

The City Record

Official Publication of the City of Cleveland

October the Thirtieth, 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

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

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

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

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

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

DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner,
 5600 Carnegie Avenue.
 Streets - Randall T. Scott, Commissioner, Room 25
 Engineering and Construction - J. Christopher Nielson, Acting
 Commissioner, Room 518
 Motor Vehicle Maintenance, Donald L. Haskins, Commissioner, Harvard
 Yards
 Architecture - Kenneth Nobilio, Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Robert O. Staib, Director, Mural Building
 1925 St. Clair Avenue.
DIVISIONS - Health - Juan Molina Crespo, Acting Commissioner, Mural
 Building, 1925 St. Clair Avenue
 Environment - Carolyn Wallace, Acting Commissioner, Mural Building,
 1925 St. Clair Avenue
 Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 North-
 field Road

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

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

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

DEPT. OF COMMUNITY DEVELOPMENT - Terri Hamilton, Director,
 3rd Floor, City Hall.

DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
 Neighborhood Services - Festus Cassels, Commissioner.
 Neighborhood Development - Terri Hamilton, Commissioner.
 Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

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

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

DEPT. OF AGING - Rm. 122, Delores Alexander, Acting 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; Muqit Abdul Sabur, Clifford
 Savren, Henry Simon, George S. Smilnak, Harry Taketa, Timothy Cosgrove.

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

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

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

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

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

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

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

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

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

MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, _____,
 Councilmen James Rokakis, Jay Westbrook.

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

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

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

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

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

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

The City Record



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WEDNESDAY, OCTOBER 30, 1996

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CITY COUNCIL

MONDAY, OCTOBER 28, 1996

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

The following Committee is subject to Call of the Chairman:

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio October 28, 1996.

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

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

Also present were Mayor White and Directors Carmody, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Morrison and Acting Directors Horvath, Whitner.

Absent: Directors Sobol Jordan, Willis and Axelrod.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Sister Dianne Piuono of St. Ignatius Antioch Church. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 1959-96.

From the Department of Public Safety re: OC Spray - Quarterly Report for the period of July 1, 1996 to September 30, 1996. Received.

File No. 1960-96.

From the Office of Equal Opportunity re: Certified MBE's and FBE's - Third Quarter, 1996. Received.

File No. 1961-96.

From the Office of Equal Opportunity re: Denials of Certification - Third Quarter, 1996. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1962-96.

Re: New Application - 2582259 - Jean Evans dba T & B Snacks & Candy, 4104 Lee Road. (Ward 1). Received.

File No. 1963-96.

Re: Transfer of Ownership Application - 8702532 - Superior Hawk, Inc. dba Superior Food Market, 8802-06 Superior Avenue. (Ward 7). Received.

File No. 1964-96.

Re: Transfer of Ownership Application - 3821080 - Hiccup, Inc. dba D-Joint, 15914 St. Clair Avenue, first floor and basement. (Ward 11). Received.

File No. 1965-96.

Re: Transfer of Ownership Application - 42029450005 - Jaffry & Sons, Inc. dba 7-Eleven Food Store, #43-1, 10134 Madison Avenue. (Ward 18). Received.

File No. 1966-96.

Re: New Application - 8060034 - Abdelsalam A. Shehadeh dba West Boulevard Market, 1991 West Boulevard. (Ward 18). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1991-96. Mrs. Theosania Economotoulou.

Res. No. 1992-96. DaNesia Webb.

CONGRATULATORY RESOLUTIONS

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

Res. No. 1993-96. John Sutkowski.
Res. No. 1994-96. Pastor Cerell Burns.

Res. No. 1995-96. Affinity Missionary Baptist Church (30th Anniversary)

RESOLUTIONS OF RECOGNITION

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

Res. No. 1996-96. Brenda M. Ware-Abrams.

Res. No. 1997-96. Jerold Optical Company.

Res. No. 1998-96. Epilepsy Month.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 1967-96.

