hereby authorized and directed to make written standard purchase contracts and written requirement contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of such requirements to be determined by said director, for the necessary items of labor and materials for the renovation and furnishing of the public improvement authorized by Section 4 of this ordinance, including, but not limited to, all necessary installations, furniture and office equipment necessary to prepare offices and facilities to house the Division of Water's operations and the operations of those various City of Cleveland divisions and departments leasing space at the renovated multiple-use facility, and moving services for the relocation of any City of Cleveland divisions and departments moving into the multiple-use facility, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 9. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property necessary for the public improvement authorized by Section 4 of this ordinance.

Section 10. That the Director of Public Utilities is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interests in real property and to employ title companies, surveyors, escrow agents, appraisers, environmental consultants, field service consultants and other consultants necessary for the acquisition or use of the rights or interests in real property authorized by Section 9 of this ordinance. The consideration to be paid for such property shall not exceed its appraised value.

Section 11. That the Director of Public Utilities is hereby authorized to enter into agreements with the holders of said rights or interests in real property to relocate or otherwise modify existing fixtures or features of said property to permit the construction of the public improvement authorized by Section 4 of this ordinance.

Section 12. That it is hereby acknowledged that each division and department of the City of Cleveland leasing space at the multiple-use facility shall reimburse the Division of Water proportionately for each lessee's share of the cost of the renovation of the 1440 Lakeside building, which costs may include, but are not limited to, design, construction, furnishing, operation, maintenance and moving and relocation costs. Accordingly,

the Director of Finance is hereby authorized and directed to make payments in annual installments to the Division of Water on behalf of the various lessee divisions and departments in an amount equal to each lessee's proportionate share of said costs, payable from funds legally available and appropriated for the use of the various divisions and departments to pay such expenses. The Director of Public Utilities and the Director of Finance are hereby authorized and directed to memorialize the terms and conditions of the lease of the multiple-use facility at 1440 Lakeside Avenue through a Memorandum of Understanding.

Section 13. That the cost of any requirement contract entered into pursuant to Section 8 of this ordinance shall be charged against the proper 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.

Section 14. That all expenditures and costs authorized herein for any contract, including all public improvements, professional services contracts, standard purchases, requirement contracts, and for the acquisition of rights or interests in real property, shall be paid from the fund and subfunds legally available and appropriated for the use of the various divisions and departments of the City of Cleveland, including the Division of Water.

Section 15. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1109-96.
By Councilmen Paulenske and Rokakis.

An emergency ordinance to amend Sections 405.04 and 405.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to impound and storage fees.

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 following Codified Ordinances of Cleveland, Ohio, 1976:

Section 405.04, as amended by Ordinance No. 578-89, passed June 19, 1989,

Section 405.06, as amended by Ordinance No. 286-91, passed March 4, 1991,

are hereby amended to read, respectively, as follows:

Section 405.04 Storage Fee at Vehicle Pound

Whenever any vehicle, except a

bicycle, is stored in a vehicle pound for any reason, a charge of eight dollars (\$8.00) for each day or fraction thereof shall be charged for the storage of the vehicle. No fee for storage shall be charged then the vehicle is the property of the victim of a crime and said vehicle is being held by the Division of Police for processing.

Section 405.06 Impounding and Towing Fees

(a) In addition to the storage fee provided for in Section 405.04, the following fee shall be assessed against the owner or other person claiming an impounded vehicle:

(1) An impounding fee of thirty dollars (\$30.00); and

(2) A towing fee of **seventy** dollars (**\$70.00**), or, if the use of a dolly or a change of tire or tires is necessary, a towing fee of **ninety** dollars (**\$90.00**).

(b) No towing or impounding fees shall be charged when the vehicle is the property of the victim of a crime and such vehicle is being held by the Division of Police for processing.

Section 2. That the existing following Codified Ordinances of Cleveland, Ohio, 1976:

Section 405.04, as amended by Ordinance No. 578-89, passed June 19, 1989,

Section 405.06, as amended by Ordinance No. 286-91, passed March 4, 1991, are hereby repealed.

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

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

Ord. No. 1110-96.
By Councilmen Rokakis, Jackson and Rybka (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1921 and 1623 Denison Avenue; 3896-98 West 34th Street and 3739 West 36th Street to Old Brooklyn Community Development Corporation or its designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 009-04-001, 009-04-014, 014-03-090, 015-24-003, as more fully described in Section 2 below, to Old Brooklyn Community Development Corporation or its designee.

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

P.P. No. 009-04-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 74, bounded and described as follows:

Beginning in the Southerly line of Denison Avenue, S.W., at its point of intersection with the Easterly line of West 20th Street; thence Easterly along the Southerly line of Denison Avenue, S.W., 40.12 feet; thence Southerly along the Westerly line of land conveyed to Roman Krasowski and Mary Krasowski by deed dated May 16, 1922, recorded in Volume 2683, Page 451 of Cuyahoga County Records, about 121.87 feet to the Northerly line of Sublot No. 3 in the Sprankly Realty Company's Subdivision as shown by the recorded plat in Volume 45 of Maps, Page 4 of Cuyahoga County Records; thence Westerly along the Northerly line of said Sublot No. 3 about 40 feet to its point of intersection with the Easterly line of West 20th Street; thence Northerly along the Easterly line of said West 20th Street, 120.03 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P.P. No. 009-04-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 23 in Kees and Burch's "Valley View" of part of Original Brooklyn Township Lot No. 74, as shown by the recorded plat in Volume 29 of Maps, Page 1 of Cuyahoga County Records and being 38.10 feet front on the Southerly side of Denison Avenue, S.W., and extending back 117.56 feet deep on the Easterly line, 110 feet deep on the Westerly line and being 37.33 feet wide in the rear, as appears by said plat.

P.P. No. 014-03-090

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in the H.E. Castle's Allotment of part of Original Brooklyn Township Lot No. 65, as shown by the recorded plat in Volume 13 of Maps, Page 10 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 34th Street, and extending back of equal width 160 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 015-24-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 3 in Andrew Wirth's Allotment of part of Original Brooklyn Township

Lot No. 56, as shown by the recorded plat of said Allotment in Volume 12 of Maps, Page 42 of Cuyahoga County Records. Said Sublot No. 3 has a frontage of 46 feet on the Easterly side of West 36th Street (formerly Mt. Vernon Street) and extends back 136-14/100 feet on the Northerly line, 136-11/100 feet on the Southerly line and has a rear line of 46 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 1111-96.

By Councilmen Smith, 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 3322 West 43 Street and 3318 West 43 Street to Caren Meagher.

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 Sec-

tion 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 015-01-025 and 015-01-026, as more fully described in Section 2 below, to Caren Meagher.

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

Permanent Parcel No. 015-01-025
Sited in the City of Cleveland, County of Cuyahoga, State of Ohio, and known as being Sublot No. 105 in The Selden Allotment of part of Original Brooklyn Township Lot No. 54, as shown by the recorded plat in Volume 13 of Maps, Page 32 of Cuyahoga County Records, and being 36 feet front on the Westerly side of West 43rd Street (formerly Selden Avenue) and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Permanent Parcel No. 015-01-026
Sited in the City of Cleveland, County of Cuyahoga, State of Ohio, and known as being Sublot No. 104 in the Selden Allotment of part of Original Brooklyn Township Lot No. 54, as shown by the recorded plat in Volume 13 of Maps, page 32 of Cuyahoga County Records and being 35 feet front on the Westerly side of West 43rd Street and extending back of equal width 125 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

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

Ord. No. 1112-96.

By Councilmen Westbrook, 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 1320 West 110th Street to Nugent Bros. Renovation and Construction Company.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 001-18-022, as more fully described in Section 2 below, to Nugent Bros. Renovation and Construction Company.

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. 001-18-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 20 feet of Sublot No. 12 and the Northerly 20 feet of Sublot No. 13 in Henry Lower's Subdivision of part of Original Brooklyn Township Lot Nos. 9 and 10, as shown by the recorded plat in Volume 19, Page 28 of Cuyahoga County Records, and together forming a parcel of land 40 feet front on the Westerly side of West 110th Street, and extending back of equal width of 138.75 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain

such provisions as may be necessary to protect and benefit the public interest.

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

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

Ord. No. 1113-96.
By Councilmen White, 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 9212 Miles Avenue and 9216 Miles Avenue to Triumph The Church and Kingdom of God In Christ.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-09-013 and 119-09-014, as more fully described in Section 2 below, to Triumph The Church and Kingdom of God in Christ.

Section 2. That the real property

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

P.P. No. 134-09-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 76 and 77 in Newburgh Village Plat of part of Original 100 Acre Lot No. 464 as shown by the recorded plat in Volume 2 of Maps, Page 20 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows: Beginning on the Southerly line of Miles Avenue, Southeast, 70 feet wide at a point distant 137.15 feet Westerly, measured along said Southerly line, from its intersection with the Westerly line of East 93rd Street; thence Southerly and parallel with said Westerly line of East 93rd Street, to its intersection with the Easterly prolongation of the Southerly line of said Sublot No. 77; thence Westerly along said Easterly prolongation and along the Southerly line of said Sublot No. 77, 44.65 feet to the Southeast corner of land conveyed to George J. Anthony and Lucy M. Anthony by deed dated July 17, 1945, and recorded in Volume 5884, Page 282, of Cuyahoga County Records; thence Northerly along the Easterly line of land so conveyed about 172.65 feet to said Southerly line of Miles Avenue, Southeast; thence Easterly along said Southerly line 44.65, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P.P. No. 134-09-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 76 in The Newburgh Village Allotment, of part of Original One Hundred Acre Lot No. 464, as shown by the recorded plat in Volume 2 of Maps, Page 20 of Cuyahoga County Records, and bounded and described as follows:

Beginning at a state on the Southerly line of Miles Avenue, S. E., as now established 70 feet in width, at a point 96.50 feet westerly from the intersection of said Southerly line with the Westerly line of East 903rd Street; thence Southerly parallel with East 93rd Street about 175.83 feet to a point;

thence Westerly along the Southerly line of the Sawyer Estate, 27 feet; thence Northerly parallel with East 93rd Street 2.5 feet to a stake; thence Westerly along the Southerly line of the Sawyer Estate 13.65 feet to a stake; thence Northerly parallel with East 93rd Street, 172.95 feet to a stake in the Southerly line of Miles Avenue S.E.; thence Easterly along the Southerly line of Miles Avenue S.E., 40.65 feet to the place of beginning, as per survey by The Lander Engineering Company, October, 1916, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

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

Ord. No. 1116-96.
By Councilmen Westbrook and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to pay as Moral Claims the sums set forth opposite and names of the following claimants and charged against the fund numbers opposite the names of the claimants:

Claimant	Claim No.	Amount	Division	Fund
Kelly Hardware & Garden Center	10007	\$1,760.69	Water Pollution Control	54 SF 001
Dennis Anderson	10013	415.00	Water Pollution Control	54 SF 001
Daisy Orlando	10014	1,500.00	Water Pollution Control	54 SF 001
Shirley Logan-Kelley and Jeffrey Kelley	10025	230.00	Water Pollution Control	54 SF 001

Cleveland Home Center	10044	1,582.24	Water Pollution Control	54 SF 001
Ohio Auto Diesel Technical School	10059	4,500.00	Water Pollution Control	54 SF 001
Ellen F. Pearson	10070	1,500.00	Water Pollution Control	54 SF 001
Christopher Williams	10074	1,500.00	Water Pollution Control	54 SF 001
Steven Annes	10106	500.00	Water Pollution Control	54 SF 001
Raymond E. Duke dba, Park Auto Service	10110	3,600.00	Water Pollution Control	54 SF 001
Northern Stamping, Inc.	10084	7,349.00	Water	52 SF 001
Arthur Cashin	10017	76.00	Police	01-60-02-0720
Richard Agnew	10024	325.00	Police	01-60-02-0720
Todd C. and Robert Amsdell	10036	500.00	Police	01-60-02-0720
Luther Levert	10058	184.68	Police	01-60-02-0720
Ronell Frazier	10065	130.00	Police	01-60-02-0720
Debra and Dennis Carr	10069	324.90	Police	01-60-02-0720
Lindsey Levert	10085	400.00	Police	01-60-02-0720
Calvin Jerome Jackson	10099	350.00	Police	01-60-02-0720
Theresa Sutton	10150	2,625.00	Police	01-60-02-0720
John V. Senn	10109	96.00	Police	01-60-02-0720
Leroy C. Nagle	10112	100.00	Police	01-60-02-0720
Marjorie A. Leonard	10018	500.00	Fire	01-60-03-0720
Harry A. Wilson, Jr.	10053	450.00	Fire	01-60-03-0720
James C. Varsey	10057	100.00	Emergency Medical Service	01-60-04-0720
Georgia Bickerstaff	10094	250.00	Emergency Medical Service	01-60-04-0720
Valerie Riddle	9993	372.49	Park Maintenance and Properties	01-70-10-0720
Claudia Lattimore	10008	50.00	Park Maintenance and Properties	01-70-10-0720
Timothy J. Driscoll	10012	100.00	Park Maintenance and Properties	01-70-10-0720
Ivonne Fernandez	10037A	1,100.00	Park Maintenance (Urban Forestry)	01-70-10-0720
Adam Misztal	10037B	1,025.00	Park Maintenance (Urban Forestry)	01-70-10-0720
SRS Hotels	10028	497.95	Convention Center	10 SF 051
Matthew Swank and Progressive Services, Inc.	10000	372.00	Clerk of Courts	01-01-16-0720
Barbara Ann Kish and Douglas Kuchna	10010	83.00	Clerk of Courts	01-01-16-0720
Michael Gettings	10060	4,070.00	Building and Housing	01-80-05-0720
Joseph Mihalic	10089	13,400.00	Building and Housing	01-80-05-0720
Joseph Mason	10093	17,900.00	Building and Housing	01-80-05-0720
Floyd Leach	10003	275.00	Neighborhood Development	01-80-05-0720
Ace Fixtures	10035	205.60	Streets	10 SF 401
Wilbert Williams	10051	60.00	Streets	10 SF 401
Harvey Duty	10092	500.00	Waste Collection	01-40-03-0720

Section 2. That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date 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.

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

Ord. No. 1126-96.
By Councilmen Smith, Rybka, Lewis, Polensek, McGuirk, Robinson, White, Melena and Paulenske.
An emergency ordinance authorizing and directing the submission to the electors of the City of Cleveland of a proposal to amend Section 116 of the Charter of the City of Cleveland, relating to the police force and control by the chief.

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that it must be certified to the election authorities immediately in order for the question to appear at the special election to be held on November 5, 1996, and providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That this Council hereby authorizes and directs the submission to the electors of the City of Cleveland at the special election to be held at the usual places of voting of said City on Tuesday, November 5, 1996, of a proposal to amend Section 116 of the Charter of the City of Cleveland to read as follows:

§116 Police Force; Control by Chief

The Police Force shall consist of a Chief, three Deputy Chiefs of Police, **twelve** Commanders of Police, **one of whom shall serve as a Commander of Police for community policing**, and such other officers, patrolman and employees as may be provided by ordinance or resolution of the Council. In case of riot or like emergency the Mayor may appoint additional patrolmen and officers for temporary service who need not be in the classified service. The Chief of Police shall be appointed by the Mayor from the division of police or may be a **person** appointed from outside the division who shall have had training and experience in law enforcement and **the Chief of Police shall serve at the pleasure of the Mayor. The Chief of Police shall appoint the Deputy Chiefs of Police and the Commanders of Police from members of the division of police who have reached the rank of lieutenant or higher or may be persons appointed from outside the division who shall have had training and experience in law enforcement and they shall serve at the pleasure of the Chief of Police.** The Council may, by ordinance, direct the **Chief of Police** to make appointments of minorities to the positions of Deputy Chief of Police and Commander of Police. Upon the termination of their service as Chief of Police, Deputy Chief of Police, or Commander of Police they shall, if appointed from the division of police, revert to the civil service status held by them at the time of their appointment, in so far as it is competent for this Charter so to provide. The Chief of Police shall have exclusive control of the stationing and transfer of patrolmen and other officers and employees constituting the police Force, under such rules and regulations as may be established by the Mayor or by the director of the department to whom the Chief of Police may be immediately responsible.

Section 2. That the foregoing proposed amendment, upon receiving at

least a majority of the votes cast thereon at the November 5, 1996, special election, shall become effective immediately upon its adoption.

Section 3. That the Clerk of this Council is hereby authorized and directed promptly to forward a certified copy of this ordinance to the Board of Elections of Cuyahoga County.

Section 4. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the election to be held on November 5, 1996, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 5. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper published in the City of Cleveland, with the first publication to be made at least fifteen days prior to the special election to be held on November 5, 1996, as provided in Article XVIII, Section 9, of the Constitution of the State of Ohio, Section 731.211 of the Ohio Revised Code, and Section 200 of the Charter of the City of Cleveland.

Section 6. That the ballot submitting the question of the adoption of the aforesaid amendment shall read as follows:

PROPOSED CHARTER
 AMENDMENT

CITY OF CLEVELAND

A majority affirmative vote is necessary for passage.

Shall Section 116 of the Charter of the City of Cleveland be amended to provide that Deputy Chiefs of Police and Commanders of Police shall be appointed by and serve at the pleasure of the Chief of Police from members of the division of police who have reached the rank of lieutenant or higher or from persons appointed from outside the division who shall have had training and experience in law enforcement?

Section 7. That, for the reasons stated in the preamble hereof, which is made a part hereof, this ordinance shall take effect and be in force immediately upon its passage by the affirmative vote of two-thirds of all members elected to Council.

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

Ord. No. 1128-96.

By Councilman Patton.

An emergency ordinance to amend Section 437.20 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976, relating to muffler, muffler cutout, excessive smoke, gas or noise.

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 437.20 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976, is hereby amended to read as follows:

Section 437.20 Muffler; Muffler Cutout; Excessive Smoke, Gas or Noise

(a) No person shall own, operate or have in his possession any motor vehicle or motorcycle equipped with a device for producing excessive smoke or gas, or so equipped as to permit oil or any other chemical to flow into or upon the exhaust pipe or muffler of such vehicle or in any other way to produce or emit smoke or dangerous or annoying gases from any portion of such vehicle other than the ordinary gases emitted by the exhaust of an internal combustion engine under normal operation.

(b) No person shall own, operate or have in his possession any motor vehicle or motorcycle which emits a flame generated by the ignition or any flammable substance in a muffler or any other device.

(c) No person shall own, operate or have in his possession any motor vehicle with an internal combustion engine which is not equipped with an adequate muffler or a motorcycle which is not equipped with a compound muffler, in constant operation and properly maintained to prevent any excessive or unusual noise or sound, and no muffler or exhaust system shall be equipped with a cutout, by-pass or similar device. No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise or sound emitted by the motor of the vehicle in excess of that emitted by the muffler originally installed on the vehicle, and the original muffler shall comply with all of the requirements of this section.

(d) For the purpose of this section "muffler" means a device consisting of a series of chambers or baffle plates, or other mechanical design for the purpose of receiving exhaust gas from an internal combustion engine, and effective in reducing noise. Exhaust pipes shall be parallel to the ground and vehicle, or vertical, and if vertical, the exhaust from the pipes shall not be directed to the side of the vehicle.

(e) **No person shall operate any motor vehicle or motorcycle which produces an unreasonably loud, disturbing, and/or unnecessary noise or noises of such character, intensity, or duration as to be detrimental to the life and health of any individual.**

(f) **Whoever violates this section is guilty of a minor misdemeanor, and shall be fined no less than seventy-five dollars (\$75.00), which fine shall not be suspended, waived, or otherwise reduced below that amount.**

Section 2. That existing Section 437.20 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976, is hereby repealed.

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

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

**Ord. No. 1129-96.
By Councilmen Westbrook and Willis.**

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 613.16, relating to improper disposal of glass containers.

Whereas, the retail sale of certain alcoholic beverages in breakable glass containers when improperly disposed of when empty has resulted in such a proliferation of broken glass in and upon the streets, parks, and other public grounds of the City as to render said public grounds dangerous to the citizens and particularly children; and

Whereas, the problem of broken glass caused by improper disposal of empty beer bottles poses a serious health and safety problem to the citizens and children of this City; and

Whereas, the problem of broken glass is exacerbated by individuals who fail to dispose of such containers properly, thereby littering the streets, sidewalks, parks, and other public places in the City causing a public health nuisance; and

Whereas, enforcement of proper disposal of glass containers can help reduce the littering problem that is occurring on the streets, sidewalks, parks, and other public grounds of the City; 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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 613.16 thereof to read as follows:

Section 613.16 Improper Disposal of Glass Containers; Penalty

(a) No person shall throw, deposit, break, or cause to be broken glass bottles in or upon any street, sidewalk, park, or other public place within the City except in public receptacles or in authorized receptacles for collection.

(b) Notwithstanding the penalties provided in Section 613.99, whoever violates this section shall be fined \$250.00 or shall be required to provide 25 hours of community service on a first offense; on a subsequent offense, such person shall be fined \$500.00 or shall be required to provide 50 hours of community service.

(c) The penalties provided for in division (b) of this section are intended to be mandatory. In the event a fine is imposed, said fine shall not be suspended, waived, or otherwise reduced below \$250.00 for a first offense or \$500.00 for a subsequent offense. If, on the other hand, community service is imposed, such person shall be required to spend exactly 25 hours for a first offense, or 50 hours for a subsequent offense, cleaning up litter in the ward where the offense took place.

Section 2. That the Director of Public Health shall be urged to develop a program encouraging retailers to post notices of these penalties and to make sign-up sheets available to volunteers interested in cleaning up the City.

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

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

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

**Ord. No. 1131-96.
By Councilmen Melena, Zone, Britt and White.**

An emergency ordinance authorizing and directing the submission to the electors of the City of Cleveland of a proposal to amend Section 24 of the Charter of the City of Cleveland, relating to powers, term and vacancies.

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that it must be certified to the election authorities immediately in order for the question to appear at the special election to be held on November 5, 1996, and providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That this Council hereby authorizes and directs the submission to the electors of the City of Cleveland at the special election to be held at the usual places of voting of said City on Tuesday, November 5, 1996, of a proposal to amend Section 24 of the Charter of the City of Cleveland to read as follows:

§24 Powers, Terms and Vacancies

The legislative powers of the City, except as reserved to the people by this Charter, shall be vested in a Council, each member of which shall be elected from a separate ward. Members of Council shall be elected for a term of four years and shall serve until their successors are chosen and have qualified.

If at any time, the office of a member is vacant by reason of non-election, death, resignation, removal of residence from the ward represented or from any other cause whatsoever, except when the vacancy is caused by a recall petition, such vacancy shall be filled by the Council for the unexpired term; provided, however, that if the vacancy occurs at any time which is more than one year before the next regular municipal election, the person selected by the Council to fill the vacancy shall hold office until his successor is elected at special municipal elections **to be held in accordance with this section and is qualified.** The aforesaid special municipal elections shall be held on the first Tuesday after sixty days from the day on which said vacancy first occurs, at which time the primary election shall be held, and, **provided no candidate receives greater than fifty percent (50%) of the total vote cast at said primary election,** on the fifth Tuesday following said primary election, at which time the final special municipal election shall be held, and all the provisions of this Charter contained as to nomination and, **except as otherwise provided in this section,** election of candidates for member of Council at regular municipal elections shall apply to said special municipal elections. **If a candidate receives greater than fifty percent**

(50%) of the total vote cast at said primary election, said candidate shall be elected to fill said vacancy for the unexpired term, and no final special municipal election shall be held. The person so elected shall hold office for the unexpired portion of the term in which the vacancy in the office of member of Council occurred and until his successor is elected and qualified and shall assume office immediately upon his election and qualification.

Section 2. That the foregoing proposed amendment, upon receiving at least a majority of the votes cast thereon at the November 5, 1996, special election, shall become effective immediately upon its adoption.

Section 3. That the Clerk of this Council is hereby authorized and directed promptly to forward a certified copy of this ordinance to the Board of Elections of Cuyahoga County.