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 10900 Woodland Avenue to Dawson Temple Church 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(s), 128-02-021, as more fully described in Section 2 below, to Dawson Temple Church 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. 128-02-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 418, and bounded and described as follows:

Beginning in the Southerly line of Woodland Avenue, S.E., at a point 61 feet Westerly from the Easterly line of Original One Hundred Acre Lot No. 418; thence Southerly in a line parallel with the Easterly line of said Original Lot No. 418, 140 feet to a point; thence Westerly along a line parallel with the Southerly line of Woodland Avenue, S.E., 41 feet; thence Northerly parallel with the Westerly line of said Original Lot No. 418; 140 feet; thence Easterly along the Southerly line of Woodland Avenue, S.E., 41 feet to the place of the beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market

Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

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

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

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

Ord. No. 1968-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of rebuilt transmissions, including installation, 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 rebuilt transmissions, including installation, for passenger cars, light to medium-duty trucks and vans 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 21057)

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. 1969-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of tire recapping 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 21056)

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. 1970-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of antifreeze for all City vehicles, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Whereas, this ordinance constitutes an emergency measure pro-

viding 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 antifreeze for all City vehicles 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 21059)

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. 1971-96.
By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair, clean, recore, and replace, if necessary, radiators, heater cores, gas tanks, and air conditioning units in city vehicles and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair, clean, recore, and replace, if necessary, radiators, heater cores, gas tanks, and air conditioning units in city vehicles and equipment

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21055)

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. 1972-96.
By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair or replace hydraulic cylinders, fuel injectors, drive shafts, gear boxes and trailer and hitch repairs, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

chases 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 21054)

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. 1973-96.
By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of towing services for City vehicles and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21058)

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. 1974-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Case construction equipment parts, and 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 Case construction equipment parts, and 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 21060)

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. 1975-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1538 East 84 Street to Michele J. and Elwood E. Clark.

Whereas, the City of Cleveland has elected to adopt and implement

the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-22-130, as more fully described in Section 2 below, to Michele J. and Elwood E. Clark.

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

P.P. No. 106-22-130

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original One Hundred Acre Lot No. 391 and bounded, and described as follows: Beginning on the Westerly line of East 84th Street at a point 364.17 feet Southerly measured along the westerly line its point of intersection with the southerly line of Wade Park Avenue N.E.; thence southerly along said westerly line of East 84th Street 36 feet; thence Westerly on a line parallel to said southerly line of Wade Park Avenue N.E. 102 feet; thence northerly on a line parallel to said westerly line of East 84th Street 36 feet; thence easterly 102 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

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

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

Ord. No. 1976-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to create, furnish and accessorize office space, for the various divisions of the Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to create, furnish and accessorize office space, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control.

Section 2. That the contract or contracts authorized herein shall be awarded not later than December 31, 1998.

Section 3. That the cost of said contract hereby authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 101, 60 SF 102, 60 SF 103, 60 SF 104, 60 SF 105, 60 SF 106 and 60 SF 210, Request No. 22555.

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, Finance.

Ord. No. 1977-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an agreement with the Greater Cleveland Convention and Visitors Bureau for installation and maintenance of electronic message boards, a billboard, a visitor information booth and kiosks 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 the Director of Port Control is hereby authorized to enter into an agreement with the Greater Cleveland Convention and Visitors Bureau for installation and maintenance of electronic message boards, one billboard, one visitor

information booth and kiosks at Cleveland Hopkins International Airport. The term shall commence upon date of execution of the agreement and may be terminated with or without cause by either party upon 30 days written notice.

Section 2. That the agreement herein authorized shall be prepared by the Director of Law and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the interests of the public.

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. 1978-96.

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

An emergency ordinance authorizing the Director of Community Development to enter into contract with Famicos Foundation, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the conversion of the Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into a Community Development Float Loan Agreement with Famicos Foundation, or its designee, to provide financial assistance to partially finance the conversion of the Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road.

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. 1978-96-A.

Section 3. That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and shall be paid from Fund No. 14 SF 810, Request No. 23060.

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

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

Section 6. That the Director of Community Development is hereby authorized to charge and accept fees in an amount not to exceed the

maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing, and servicing of the loan.

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

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

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

Ord. No. 1979-96.