Section 4. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the election to be held on November 5, 1996, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 5. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper published in the City of Cleveland, with the first publication to be made at least fifteen days prior to the special election to be held on November 5, 1996, as provided in Article XVIII, Section 9, of the Constitution of the State of Ohio, Section 731.211 of the Ohio Revised Code, and Section 200 of the Charter of the City of Cleveland.

Section 6. That the ballot submitting the question of the adoption of the aforesaid amendment shall read as follows:

PROPOSED
CHARTER AMENDMENT

CITY OF CLEVELAND

A majority affirmative vote is necessary for passage.

Shall Section 24 of the Charter of the City of Cleveland be amended to provide that a candidate receiving greater than fifty percent (50%) of the total vote cast at a special primary election to fill a vacancy in the office of member of Council for an unexpired term shall be elected to fill the vacancy and that no final special municipal election shall be held?

Section 7. That, for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance shall take effect and be in force immediately upon its passage by the affirmative vote of two-thirds of all the members elected to Council.

Referred to Director of Law; Committee on Legislation.

FIRST READING
ORDINANCE REFERRED

**Ord. No. 2288-A-95.
(As a substitute for Ord. No. 2288-95).**

**By Councilman Willis.
An ordinance to supplement the Codified Ordinance of Cleveland, Ohio, 1976, by enacting new Section**

629.09 thereof, relating to the retail sale for off premises consumption of beer, malt liquor or any malt beverage in chilled glass bottles.

Whereas, the retail sale of certain alcoholic beverages in breakable glass containers which are improperly disposed of when empty has resulted in such a proliferation of broken glass in and upon the streets, parks and other public grounds of the City as to render said public grounds dangerous to our citizens and particularly to our children; and

Whereas, the problem of broken glass caused by improper disposal of empty beer bottles poses a serious health and safety problem; and

Whereas, it is virtually impossible to recycle glass once it is broken and it is virtually impossible to remove all broken glass from grassy areas in parks and recreational areas; and

Whereas, a substantial cause of the problem of broken glass littering streets, sidewalks, parks and other public areas of the City is the improper disposal of empty bottles of beer, malt liquor and malt beverages which are sold chilled at retail for off-premises consumption; now, therefore,

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 629.09 thereof, to read as follows:

Section 629.09 Beer in Chilled Glass Bottles Prohibited

(a) For purposes of this section:

(1) "Beer", "malt liquor" or "malt beverage" includes all brewed or fermented malt products containing one-half of one percent or more of alcohol by volume but not more than six per cent of alcohol by weight.

(2) "Chilled" means any temperature below 65° F.

(b) No person shall sell at retail for off-premise consumption any beer, malt liquor, or malt beverage in chilled glass bottles 22 ounces or larger in size.

(c) No person shall sell at retail for off-premise consumption any beer, malt liquor, or malt beverage in chilled glass bottles 22 ounces or smaller in size, unless the beer, malt liquor, or malt beverage is sold in packaging containing no less than twelve (12) glass bottles.

(d) This section shall not apply to any liquor permit holder located within 1000 feet of another liquor permit holder selling beer, malt liquor, or malt beverage at retail for off-premise consumption in a bordering municipality or township, provided that the bordering municipality or township has not enacted an ordinance containing a prohibition similar to the prohibition of either division (b) or (c) of this section.

(e) Whoever violates this section shall be guilty of a minor misdemeanor. In addition to any other method of enforcement provided for in this chapter, the above listed minor misdemeanor may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Without objection, the substitute

was agreed to. Ordinance No. 2288-95, Laid on the Table.

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

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 1114-96.

By Councilman Paulenske (by request).

An emergency resolution declaring the intention to vacate a portion of Stuber Court N.E.

Whereas, this Council is satisfied that there is good cause for vacating a portion of Stuber Court N.E., as hereinafter described, 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 it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as;

Being all that portion of STUBER COURT N.E. (15.00 and 16.00 feet wide), described as follows:

Beginning on the Northerly line of Stuber Court N.E. at its intersection with the Westerly line of East 30th Street (66.00 feet wide); thence South 57°-39'-48" West along the Northerly line of said Stuber Court N.E., 114.00 feet to a point; thence South 32°-20'-12" East along the Westerly line of said Stuber Court N.E., 38.76 feet to a point; thence North 60°-45'-48" East, 16.02 feet to a point on the Easterly line of said Stuber Court N.E.; thence North 32°-20'-12" West along the Easterly line of said Stuber Court, 24.62 feet to a point; thence North 57°-39'-48" East along the Southerly line of said Stuber Court N.E., 98.00 feet to the Westerly line of East 30th Street as aforesaid; thence North 32°-20'-12" West, 15.00 feet to the place of beginning.

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

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

Res. No. 1115-96.

By Councilman Smith (by request).

An emergency resolution declaring the intention to vacate a portion of Auburn Avenue S.W.

Whereas, this Council is satisfied that there is good cause for vacating a portion of Auburn Avenue S.W., as hereinafter described, 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 it hereby declares its intention to vacate:

The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as; Being all that portion of Auburn

Avenue S.W. (20.00 feet wide), extending Easterly from the Easterly line of West 25th Street (66.00 feet wide), to the Southerly prolongation of the Westerly line of West 19th Street (30.00 feet wide).

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1117-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Service to enter into an amendment to Contract No. 48530 with the Kenmore Construction Company to extend the term of the existing requirement contract for pavement grinding and project signs.

Whereas, pursuant to Ordinance No. 883-95, passed May 15, 1995, the Director of Public Service entered into Contract No. 48530 with Kenmore Construction Company for the public improvement by requirement contract of pavement grinding and project signs; and

Whereas, the existing contract expires in August 1996 prior to the completion of the present construction season; and

Whereas, the City and the contractor are willing to extend the requirement contract to November 30, 1996 under the same terms and conditions and, thus, enable the City to complete the current construction season without disruption and enter into future contracts for a complete construction season; and

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

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

Section 1. That the Director of Public Service is authorized to enter into an amendment to Contract No. 48530 with Kenmore Construction Company for the public improvement by requirement contract of pavement grinding and project signs. Said amendment shall extend the term of the contract for a period expiring November 30, 1996, and shall increase the total estimated amount of the contract by the sum of \$438,940.00, to be paid from Fund No. 10 SF 401, Request No. 21313. All other terms and conditions of the contract shall remain unchanged.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1118-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance to amend the title, Section 2, and Section 4 of Ordinance No. 756-95, passed May 22, 1995, relating to the public improvement of constructing and reconstructing sidewalks, handicap ramps, and curbing and authorizing the Director of Public Service to enter into one or more requirement contracts for the making of said improvements.

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

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

Section 1. That the title, Section 2 and Section 4 of Ordinance No. 756-95, passed May 22, 1995, are hereby amended to read, respectively, as follows:

An emergency ordinance determining the method of making the public improvement of constructing and reconstructing sidewalks, handicap ramps, and curbing on the eastern, western, northern, southern and downtown districts of the City and authorizing the Director of Public Service to enter into one or more requirement contracts for the making of said improvements through **December 31, 1996.**

Section 2. That the Director of Public Service is hereby authorized to enter into a written requirement contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for all such work estimated to be performed during the period ending on **December 31, 1996**, on a unit basis. In the discretion of the Board of Control, separate requirement contracts may be let for specific districts within the City.

Section 4. That the Director of Public Service is hereby authorized to enter into a written requirement contract for the making of the public improvement described in Section 3 with the lowest responsible bidder after competitive bidding for all such work estimated to be performed during the period ending on **December 31, 1996**, on a unit basis. In the discretion of the Board of Control, separate requirement contracts may be let for specific districts within the City.

Section 2. That the existing title, Section 2 and Section 4 of Ordinance No. 756-95, passed May 22, 1995, are hereby repealed.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1119-96.

By Councilman Paulenske.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Office of Mayor White to stretch a banner on Superior Avenue near Public Square for the period from June 11, 1996 to June 30, 1996, inclusive, publicizing the U.S. Conference of Mayors.

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 Office of Mayor White to install, maintain and remove a banner on Superior Avenue near Public Square for the period from June 11, 1996 to June 30, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1127-96.

By Councilman Johnson.

An emergency ordinance authorizing and directing the Director of Public Safety of the City of Cleveland to enter into a mutual aid contract with the City of Shaker Heights, Ohio for certain police protection activities pursuant to the authority of Section 737.04 of the Ohio Revised Code.

Whereas, the cities of Cleveland and Shaker Heights share common borders in the Shaker Square area; and

Whereas, pursuant to the authority of Section 737.04 of the Ohio Revised Code, a municipal corporation may enter into a contract with other municipal corporations to obtain police protection or additional police protection; and

Whereas, it is the desire of this Council to enter into a contract for the mutual interchange of police personnel in the area commonly referred to as the Shaker Square neighborhood;

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

Section 1. That the Director of Public Safety of the City of Cleve-

land be and he is hereby authorized and directed to enter into a mutual aid contract for police protection, pursuant to the authority of the Ohio Constitution and the Ohio Revised Code, with the City of Shaker Heights, Ohio for the area commonly known as Shaker Square neighborhood.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1120-96.

By Councilman Coats.

An emergency resolution objecting to the transfer of ownership of a D1 and D2 Liquor Permit to 18324 Euclid Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1 and D2 Liquor Permit from Permit No. 107288106605, Buckeye P.H. Inc., dba Pizza Hut Unit #413126, 18324 Euclid Avenue, Cleveland, Ohio 44112, to Permit No. 5927201-0115, Midland Food Services LLC, dba Pizza Hut, 18324 Euclid Avenue, Cleveland, Ohio 44112; 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 and D2 Liquor Permit from Permit No. 107288106605, Buckeye P.H. Inc., dba Pizza Hut Unit #413126, 18324 Euclid Avenue, Cleveland, Ohio 44112, to Permit No. 5927201-0115, Midland Food Services LLC, dba Pizza Hut, 18324 Euclid Avenue, Cleveland, Ohio 44112, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 1122-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency resolution requiring the laying, relaying and repairing of sidewalks and curbing on certain streets.

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 the sidewalks and curbing on the following streets, at locations hereinafter named and between the points described, including both the frontages and depths of corner lots where said streets intersect, be laid, relaid and repaired, with either stone-flagging or concrete, to the full width of the present sidewalks or curbing on the following streets and in accordance with the established grade on each street respectively:

London Road (Euclid Avenue to Railroad Tracks)

West 115th Street (Fruitland Court to Clifton Boulevard)

West 110th Street (the following addresses: 3119, 3120, 3122, 3123, 3127, 3133, 3137, 3140, 3144, 3148)

Section 2. That the Director of Finance shall cause a written notice of the adoption of the resolution to be served upon the owner or agent of the owner of each parcel of land abutting upon the sidewalk or curbing to be laid, relaid or repaired, in the manner provided by law for the service of summons in civil actions and in accordance with Section 164 of the Charter of the City of Cleveland. A copy of the notice, with the

time and manner of service endorsed thereon, signed by the person serving it, shall be returned to the office of the Director of Finance and there be filed and preserved. The said notice shall also provide that if the sidewalks or curbs are not laid, relaid or repaired by the abutting owner, in accordance with the notice, within thirty (30) days from service of the notice, of the completion of the publication thereof, the City will proceed through the appropriate department, to lay, relay or repair such sidewalks or curbs at the cost and expense of the owner of the property in front of which the same is laid, relaid or repaired, and the cost and expense thereof, unless paid to the Director of Finance, will be assessed against the abutting property, and collected in the same manner as other assessments, as provided by Section 165 of the Charter of the City of Cleveland.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 1123-96.

By Councilman Miller.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 16120 Brookpark Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 6703214, Parkbrook, Inc., 16120 Brookpark Road, Cleveland, Ohio 44135, to Permit No. 8385521, Sounion Inc., 16120 Brookpark Road, Cleveland, Ohio 44135; and

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

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

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

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

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

Whereas, this objection is based

on other legal grounds as set forth in Revised Code Section 4303.292; and

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 6703214, Parkbrook, Inc., 16120 Brookpark Road, Cleveland, Ohio 44135, to Permit No. 8385521, Sounion Inc., 16120 Brookpark Road, Cleveland, Ohio 44135, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 1124-96.

By Councilman Rybka.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 5504 Harvard Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 2759323, 5504 Harvard Inc., dba Darby Bar, 5504 Harvard Avenue, Cleveland, Ohio 44105, to Permit No. 4637367, Kamio Kim, dba Mugshot Tavern, 5504 Harvard 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 constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 2759323, 5504 Harvard Inc., dba Darby Bar, 5504 Harvard Avenue, Cleveland, Ohio 44105, to Permit No. 4637367, Kamio Kim, dba Mugshot Tavern, 5504 Harvard 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.

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 1125-96.

By Councilman Westbrook.

An emergency resolution fixing the summer schedule of meetings of the Council of the City of Cleveland.

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 the schedule of meetings during the summer months for the Council of the City of Cleveland is hereby fixed as follows:

Wednesday, July 17, 1996
Wednesday, August 14, 1996

A notice identifying the time of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk of Council

prior to each of the above meetings dates. The Council will resume regular session at 7:00 p.m. on Monday, September 9, 1996.

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

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 1130-96.

By Councilmen Polensek, McGuirk, O'Malley, Smith, Lewis, Rybka, Paulenske, Miller, Zone, Westbrook.

An emergency resolution supporting the right of all workers, in both the public and private economic sectors, to union representation, along with the State of Ohio's collective bargaining law for public employees.

Whereas, as we enter the City of Cleveland's Bicentennial celebrations this summer, we must remember the tremendous impact and influence that labor unions have had on our City's heritage during the last century, including their role in Cleveland becoming An All America City; and

Whereas, understanding the importance of collective bargaining, in 1983, the Ohio State Legislature adopted this state's first collective bargaining law for public employees; and

Whereas, it is the desire of this Council to express its never-ending gratitude and support of all labor unions and their members; and

Whereas, this Council fully supports the right of workers to organize and lends its support to the rights of public employees under Chapter 4117 of the Ohio Revised Code;

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

Section 1. That this Council salutes all members of labor unions and expresses their gratitude in the role of labor unions in making Cleveland An All America City.

Section 2. That this Council strongly supports the rights of Ohio's public employees under Ohio's collective bargaining law contained in Chapter 4117 of the Ohio Revised Code, which attempts to the level the playing fields of employers and employees.

Section 3. That the Clerk of Council transmit copies of this resolution to Governor Voinovich, State Senator Aronoff, State Representative Davidson, State Representative Sweeney, and members of the Cleveland Bicentennial Commission.

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

from and after the earliest period allowed by law.

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

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 938-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$18,605,000 for the purpose of providing funds to improve the municipal street system and related facilities, to pay capitalized interest and to pay all expenses incurred in connection with the issuance of the bonds; to authorize agreements with respect to the bonds; and to authorize the issuance of notes in anticipation of such bonds.

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

Ord. No. 939-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$1,130,000 for the purpose of providing funds for public improvements of streets and municipal properties and easements in residential areas and for paying capitalized interest and all expenses incurred in connection with the issuance of the bonds; to authorize agreements with respect to the bonds; and to authorize the issuance of notes in anticipation of such bonds.

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

Ord. No. 942-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$45,000,000 to advance refund certain of the city's outstanding various purpose general obligation bonds issued in the years 1986, 1987, 1988, 1989 and 1990 and to pay expenses incurred in the issuance of those bonds and that refunding, and authorizing the execution and delivery of an escrow agreement and other agreements with respect to the bonds and the advance refunding.

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

**SECOND READING EMERGENCY
ORDINANCES PASSED**

Ord. No. 1604-95.

By Mayor White and Councilmen Johnson and Paulenske.

An emergency ordinance to change the name of Pier Park to the George V. Voinovich Bicentennial Park.

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

1. In the title, at the end, strike the period and insert in lieu thereof **"and the name of the East 9th Street Pier to the Richard F. Celeste Pier."**

2. In the first whereas clause, line 2, after "Voinovich" strike "for his" and insert in lieu thereof **"and Richard F. Celeste for their"**.

3. Insert a new Section 2 to read as follows: **"Section 2. That the name of the East 9th Street Pier is hereby changed to the Richard F. Celeste Pier."**

4. In existing Section 2, line 4, after "park" insert **"and pier"**.

5. Renumber existing Sections 2 and 3, respectively, to new **"Section 3"** and **"Section 4"**.

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 1831-95.

By Councilman Polensek.

An emergency ordinance to amend Sections 605.14, 605.141 and 605.142 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to curfew.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 87-96.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into and execute an amendment to the lease agreement with the Garden Center of Greater Cleveland to include additional property at Wade Park Oval for use consistent with the original lease, to extend the term an additional forty-nine years, and to acknowledge that the Garden Center of Greater Cleveland has officially changed its name to the Cleveland Botanical Garden; and to repeal Ordinance No. 1423-70, passed October 12, 1970.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 197-96.

By Councilmen Coats, McGuirk and Rokakis (by departmental request).

An emergency ordinance to amend Section 507.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2417-90, passed June 17, 1991, relating to penalty for sidewalk obstructions and maintenance.

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

1. In Section 1, at Section 507.99, division (h), line 1, strike "whose" and insert in lieu thereof **"whole"**.

Amendment agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 418-96.

By Councilman Jackson (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to the New Village Corporation, to construct an ornamental fence with a gate and a planting strip, approximately 330 feet long and 3.5-feet wide, which will encroach into the right-of-way of Central Avenue S.E. between East 36th and East 37th Streets at Central Commons Subdivision No. 4.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 525-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program for Bicentennial Village to Fairfax Renaissance Development Corporation or its designee.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 527-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Malinda Rivers, or her designee, to provide economic development assistance to partially finance the acquisition of two buildings, machinery and equipment at 12333-12335 St. Clair Avenue, Cleveland, Ohio.

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

1. Strike Section 2 in its entirety and insert in lieu thereof:

"Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 527-96-A."

2. Strike Section 4 in its entirety and insert in lieu thereof:

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

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 536-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2329 East 37th Street to Central Nehemiah Development Partnership.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 537-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2215 East 36 Street to Greater Cleveland Habitat for Humanity, Incorporated.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 538-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Jurist & Bock Properties, or its designee, to provide economic development assistance to partially finance the acquisition of property at 3700 Prospect Avenue, Cleveland, Ohio.

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

1. Strike Section 2 in its entirety and insert in lieu thereof:

"Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 538-96-A."

2. Strike Section 4 in its entirety and insert in lieu thereof:

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

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 546-96.

By Councilmen Patton, Jackson, Rybka and Rokakis.

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Durham-Phelps Properties, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of a commercial building located at 15000 Miles Avenue, Cleveland, Ohio.

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

1. Strike Section 2 in its entirety and insert in lieu thereof:

"Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 546-96-A."

2. Strike Section 4 in its entirety and insert in lieu thereof:

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

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 549-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Brentwood Limousine, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of a commercial building located at 1530 East 19th Street, Cleveland, Ohio.

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

1. Strike Section 2 in its entirety and insert in lieu thereof:

"Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 549-96-A."

2. Strike Section 4 in its entirety and insert in lieu thereof:

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

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 550-96.

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

An emergency ordinance establishing a Community Reinvestment Area in the area of West 10th Street in the Historic Warehouse District, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

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

1. In Section 1, line 3, strike "1776-A-90-A" and insert in lieu thereof the following: **"550-96-A"**.

Amendment agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 552-96.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 337.031; to amend said Codified Ordinances by amending Sections 325.59, 335.01 and 335.04, as amended by various ordinances; and to repeal Section 309.25, as amended by Ordinance No. 86-85, passed February 25, 1985, all relating to town houses.

Approved by Directors of City Planning Commission, Finance, Law; Relieved of Committee on Finance; Recommended by Committees on City Planning, Legislation.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 553-96.

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

An emergency ordinance establishing a Community Reinvestment Area in the area of 1900 West 25th Street, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

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

1. In Section 1, line 3, strike "1776-A-90-A" and insert in lieu thereof the following: **"553-96-A"**.

Amendment agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 618-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance to amend Section 2 and 4 of Ordinance No. 82-96, passed April 1, 1996, relating to the Directors of Economic Development and Finance to establish,

using Empowerment Zone funds, an Empowerment Zone Debt Service Fund.

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

1. In Section 1, line 17, after "Director" insert **"of Economic Development"**; and in line 24, strike "principle" and insert in lieu thereof **"principal"**.

2. In Section 1, at amended Section 4, strike the first sentence in its entirety and insert in lieu thereof the following:

"Section 4. That the Director of Economic Development is hereby authorized to make debt service payments to the U.S. Department of HUD for any Section 108 Loan awarded as part of the City's Supplemental Empowerment Zone and found by the Director of Economic Development to be in default and/or arrears, pursuant to 24 C.F.R. 470, subpart M."

3. In Section 1, at existing amended Section 4, line 11, after "required notice shall" insert the following: **"include a brief summary of the plan to eliminate the default and/or arrearage, and shall"**.

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 626-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with J.C. Hub Manufacturing Co., or its designee, to provide economic development assistance to partially finance the acquisition and renovation of real property located at 4104 West 150th Street, Cleveland, Ohio.

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

1. In the title, line 7 and in Section 1, line 4, after "finance" insert **"moving expenses, and"**.

2. In the title, line 9 and in Section 1, line 5, strike "4104" and insert in lieu thereof **"4101"**.

3. Strike Section 2 in its entirety and insert in lieu thereof:

"Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 626-96-A."

4. Strike Section 4 in its entirety and insert in lieu thereof:

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

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

In compliance with Section 33 of the Charter, a copy of the legisla-

tion was furnished to each member of Council before final passage.

Ord. No. 627-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and replace interior plants and landscape exterior sites, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 628-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing a salt storage building and associated appurtenances at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 629-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants or one or more firms of consultants to provide professional services to perform various studies, analysis reports and services related to the operation of the airports and the harbor for the various divisions of the Department of Port Control.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 635-96.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a Lease By Way of Concession with the Playhouse Square Foundation certain property in the Cleveland Theatre District for a term not to exceed twenty-five years with an option to renew for two additional ten year terms.

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

1. In Section 5, at the end, strike the period and insert in lieu thereof the following: **“, and shall provide that Council shall be notified prior to termination of the lease.”**

Amendment agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 648-96.

By Councilmen Rybka and Rokakis (by departmental request).

An emergency ordinance to amend Section 350.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, relating to signs for retail districts.

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

1. In Section 1, in Section 350.14, in division (g), at the end, insert the following new language:

“(4) At least five (5) working days prior to the City Planning Commission meeting at which approval under the regulations of this division will be considered, written notice shall be provided to the City Council member in whose ward the proposed sign is to be located.”

Amendment agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 649-96.

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

An emergency ordinance to amend Section 6 of Ordinance No. 2122-93, passed November 22, 1993, as amended by Ordinance No. 2154-95, passed December 18, 1995, relating to an off street parking facility at West 26th Street and Market Avenue.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 650-96.

By Councilmen Zone, Miller and McGuirk (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Cox Cable Cleveland Area, Inc., to construct coaxial and fiber optic cables which will encroach into the right-of-way of certain streets in the City of Cleveland.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 703-96.

By Councilmen Jackson and Rokakis (by departmental request).

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

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 714-96.

By Councilman Paulenske (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to The Playhouse Square Foundation to encroach into the public right-of-way of Huron Road S.E. at East 14th Street and Euclid Avenue with a Public Plaza and a Concession Stand.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 718-96.

By Councilmen White, Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into contract with Union-Miles Development Corp. for the implementation of the Lead-based Paint Abatement on Low and Moderate Income Private Housing Program.

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

1. In Section 1, line 4, after “of” insert **“low level”**; and in line 4, after “services” insert the following: **“in not to exceed one hundred (100) residences in the Miles Park Statistical Planning Area.”**

2. Add new Sections 2 and 3 to read, respectively, as follows:

“Section 2. That the Director of Public Health is hereby authorized and directed to make a written contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: low level lead hazard abatement, including soil remediation, in not to exceed one hundred (100) residences in the Miles Park Statistical Planning Area, to be purchased by the Commissioner of Purchases and Supplies for the Division of Environment, Department of Public Health. Notwithstanding and as exception to Chapter 181 of the Codified Ordinances of the City of Cleveland, the Commissioner of Purchases and Supplies is hereby authorized to procure the low level lead hazard abatements to be purchased hereunder using competitive procedures alternative to formal competitive bidding, but in all cases for the best price obtainable in the market, provided that the cost of such abatements shall not exceed \$10,000 each, and further provided that the approval of the Director of Finance is first obtained.

Section 3. That the cost of the lead hazard abatement contracts authorized under Section 2 hereof shall be paid from Fund No. 13 SF 360.”

3. Renumber existing Section 2 to new **“Section 4”**.

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 810-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2305-09 East 87th Street and 2292 East 87th Street to Fairfax Bicentennial Village Development, Ltd.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 816-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide architectural services to design and inspect cladding for west and south concourses and old tower exteriors at Cleveland Hopkins International Airport.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 817-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of renovating tenant facilities at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 818-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of asphalt concrete and tack coat, including labor costs for delivery, spreading and compacting, for the various divisions of the Department of Port Control.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 819-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to upgrade the automated computer energy system, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 820-96.

By Councilmen Miller and Rokakis (by departmental request).

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

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 828-96.

By Councilmen Robinson and Rokakis (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 1996 State Childhood Lead Poisoning Prevention Program.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 829-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with various community-based organizations for implementation of the 1996 Community Lead Exposure Prevention Project for the Division of Environment, Department of Public Health.

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

1. In Section 1, line 12, strike "1821-95, passed November 11, 1995," and insert in lieu thereof the following: "**909-93, passed October 18, 1993.**"

Amendment agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 833-96.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for the development of new housing at East 120th Street and Moulton Avenue, for the Division of Neighborhood Development, Department of Community Development.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 859-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic

Development to enter into a contract with ACME Express, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of property at 3821 Prospect Avenue and financing the acquisition of equipment, Cleveland, Ohio.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 860-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to employ one or more professional consultants to provide construction management services for projects funded through HUD Section 108 Loans under the Cleveland Supplemental Empowerment Zone.

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

1. In Section 2, line 2, strike "18 SF 004" and insert in lieu thereof "**18 SF 005**".

2. In Section 2, line 2 after "contemplated" insert "**shall not exceed one hundred thousand dollars (\$100,000.00) and**".

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

"Upon selection of a construction management consultant or consultants, the Director of Economic Development shall report to the Council the identity of the consultants, the projects that they will be overseeing, and the cost of the consultant services for each project."

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 862-96.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property for the development of townhouses at the northeast corner of Tillman Avenue and West 49th Street for the Department of Community Development; and authorizing the Commissioner of Purchases and Supplies to convey said property to the Detroit-Shoreway Community Development Organization, or its designee.

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

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 863-96.

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

An emergency ordinance to appropriate property for the redevelopment and/or rehabilitation of the

blighted premises located at 10700 Helena Avenue, Cleveland, Ohio.

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

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 866-96.

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

An emergency ordinance to appropriate property for the redevelopment and/or rehabilitation of the blighted premises located at 1846 West 50th Street, Cleveland, Ohio.

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

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 869-96.

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

An emergency ordinance to levy special assessments for the repairing or improvement of underground vaults encroaching upon the public right-of-way on Old River Road from St. Clair Avenue extending north to Front Street in the City of Cleveland.

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

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 871-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance to amend Section 2 of Ordinance No. 1140-95, passed July 19, 1995, relating to the purchase by contract of a computer system chassis and necessary components.

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

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 875-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials needed to upgrade the electric meter equipment for terminal sites, for the various divisions of the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. Strike the title, Section 1 and Section 2 in their entirety and insert in lieu thereof, respectively, the following:

"An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to upgrade the electric meter equipment for terminal sites, for the various divisions of the Department of Port Control. Section 1. That the Director of

Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials needed to upgrade the electric meter equipment for terminal sites in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. 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. 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 20852)".

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Amendment agreed to.

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 925-96.

By Councilmen Johnson, McGuirk and Rokakis (by departmental request).

An emergency ordinance to amend Section 133.33 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 308-96, passed April 1, 1996, relating to parking fees.

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

1. In Section 1, at Section 133.33 (a), strike division (a)(1)F, in its entirety and insert in lieu thereof the following:

"F.1. Special monthly rate for City employees 50.93

F.2. Special monthly rate for federal, state and county employees 64.81"

2. In Section 1, at Section 133.33 (a), strike division (a)(4)B, in its entirety and insert in lieu thereof the following:

"B. City of Cleveland employees no charge"
Amendments agreed to.

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 927-96.

By Councilmen Miller, McGuirk and Rokakis (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 139.14 thereof, relating to applying for and accepting FAA grant funds.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Legislation, Finance; when amended as follows:

1. In Section 1, at Section 139.14, add new divisions (c) and (d) to read, respectively, as follows:

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

(d) This section shall expire on December 31, 1996."

Amendment agreed to.

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 933-96.

By Councilmen Smith, 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 3104 Carrol Avenue to Gary M. Marich and Jill E. Huston-Marich.

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

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 934-96.

By Councilmen Smith, 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 4509 Franklin Avenue to Dean Ducato.

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

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 937-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of insurance on computer equipment, for the Division of Infor-

mation Systems Services, Department of Finance, for a period of one year, with two one-year options to renew.

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

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 944-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Sections 179.01, 179.03, 179.04, 179.09 and 179.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1748-80, passed October 8, 1980, to amend Section 179.10, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1398-83, passed May 16, 1983, to amend Section 179.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1111-83, passed May 6, 1983, and to amend sections 1, 6, 9, and 17 of Ordinance No. 1749-80, passed October 8, 1980, all relating to the City's covenants under its general bond ordinance; appointing a successor trustee under the general bond ordinance; and authorizing and approving related matters.

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

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1024-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the lease by requirement contract of golf carts at Seneca Golf Course and Highland Golf Course for the Department of Parks, Recreation and Properties.

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

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 1029-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to execute debris collection services, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

The rules were suspended. Yeas 21 Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

**SECOND READING
ORDINANCES PASSED**

Ord. No. 374-96.

By Councilmen Rybka, Polensek, Coats, McGuirk and Rokakis (by departmental request).

An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 511.01 through 511.12 thereof, relating to hospital trailblazer signs.

Approved by Directors of City Planning Commission, Public Safety, Public Service, Finance, Law;

Recommended by Committees on City Planning, Public Safety, Public Service, Legislation, Finance; when amended as follows:

1. In Section 1, at Section 511.04(c), at the end, insert a new sentence to read as follows: "**No more than three (3) hospital names shall be displayed on a single sign unless a special design accommodating more than three names has been approved by the City Planning Director for a location at which the standards of this chapter permit identification of more than three hospitals.**"

2. In Section 1, at Section 511.08(b), strike division (b)(3) in its entirety and insert in lieu thereof:

"**(3) a description and scaled site plan of the encroachment area, prepared, if required by the Director of Public Service, by a licensed surveyor.**"

3. In Section 1, at Section 511.08(b), strike division (b)(6) in its entirety and insert in lieu thereof:

"**(6) evidence of consent of the pole owner to affixing the sign to its pole if the pole is not owned by the applicant for the Encroachment Permit; and**

"**(7) any other information that the Director of Public Service deems necessary.**"

4. In Section 1, at Section 511.08(c), at the end, insert a new sentence to read as follows: "**Each such official shall transmit a recommendation to the Director of Public Service, who shall then initiate the final Encroachment Permit process. The Director shall issue the Encroachment Permit if he or she determines that all requirements of this chapter have been met, including consent of the City Council member in whose ward the encroachment is to be located.**"

5. Strike existing Section 2 in its entirety and insert in lieu thereof the following:

"**Section 2. That this ordinance shall take effect and be in force from and after September 1, 1996.**"

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

Ord. No. 491-96.

By Councilman Jackson.

An ordinance to change the Use District of lands located between E. 40 Street and E. 46 Street approximately 154.50' south of Carnegie Avenue, S.E. (Map Change No. 1899, Sheet No. 5)

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

The rules were suspended. Yeas 21. Nays 0. Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 557-A-96.

By Councilman Smith.

An ordinance to establish a Planned Unit Development Overlay District and approve the corresponding Planned Unit Development project on properties located at 1448 Dexter Place. (Map Change No. 1901, Sheet No. 1)

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

The rules were suspended. Yeas 21. Nays 0. Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 876-96.

By Councilmen Miller and Rokakis (by departmental request).

An ordinance authorizing the Director of Port Control to enter into agreements with parking lot operators located off airport property, in order to assess fees to such companies for use of airport property in the conduct of the companies' business at Cleveland Hopkins International Airport, and to issue permits for the use of airport property pursuant to said agreements.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance, when amended as follows:

1. Add a new "Section 2" to read as follows:

"**Section 2. That the agreement or agreements authorized herein shall be entered into not later than June 30, 1997.**"

2. Renumber existing Section 2 as new "Section 3".

Amendments agreed to.

The rules were suspended. Yeas 21. Nays 0. Read third time in full. Passed. Yeas 21. Nays 0.

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

**SECOND READING EMERGENCY
RESOLUTIONS PASSED**

Res. No. 430-96.

By Councilman Jackson (by request).

An emergency resolution declaring the intention to vacate all those portions of East 69th Street and East 70th Street.

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

The rules were suspended. Yeas 21. Nays 0. Read third time. Adopted. Yeas 21. Nays 0.

Res. No. 492-96.

By Councilman Britt (by request). An emergency resolution declaring the intention to vacate a portion of East 102nd Street.

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

The rules were suspended. Yeas 21. Nays 0. Read third time. Adopted. Yeas 21. Nays 0.

Res. No. 558-96.

By Councilman Jackson (by request).

An emergency resolution declaring the intention to vacate a portion of Indianola Avenue S.E.

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

The rules were suspended. Yeas 21. Nays 0. Read third time. Adopted. Yeas 21. Nays 0.

Res. No. 562-96.

By Councilman Smith (by request).

An emergency resolution declaring the intention to vacate a portion of Girard Street N.W.

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

The rules were suspended. Yeas 21. Nays 0. Read third time. Adopted. Yeas 21. Nays 0.

Res. No. 653-96.

By Councilman Smith (by request).

An emergency resolution declaring the intention to vacate a portion of McLean Court N.W.

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

The rules were suspended. Yeas 21. Nays 0. Read third time. Adopted. Yeas 21. Nays 0.

Res. No. 654-96.

By Councilman Smith (by request).

An emergency resolution declaring the intention to vacate a portion of West 26th Place.

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

The rules were suspended. Yeas 21. Nays 0. Read third time. Adopted. Yeas 21. Nays 0.

Res. No. 721-96.

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

An emergency resolution declaring the necessity and intention to appropriate property for redevelopment and/or rehabilitation of the blighted premises located at 2600 Carroll Avenue, Cleveland, Ohio.

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

The rules were suspended. Yeas 21. Nays 0. Read third time. Adopted. Yeas 21. Nays 0.

Res. No. 834-96.

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

An emergency resolution declaring the necessity and intention to appropriate property located at 2316 East 88th Street for public use for the municipal purpose of widening Shelbourne Court between East 87th and East 88th Streets.

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

The rules were suspended. Yeas 21. Nays 0. Read third time. Adopted. Yeas 21. Nays 0.

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 146-96.

By Councilman Miller.

An emergency ordinance to amend Section 345.04 of the Codified Ordinances of the City of Cleveland, Ohio, 1976 as amended by Ordinance No. 1447-94, passed September 19, 1994, relating to prohibited uses in General Industry Districts.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 368-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Cleveland-Cuyahoga County Port Authority, or their designee, to provide economic development assistance for the acquisition and relocation of J.C. Hub located at East 36th Street and Chester Avenue, Cleveland, Ohio.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 370-96.

By Councilmen Polensek, McGuirk and Rokakis (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Section 135.47 thereof, relating to reimbursement by Cuyahoga County of the costs of a police officer to participate in the Jail Population Reduction Project.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 539-96.

By Councilmen Patmon, Johnson and Rokakis (by departmental request).

An emergency ordinance to amend Section 6 of Ordinance No. 200-88, passed February 1, 1988, as amended by Ordinance No. 1266-89, passed May 1, 1989, relating to the deposit and expenditure of rent payments for the East Side Market.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 704-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Aging to expend Community Development Block Grant funds for the Senior Homeowners Assistance Program and the CHORE Program. CDBG Year XXII.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 705-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a contract with Cleveland Action to Support Housing (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs. CDBG Year XXII.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 706-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities and to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs and to expend funds for the operation of programs administered by the Department of Community Development. CDBG Years, XX, XXI, XXII.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 716-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with North American Morpho Systems, Inc. for the lease of an Automated Fingerprint System (AFIS) for the Division of Police, Department of Public Safety.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 756-96.

By Councilmen Coats and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 757-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Cleveland Recycling Center, or its designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment and to relocate their facility to East 131st Street, Cleveland, Ohio.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 758-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Triad Partners Limited, or its designee, to provide economic development assistance to partially finance the acquisition and construction of a corporate headquarters for Federal Graphics, Inc., Cleveland, Ohio.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 759-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various electrical supplies, materials, and equipment, including installation, if necessary, at various City facilities, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three years.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 760-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with Neighborhood Centers Association to implement educational, recreational and cultural programs in various school buildings during evening hours.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 761-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of graffiti removal services, including but not

limited to city buildings, monuments, parks and playground equipment, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three years.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 812-96.

By Councilmen Coats and Rokakis (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.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 814-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Nolasco Housing Corporation, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the construction of a new housing development.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 830-96.

By Councilman Rokakis.

An emergency ordinance authorizing and directing the Director of Finance to enter into a requirement contract or contracts without competitive bidding with Ameritech Ohio for the purchase of Centrex service for the various departments of the City.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 831-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 155-96, passed March 4, 1996, relating to a license agreement without competitive bidding with International Business Machines Corporation for computer software, for the Division of Information Systems Services, Department of Finance.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 870-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Natural Resources for the 1996 NatureWorks - Round 3 Grant; and to enter into contract with the Cleveland Bicentennial Commission to implement the program.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 873-96.

By Councilmen Paulenske and Rokakis (by departmental request).

An emergency ordinance to levy special assessments for the repair or improvement of underground vaults encroaching upon the public right-of-way on Prospect Avenue from East 9th Street extending east to East 55th Street, and on East 4th Street from Euclid Avenue extending south to Prospect Avenue in the City of Cleveland.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 874-96.

By Councilmen Paulenske and Rokakis (by departmental request).

An emergency ordinance to levy special assessments for the repair or improvement of underground vaults encroaching upon the public right-of-way on Prospect Avenue from Ontario Street extending east to East 9th Street, except for the south side of Prospect Avenue between East 4th Street and East 6th Street, and on Huron Road from approximately 100 feet east of East 6th Street extending east to approximately 200 feet east of East 9th Street in the City of Cleveland.

Read third time. Passed. Yeas 21. Nays 0.

Ord. No. 936-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to enter into a contract without competitive bidding with International Business Machines Corporation for maintenance and usage of an IBM Model 3835 IBM non-impact printer, for the Division of Information Systems Services, Department of Finance.

Read third time. Passed. Yeas 21. Nays 0.

THIRD READING EMERGENCY RESOLUTION ADOPTED

Res. No. 652-96.

By Councilman Rokakis.

An emergency resolution memorializing the Director of Public Service to change the name of Brookside Park Drive to "Wildlife Way."

Read third time. Adopted. Yeas 21. Nays 0.

LAID ON THE TABLE

Res. No. 2269-91.

By Councilman Pianka.

An emergency resolution requesting that the Director of Public Utilities recommend ways of limiting the proliferation of overhead wires and of requiring the removal of wires and cables which already exist over the public right-of-way.

Without objection, Resolution No. 2269-91 was Laid on the Table pursuant to the Rules of Council.

Ord. No. 2238-93.

By Councilman Brady and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of fleet vehicle washing, for the various divisions of the Department of Public Utilities, for a period not to exceed two years.

Without objection, Ordinance No. 2238-93 was Laid on the Table pursuant to the Rules of Council.

Res. No. 644-94.

By Councilman Miller.

An emergency resolution urging the Mayor and the Administration to work with this Council to develop and implement a program under which renters and trailer park residents would be included in the senior/disabled water discount.

Without objection, Resolution No. 644-94 was Laid on the Table pursuant to the Rules of Council.

Ord. No. 489-96.

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

An emergency ordinance establishing a Community Reinvestment Area in the area of the southeast corner of West 28th Street and Bridge Avenue, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

Without objection, Ordinance No. 489-96 was Laid on the Table pursuant to the Rules of Council.

MOTION

The Council adjourned at 10:05 p.m. to meet on Monday, June 17, 1996 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 938-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$18,605,000 for the purpose of providing funds to improve the municipal street system and related facilities, to pay capitalized interest and to pay all expenses incurred in connection with the issuance of the bonds; to authorize agreements with respect to the bonds; and to authorize the issuance of notes in anticipation of such bonds.

Ord. No. 939-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$1,130,000 for the purpose of providing funds for public improvements of streets and municipal properties and easements in residential areas and for paying capitalized interest and all expenses incurred in connection with the issuance of the bonds; to authorize agreements with respect to the bonds; and to authorize the issuance of notes in anticipation of such bonds.

Ord. No. 942-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$45,000,000 to advance refund certain of the city's outstanding various purpose general obligation bonds issued in the years 1986, 1987, 1988, 1989 and 1990 and to pay expenses incurred in the issuance of those bonds and that refunding, and authorizing the execution and delivery of an escrow agreement and other agreements with respect to the bonds and the advance refunding.

BOARD OF CONTROL

June 5, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 5, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Absent: Director Axelrod.

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

On motion, the following resolutions were adopted.

Resolution No. 359-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 529-93, passed by the Council of the City of Cleveland on April 26, 1993, Orion Consulting, Inc., is hereby selected from a list of firms determined, after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide professional services necessary to provide training sessions for employees regarding various OSHA and DOT regulations, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with Orion Consulting, Inc. based upon its proposal dated November 3, 1995 which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal upon execution of a contract for an aggregate fee not in excess of \$68,150.00 and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractor by Orion Consulting, Inc. for the abovementioned professional service is hereby approved:

SUBCONTRACTOR WORK

Chem-Ty Environmental,
Inc. Worker Safety Training
(MBE)

Yeas: Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.

Absent: Director Sobol Jordan.

Abstain: Mayor White.

Resolution No. 360-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 529-93, passed by the Council of the City of Cleveland on April 26, 1993, G.L.W. Associates, Inc., is hereby selected from a list of firms determined, after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide professional services necessary to pro-

vide training sessions for employees regarding various OSHA and DOT regulations, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with G.L.W. Associates, Inc. based upon its proposal dated November 2, 1995 which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal upon execution of a contract for an aggregate fee not in excess of \$2,600.00 and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractor by G.L.W. Associates, Inc. for the abovementioned professional service is hereby approved:

SUBCONTRACTOR WORK

Environmental Affairs
Mgmt. Worker Safety
Training
(MBE)

Yeas: Mayor White, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.

Absent: Director Sobol Jordan.

Resolution No. 361-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 529-93, passed by the Council of the City of Cleveland on April 26, 1993, Environmental Affairs Management, Inc., is hereby selected from a list of firms determined, after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide professional services necessary to provide training sessions for employees regarding various OSHA and DOT regulations, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with Environmental Affairs Management, Inc. based upon its proposal dated November 2, 1995 which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal upon execution of a contract for an aggregate fee not in excess of \$3,300.00 and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractor by Environmental Affairs Management, Inc. for the abovementioned professional service is hereby approved:

SUBCONTRACTOR WORK

G.L.W. Associates, Inc. Worker Safety
Training
(MBE)

Yeas: Mayor White, Directors Hyer, Konicek, Acting Director

Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.

Absent: Director Sobol Jordan.

Resolution No. 362-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Neenah Foundry Co. for an estimated quantity of manholes, castings and gratings, Item Nos. 21, 23, 24 and 28, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 26th day of April, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Seventeen Thousand Five Hundred Twenty-Five and no/cents Dollars, (\$17,525.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 85475 which shall be certified against such contract in the sum of One Thousand Two Hundred Fifty and no/cents Dollars, (\$1,250.00).

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

Yeas: Mayor White, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.

Absent: Director Sobol Jordan.

Resolution No. 363-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of East Jordan Iron Works, Inc. for an estimated quantity of manholes, castings and gratings, Item Nos. 22, 26 Atl., 27 and 29 Alt., for the Division of Cleveland Public Power, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 26th day of April, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Nine Thousand Two Hundred Seventy-Eight and 50/cents Dollars, (\$9,278.50), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 85474 which shall be certified against such contract in the sum of One Thousand Nine Hundred Fifty and no/cents Dollars, (\$1,950.00).

Said requirement contract shall

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

Yeas: Mayor White, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.

Absent: Director Sobol Jordan.

Resolution No. 364-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Co. for an estimated quantity of manholes, castings and gratings, Item Nos. 1 thru 15, 17 thru 20, 30 and 31, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 26th day of April, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to Eighty Thousand One Hundred Ten and no/cents Dollars, (\$80,110.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 85473

which shall be certified against such contract in the sum of Four Thousand Four Hundred Forty and no/cents Dollars, (\$4,440.00).

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

Yeas: Mayor White, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.

Absent: Director Sobol Jordan.

Resolution No. 365-96.

By Directors Guzman, Hamilton and Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of East West Construction and Fabrizi Trucking & Paving Joint Venture, P.O. Box 605030, 7109 Harvard Avenue, Cleveland, Ohio 44105-0030, for the public improvement of Central Commons Subdivision Phases 5 & 6 for the Division of Engineering and Construction, Departments of Public Service, Community Development and Public Utilities, received on April 18, 1996, pursuant to the authority of Ordinance No. 1654-91, 1276-92, 1200-93, 1909-92, passed June 15, 1992, June 15, 1992, June 14, 1993, September 21, 1992, upon a unit basis, for the improvement in the aggregate amount of Seven Hundred Twenty Thousand Three Hundred Sixty-One 50/100 (\$720,361.50)

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

Be it resolved that the employment of the following subcontractors of East West Construction and Fabrizi Trucking & Paving Co., Inc. Joint Venture for the aforementioned Public Improvement hereby is approved:

Sircle Construction Inc.
750 East 117th Street
Cleveland, Ohio 44108
M.B.E. 35%

Diamond Trucking & Contracting
3573 East 135th Street
Cleveland, Ohio 44120
F.B.E. 17%

Yeas: Mayor White, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.

Absent: Director Sobol Jordan.

Resolution No. 366-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kiesler Police Supply Corp. for an estimated quantity of Service and Reload Ammunition Group A, Item number 1 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 April 11, 1996, pursuant to Section 135.065 of Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Fifty-Eight Thousand, Two Hundred Seventy-Five and no/100 Dollars, (\$58,275.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 75255

15,000 - 9MM Handgun rounds, Item #1, as specified which shall be certified against such contract in the sum of Three Thousand Eight Hundred Eighty-Five and no/100 Dollars, (\$3,885.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.

Absent: None.

Resolution No. 367-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Abele Davis Corp. for an estimated quantity of Service and Reload Ammunition Group A, Item numbers 7 and 8 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 April 11, 1996, pursuant to Section 135.065 of Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Five Thousand, Six Hundred Fifty-Two and 85/100 Dollars, (\$5,652.85), 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. 75257

1,000 - 223 caliber rifle, rounds rounds, Item #7, as specified which shall be certified against such contract in the sum of Three Hundred Ninety-Six and 20/100 Dollars, (\$396.20).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.

Absent: None.

Resolution No. 368-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Erie Gun and Sports, Inc. for an estimated quantity of Service and Reload Ammunition Group A, Item number 5 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 April 11, 1996, pursuant to Section 135.065 of Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Six Thousand, Eight Hundred Eighty-One and 28/100 Dollars, (\$6,881.28), 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. 75251

2,000 - Rounds of 308 Rifle Ammunitions, Item #5, as specified which shall be certified against such contract in the sum of Nine Hundred Eighty-Three and 04/100 Dollars, (\$983.04).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.

Absent: None.

Resolution No. 369-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of National Bullet Co., Inc. for an estimated quantity of Service and Reload Ammunition Group B, Item numbers 1 and 2 inclusive 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 April 11, 1996, pursuant to Section 135.065 of Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Forty-Nine Thousand, Nine Hundred Ninety and no/100 Dollars, (\$49,990.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 75259

5,000 - 9mm parabellum reloads - Item #1, as specified
40,000 - .38 special reloads - Item #2, as specified
which shall be certified against such contract in the sum of Two Thousand, Eight Hundred Sixteen and 50/100 Dollars, (\$2,816.50).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent: None.

Resolution No. 370-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of T.J. Conevera's, Inc. for an estimated quantity of Service and Reload Ammunition Group A, Item numbers 2, 3, 4 and 6 inclusive 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 April 11, 1996, pursuant to Section 135.065 of Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Twenty-Four Thousand, Eight Hundred Seventy-Five and 65/100 Dollars, (\$24,875.65), 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. 75256

10,000 - .38 caliber +p handgun rounds, Item #2, as specified
which shall be certified against such contract in the sum of One Thousand, Five Hundred Eleven and 80/100 Dollars, (\$1,511.80).

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

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent: None.

Resolution No. 371-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Delta Frangible Ammunition, LLC for an estimated quantity of Service and Reload Ammunition Group A, Item number 9 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 April 11, 1996, pursuant to Section 135.065 of Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Five Thousand, Four Hundred and no/100 Dollars, (\$5,400.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 75258

20,000 - 9 mm Frangible rounds, Item #9, as specified
which shall be certified against such contract in the sum of Five Thousand, Four Hundred and no/100 Dollars, (\$5,400.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent: None.

Resolution No. 372-96.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that all bids received on May 23, 1996 for Vending Machine Services to various City facilities for the Department of Parks, Recreation and Properties, pursuant to the authority of Ordinance No. 1670-94, passed by the Council of the City of Cleveland on November 28, 1994, be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent: None.

Resolution No. 373-96.

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of The Wackenhut Corporation for an estimated quantity of Uniformed Security Guards (All Items) (\$10.87 Per Hour) for the Division of Recre-

ation, Department of Parks, Recreation and Properties, for the period not to exceed nine (9) months beginning with the date of execution of a contract received on the 8th day of May, 1996, pursuant to the authority of Ordinance No. 30-96, passed February 12, 1996, which on the basis of the estimated quantity would amount to One Hundred Eight Thousand Seven Hundred and 00/100ths Dollars, (\$108,700.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties 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. 82615

which shall be certified against such contract in the sum of Fifty Thousand Two and 00/100ths Dollars, (\$50,002.00).

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 that the employment of the following sub-contractor of Wackenhut Corporation for the abovementioned requirement contract be and the same hereby is approved:

SUBCONTRACTOR WORK

Progressive Research & Investigations/Security Services, Inc.
1030 Euclid Avenue
Truman Building
Cleveland, Ohio 44115

Security Personnel

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent: None.

Resolution No. 374-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 103-22-045 and 103-22-046 under said Land Reutilization Program; and

Whereas, Ordinance No. 1026-95 passed June 5, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Central Nehemiah Development Partnership has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1026-95 passed June 5, 1995 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel Nos. 103-22-045 and 103-22-046, locat-

ed on Community College Avenue respectively, located within the Central neighborhood referred to in said Ordinance No. 1026-95, to Central Nehemiah Development Partnership, for the development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent: None.

Resolution No. 375-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 108-08-100 under said Land Reutilization Program; and

Whereas, Ordinance No. 148-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Susie E. and Artis Faucette have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 148-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 108-08-100, as further described in said Ordinance, to Susie E. and Artis Faucette, for development 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 the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent: None.

Resolution No. 376-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 016-11-154 under said Land Reutilization Program; and

Whereas, Ordinance No. 1837-95 passed December 18, 1995 authorized the Commissioner of Purchases and

Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Roy and Judy Holloway have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1837-95 passed December 18, 1995 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 016-11-154 as further described in said Ordinance, to Roy and Judy Holloway, for development 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 the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent: None.

Resolution No. 377-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 125-25-011 under said Land Reutilization Program; and

Whereas, Ordinance No. 209-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Maurice P. Kittle has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 209-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 125-25-011, as further described in said Ordinance, to Maurice P. Kittle, for development 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 the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent: None.

Resolution No. 378-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976,

the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 124-28-069 and 124-28-071 under said Land Reutilization Program; and

Whereas, Ordinance No. 143-96 passed April 29, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Diane G. Vaughn has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 143-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 124-28-069 and 124-28-071, as further described in said Ordinance, to Diane G. Vaughn, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$521.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent: None.

Resolution No. 379-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 133-24-041 under said Land Reutilization Program; and

Whereas, Ordinance No. 149-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, J.P.S., Inc., dba Garfield Metal Products, Inc. has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 149-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 133-24-041, as further described in said Ordinance, to J.P.S., Inc., dba Garfield Metal Products, Inc., for development 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 \$2,500.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting

Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent:None.

Resolution No. 380-96.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-36-148 located at 1826 West 48 Street in Ward 14; and

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

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

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Denise G. Jackson for the sale and development of Permanent Parcel No. 002-36-148 located at 1826 West 48 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent:None.

Resolution No. 381-96.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 135-15-007 (southeasterly half)

located at 11226 Clarebird Avenue in Ward 3; and

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

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

Whereas, the following conditions exist:

1. The member of Council from Ward 3 has consented to the proposed sale;

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

3. The proposed 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 Kathryn Webster for the sale and development of Permanent Parcel No. 135-15-007 (southeasterly half) located at 11226 Clarebird Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent:None.

Resolution No. 382-96.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 135-15-007 (northwesterly half) located at 11226 Clarebird Avenue in Ward 3; and

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

Whereas, Sandy and Martha J. Pickens, abutting/adjacent landowners, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 3 has consented to the proposed sale;

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

3. The proposed 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 Sandy and Martha J. Pickens for the sale and development of Permanent Parcel No. 135-15-007 (northwesterly half) located at 11226 Clarebird Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent:None.

Resolution No. 383-96.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 118-31-028 located at 2378 East 69 Street 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, Thankful Missionary Baptist Church, 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 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 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 Thank-

ful Missionary Baptist Church for the sale and development of Permanent Parcel No. 118-31-028 located at 2378 East 69 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent:None.

Resolution No. 384-96.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 121-20-008 located at 10608 Cedar Avenue in Ward 6; and

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

Whereas, Case Western Reserve University, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has consented to the proposed sale;
2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;
3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Case Western Reserve University for the sale and development of Permanent Parcel No. 121-20-008 located at 10608 Cedar Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved the consideration for said parcel shall be \$2,500.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent:None.

Resolution No. 385-96.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that all bids received on May 16, 1996, for Jail Cells Safety Screens Fabrication and Installation at City District Police Stations, for the Division of Police, Department of Public Safety, pursuant to the authority of Ordinance No. 1333-88, passed by the Council of the City of Cleveland on September 19, 1988, be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj.

Nays: None.
Absent:None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 24, 1996

9:30 A.M.

Calendar No. 96-85: 1519 Lakeview Rd., N.E.

Lemaud Williams, owner, and Ohio Sauce Inc., tenant, to use for food processing and bottling the 200' x 400' irregular shaped two story and one story factory building (former production bakery) on an irregular shaped 545' x 400' through lot (partially located in the City of East Cleveland) located in a Semi-Industry and Two Family District at 1519 Lakeview Rd.; said use for food processing and for bottling being contrary to the two family use limitations of Section 337.03 but subject to the substitution provisions of Section 359.01 and the

premises not to conform to the landscaping provisions of Sections 352.07, 352.08, 352.09 and 352.11 of the Codified Ordinances.

Calendar No. 96-86: 4414 W. 53 St.

Bar Development Co., owner, c/o William D. Arden, to erect a 76' x 40' two story 6 suite apartment building on the irregular shaped parcel located in a B-Two Family District at 4414 W. 53 St.; said proposed apartment use being contrary to the two family use limitations of Section 337.08 and the proposed building having a rear yard of 15' instead of the 20' minimum of Section 357.08 of the Codified Ordinances.

Calendar No. 96-87: 11020 Magnolia Dr., N.E.

David Bixler, trustee, The Church In Cleveland, owner, to erect 115' of 7' & 4 1/2' high solid & lattice type wood fence along the west property line of the 89.6' x 208' irregular shaped lot occupied by a 54' x 63' two story masonry church building located in a Limited One Family District at 11020 Magnolia Dr.; said 7' high portion of the proposed fence to be in excess of the 6' high maximum permitted under Section 337.23 of the Codified Ordinances.

Calendar No. 96-88: 9600 Lorain Ave.

Sunbeam Partners, owner, c/o Mark Heyduk, general partner, to install a 9 car accessory off-street parking lot on the 81' x 90' (average) corner lot located in a General Retail District on the northwest corner of East 96 St. and Lorain Ave. at 9600 Lorain Ave.; said proposed parking lot not to have the 10' deep landscaping strip along the north property line as required by Sections 352.08, 352.09 and 352.10 and the access drive to be 81' 6" wide contrary to the 30' maximum of Section 343.18 of the Codified Ordinances.

Calendar No. 96-93: 4804 W. 19 St.

William J. Eiben, owner, to erect a 24' x 36' two story frame private garage on the rear of the 43.65' x 125.9' lot located in a One Family District with a dwelling house on the front thereof known as 4804 W. 19 St.; said proposed private garage to exceed the 15' height maximum of Section 353.05 and said garage to be 864 sq. ft. in area contrary to the 708 square feet maximum of Section 337.23 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 10, 1996

At the Meeting of the Board of Zoning Appeals, on Monday, June 3, 1996, the following appeals were heard by the Board, and decided on Monday, June 10, 1996.

The following appeal was **Granted**:

Calendar No. 96-71: 2006 Natchez Ave., S.W.

Thomas Reindel, owner, to enclose the 7' 6" x 26' open front porch of the 26' x 30' two story frame dwelling.

The following appeals were **Refused:**

Calendar No. 96-67: 4009 W. 143rd St. John Schmidt, owner, to erect a 25' x 14.5' one story carport/awning.

Calendar No. 96-68: 540 E. 105th St. Cleveland Enterprise Group, owner, c/o Stephanie McHenry, and GTE Mobilnet Inc., tenant, c/o William Stevens, to erect a 136' high monopole communications tower.

Calendar No. 96-79: 3203 Natchez Ave., S.W. Paul Scheuerman, owner, to enclose the 24' x 8' second floor open front porch.

The following appeals were **Post-poned:**

Calendar No. 96-73: 15255 Triskett Rd., S.W. to July 8, 1996.

Calendar No. 96-76: 2285 Ashland Rd., S.E. to July 1, 1996.

The following appeal was **Withdrawn:**

No. 96-47: 6880 Broadway, 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.

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE

Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

THURSDAY, JUNE 27, 1996

Capacitor Banks, 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.

12 and 2.4 kV 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.

June 5 and June 12, 1996

FRIDAY, JUNE 28, 1996

Two (2) Cab and Chassis with 55 ft. Hydraulic Articulating Tree Aerial Device, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 202-96, passed by the Council of the City of Cleveland, February 26, 1996.

June 5 and June 12, 1996

WEDNESDAY, JULY 3, 1996

One Emergency Back-up Generator, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 46-95, passed by the Council of the City of Cleveland, June 5, 1995.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON THURSDAY, JUNE 20, 1996, AT 10:00 A.M. AT THE FIRE ALARM OFFICE, 310 CARNEGIE AVENUE - EAST DOOR.

June 5 and June 12, 1996

WEDNESDAY, JUNE 26, 1996

Jail Cells/Safety Screens Installation at City's District Police Stations, for the Department of Public Safety, as authorized by Ordinance No. 1333-88, passed by the Council of the City of Cleveland, February 24, 1992.

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.

June 12 and June 19, 1996

WEDNESDAY, JULY 3, 1996

Labor and Materials to Repair Tree Lawns, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 36-95, passed by the Council of the City of Cleveland, May 6, 1996.

Labor and Materials to Fabricate Ring and Pinion Gears, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 314-96, passed by the Council of the City of Cleveland, May 6, 1996.

Maintenance, Repair and/or Replacement of HVAC Systems at Various Locations, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 424-96, passed by the Council of the City of Cleveland, May 6, 1996.

June 12 and June 19, 1996

FRIDAY, JULY 5, 1996

Commercial Gases, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 644-96, passed by the Council of the City of Cleveland, May 13, 1996.

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

Fuel Pump Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 529-96, passed by the Council of the City of Cleveland, May 20, 1996.

One (1) Tandem Dump Truck, for the Division of Water Pollution, Department of Public Utilities, as authorized by Ordinance No. 679-95, passed by the Council of the City of Cleveland, June 19, 1995.

One (1) Fork Lift Truck, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 764-95, passed by the Council of the City of Cleveland.

June 12 and June 19, 1996

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1058-96.

By Councilman Polensek.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 783 E. 185th Street, rear/779 E. 185th 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, D3 and

D3A Liquor Permit from Permit No. 6952551, P Jeb Inc., Sol Tushman RCVR, 783 E. 185th Street, rear/779 E. 185th Street, first floor and basement, Cleveland, Ohio 44119, to Permit No. 8142979, Signovic Inc., dba Quinn's, 783 E. 185th Street, rear/779 E. 185th Street, first floor and basement, Cleveland, Ohio 44119; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 6952551, P Jeb Inc., Sol Tushman RCVR, 783 E. 185th Street, rear/779 E. 185th Street, first floor and basement, Cleveland, Ohio 44119, to Permit No. 8142979, Signovic Inc., dba Quinn's, 783 E. 185th Street, rear/779 E. 185th Street, first floor and basement, Cleveland, Ohio 44119, 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 June 3, 1996.
Effective June 11, 1996.

Res. No. 1060-96.

By Councilman Jackson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3226 East 93rd 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. 0142124, Margaret F. Almaliki, dba L & Y Deli, 3226 East 93rd Street, Cleveland, Ohio 44104; 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. 0142124, Margaret F. Almaliki, dba L & Y Deli, 3226 East 93rd Street, Cleveland, Ohio 44104, 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 June 3, 1996.
Effective June 11, 1996.

Res. No. 1061-96.

By Councilman Jackson.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3363 East 93rd 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. 6857735, Petrobarrels Inc., dba East 93rd Sunoco, 3363 East 93rd Street, Cleveland, Ohio 44104; 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. 6857735, Petrobarrels Inc., dba East 93rd Sunoco, 3363 East 93rd Street, Cleveland, Ohio 44104, 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 June 3, 1996.
Effective June 11, 1996.

Res. No. 1062-96.**By Councilman Johnson.**

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 9621 Mt. Auburn Road, 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 C2 and C2X Liquor Permit from Permit No. 8801158, Tarmekh Inc., 9621 Mt. Auburn Road, first floor and basement, Cleveland, Ohio 44104, to Permit No. 9725521, Woddi II Inc., dba Cousins Superette, 9621 Mt. Auburn Road, first floor and basement, Cleveland, Ohio 44104; 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 C2 and C2X Liquor Permit from Permit No. 8801158, Tarmekh Inc., 9621 Mt. Auburn Road, first floor and basement, Cleveland, Ohio 44104, to Permit No. 9725521, Woddi II Inc., dba Cousins Superette, 9621 Mt. Auburn Road, first floor and basement, Cleveland, Ohio 44104, 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 June 3, 1996.

Effective June 11, 1996.

Res. No. 1063-96.**By Councilman White.**

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 12401 Corlett Avenue, first floor only.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 64143750030, Nile Star Inc., dba Blue Nile Mart, 12401 Corlett Avenue, first floor only, Cleveland, Ohio 44105, to Permit No. 6479128, Yuri Co., dba Corlett Mini Stop, 12401 Corlett Avenue, first floor only, 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 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 C2 and C2X Liquor Permit from Permit No. 64143750030, Nile Star Inc., dba Blue Nile Mart, 12401 Corlett Avenue, first floor only, Cleveland, Ohio 44105, to Permit No. 6479128, Yuri Co., dba Corlett Mini Stop, 12401 Corlett Avenue, first floor only, 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 June 3, 1996.

Effective June 11, 1996.

Res. No. 1064-96.**By Councilman Patmon.**

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 10813 St. Clair Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 3528985, Thomas L. and Lillian L. Hall, dba Tom's Economy Foods, 10813 St. Clair Avenue, Cleveland, Ohio 44108, to Permit No. 6550490, 10813 St. Clair Corp., dba Sunlight Market, 10813 St. Clair Avenue, Cleveland, Ohio 44108; 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 C2 and C2X Liquor Permit from Permit No. 3528985, Thomas L. and Lillian L. Hall, dba Tom's Economy Foods, 10813 St. Clair Avenue, Cleveland, Ohio 44108, to Permit No. 6550490, 10813 St. Clair Corp., dba Sunlight Market, 10813 St. Clair Avenue, Cleveland, Ohio 44108, 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 June 3, 1996.
Effective June 11, 1996.

Ord. No. 1051-96.

By Councilman Jackson.
An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Frank Kidd — 3000-008 Cedar Avenue).

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

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

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5 at the locations specified: Frank Kidd at 3000-08 Cedar Avenue.

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

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

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

Passed June 3, 1996.
Effective June 11, 1996 without the signature of the Mayor.

Ord. No. 1052-96.

By Councilman Jackson.
An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Elaine Parker).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of

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

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

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5 at the locations specified: Elaine Parker.

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

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

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

Passed June 3, 1996.
Effective June 11, 1996 without the signature of the Mayor.

Ord. No. 1053-96.

By Councilmen Britt and Paulenske.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Cleveland Grand Prix Committee to stretch banners on the Cleveland Clinic Walkway on Carnegie Avenue near East 90th Street and across East 4th Street and Euclid Avenue for the period from June 10, 1996 to July 1, 1996, inclusive, publicizing the Grand Prix Parade.

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 Cleveland Grand Prix Committee to install, maintain and remove banners on the Cleveland Clinic Walkway on Carnegie Avenue near East 90th Street and across East 4th Street and Euclid Avenue for the period from June 10, 1996 to July 1, 1996, inclusive. Said banners 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 banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed June 3, 1996.
Effective June 11, 1996.

cial 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 June 3, 1996.
Effective June 11, 1996.

Ord. No. 1054-96.

By Councilman O'Malley.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Our Lady of Good Counsel Church to stretch banners on Pearl Road, between 4427 and 4432 Pearl Road, and on State Road, between 4370 and 4373 State Road, for the period from June 4, 1996 to June 24, 1996, inclusive; publicizing its Annual Festival.

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 Our Lady of Good Counsel Church to install, maintain and remove banners on Pearl Road, between 4427 and 4432 Pearl Road, and on State Road, between 4370 and 4373 State Road, for the period from June 4, 1996 to June 24, 1996, inclusive. Said banners 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 banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed June 3, 1996.
Effective June 11, 1996.

Ord. No. 1055-96.

By Councilman Patton.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Sir-Rah House and McDonald's to stretch a banner at Lee Road and Judson Drive for the period from July 8, 1996 to July 31, 1996, inclusive, publicizing its Rib Burn-Off.

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 Sir-Rah House and McDonald's to install, maintain and remove a banner at Lee Road and Judson Drive for the period from July 8, 1996 to July 31, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed June 3, 1996.
Effective June 11, 1996.

Ord. No. 1056-96.

By Councilman Paulenske.

An emergency ordinance to amend the Title and Section 1 of Ordinance No. 493-96 relating to the issuance of a permit for a Walk, sponsored by the American Heart Association.

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. 493-96, passed March 18, 1996, be and the same are hereby amended to read as follows:

"An emergency ordinance consenting and approving the issuance of a permit for a Walk on October 6, 1996, sponsored by the American Heart Association.

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Walk, sponsored by the American Heart Association, on October 6, 1996, beginning at Huron and Ontario, Huron to W. 9th St., W. 9th St. to St. Clair, St. Clair to W. 3rd St., W. 3rd St. to Erieside, Erieside to E. 9th St., turn around and return along the same route, 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 the Title and Section 1 of Ordinance No. 493-96, passed March 18, 1996, be and the same are hereby repealed.

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

Passed June 3, 1996.
Effective June 11, 1996.

Ord. No. 1057-96.

By Councilman Paulenske.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Salvation Army of Greater Cleveland to stretch a banner across Euclid Avenue, between East 10th and East 12th Streets, for the period from July 1, 1996 to August 1, 1996, inclusive, publicizing its Christmas in July.

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 Salvation Army of Greater Cleveland to install, maintain and remove a banner across Euclid Avenue, between East 10th and East 12th Streets, for the period from July 1, 1996 to August 1, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed June 3, 1996.
Effective June 11, 1996.

Ord. No. 1059-96.

By Councilman Smith.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Blessed Sacrament Church to stretch a banner on Fulton Road at Trowbridge Avenue for the period from June 4, 1996 to June 30, 1996, inclusive, publicizing its Festival.

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 Blessed Sacrament Church to install, maintain and remove a banner on Fulton Road at Trowbridge Avenue for the period from June 4, 1996 to June 30, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed June 3, 1996.
Effective June 11, 1996.

COUNCIL COMMITTEE MEETINGS

Monday, June 10, 1996

Public Parks, Property and Recreation Committee: 9:30 A.M. — Present: Johnson, Chrm.; Rybka, V-Chrm.; Miller, Patton, Paulenske, Robinson, White.

Legislation Committee (joint with Finance Committee): 1:00 P.M. — Present: McGuirk, Chrm.; Willis, V-Chrm.; Britt, Johnson, Patton, Rokakis, Rybka.

Finance Committee (joint with Legislation Committee): 1:00 P.M. — Present: Rokakis, Chrm.; Westbrook, V-Chrm.; Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith.

Public Safety Committee (joint with Legislation and Finance Committees): 1:30 P.M. — Present: Polensek, Chrm.; Willis, V-Chrm.; Jackson, Miller, O'Malley, Patmon, Patton, Paulenske, Zone.

Legislation Committee (joint with Public Safety and Finance Committees): 1:30 P.M. — Present: McGuirk, Chrm.; Willis, V-Chrm.; Britt, Johnson, Patton, Rokakis, Rybka.

Finance Committee (joint with Legislation and Public Safety Committees): 1:30 P.M. — Present: Rokakis, Chrm.; Westbrook, V-Chrm.; Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith.

Public Parks, Property and Recreation Committee (joint with Public Service and Finance Committees): 2:00 P.M. — Present: Johnson, Chrm.; Rybka, V-Chrm.; Miller, Patton, Paulenske, Robinson, White.

Public Service Committee (joint with Public Parks, Property and Recreation and Finance Committees): 2:00 P.M. — Present: Coats, Chrm.; O'Malley, V-Chrm.; Britt, Johnson, McGuirk, Melena, Smith, Westbrook, Willis.

Finance Committee (joint with Public Parks, Property and Recreation and Public Service Committees): 2:00 P.M. — Present: Rokakis, Chrm.; Westbrook, V-Chrm.; Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith.

Finance Committee: 2:30 P.M. — Present: Rokakis, Chrm.; Westbrook, V-Chrm.; Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith.

Tuesday, June 11, 1996

Community and Economic Development Committee: 10:00 A.M. — Present: Jackson, Chrm.; Paulenske, V-Chrm.; Britt, Coats, Lewis, Melena, Patton, Smith, Willis.

Wednesday, June 12, 1996

Public Safety Committee: 10:00 A.M. — Present: Polensek, Chrm.; Willis, V-Chrm.; Jackson, Miller, O'Malley, Patmon, Patton, Paulenske, Zone.

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PPPP