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

An emergency ordinance authorizing the Director of Community Development to apply for a Section 108 Loan from the United States Department of Housing and Urban Development in order to provide economic assistance to partially finance the conversion of the Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road with Famicos Foundation, or its designee, to provide economic development assistance for said conversion.

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

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

Section 1. That the Director of Community Development is hereby authorized to apply for a loan in the amount of Eight Hundred Thousand Dollars (\$800,000.00), from the United States Department of Housing and Urban Development ("HUD") Section 108 Loan Program ("108 Loan"), for the purposes set forth in the application and according thereto.

Section 2. That the Director of Community Development is hereby authorized to file all papers and execute all documents necessary to apply for the 108 Loan from HUD, to enter into contract with HUD to pledge any and all collateral necessary to secure repayment thereof under the 108 Loan agreement (including without limitation future Community Development Block grant funds), and receive the funds; and that said funds be and they hereby are appropriated for the purposes of providing economic assistance to partially finance the conversion of the Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road, as more specifically set forth in the application for said 108 loan.

Section 3. That the application for said 108 Loan, File No. 1979-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 4. That the Director of Community Development is hereby authorized to enter into a contract with Famicos Foundation, or its designee, to provide economic devel-

opment assistance to conversion of the Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road.

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

Section 6. That the costs of said contract shall not exceed Eight Hundred Thousand Dollars (\$800,000.00), and shall be paid from Fund No. 13 SF 839, Request No. 23061, and from future community development block grant funds and UDAG repayment funds which are appropriated to pay the costs of said contract.

Section 7. That the Director of Community Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Sections 3 and 5 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 8. That the Director of Community Development is hereby authorized to accept monies in repayment of the loan, and to deposit said monies into Fund No. 13 SF 839.

Section 9. That the Director of Community Development is hereby authorized to accept charges and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 13 SF 839.

Section 10. That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

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

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

Ord. No. 1980-96.

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

An emergency ordinance determining the method of making the public improvement of demolishing certain obsolete water towers and pump stations; authorizing the Director of Public Utilities to enter into contracts for the making of such improvements; authorizing the acquisition of various rights and interests in said property; authorizing the relocation or modification of fixtures on said property; and authorizing various professional service contracts.

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 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of demolishing certain obsolete water towers and pump stations, including but not limited to, Solon tower, Chamberlain tower, Shepard tower, SOM Center pump station, Northfield pump station, Taylor pump station, old Warrensville pump station, old Engle Road pump station and old Hadden pump station; abating any environmental problems; and rehabilitating each demolition site for re-use or sale, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That 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 otherwise acquire rights or interests in real property necessary for the public improvement authorized by Section 1 of this ordinance.

Section 4. 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 3 of this ordinance.

Section 5. 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 1 of this ordinance.

Section 6. That the Director of Public Utilities is hereby authorized and directed to employ by contract or contracts design engineers, construction managers, environmental consultants 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 1 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 compil-

ing 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 cost of said improvement, acquisition of rights or interests in real property, and professional services hereby authorized shall be paid from Fund Nos. 52 SF 217, 52 SF 219, and 52 SF 223, Request No. 20974.

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

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

Ord. No. 1981-96.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease City-owned property located on the southeast corner of Kirtland Park at East 49th Street and South Marginal Road to the Ohio Department of Natural Resources, or their designee, for the purpose of developing, maintaining and operating a Cleveland Civilian Conservation Corp Camp, for a term not to exceed twenty five years.

Whereas, the City of Cleveland owns certain property located on the southeast corner of Kirtland Park at East 49th Street and South Marginal Road which is not needed for public use for the next twenty-five (25) years; and

Whereas, the Ohio Department of Natural Resources ("ODNR"), or their designee, has proposed to lease said property from 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 notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to lease to ODNR, or their designee, certain property which is determined to be not needed for public use for the term of the lease and which is described as follows:

S.E. corner of Kirtland Park at
East 49th Street and
South Marginal Road
Permanent Parcel No. 104-01-002A
(1.68046 Acre Tract)

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original Lots 158

and 159, and also being part of a tract of land conveyed to the City of Cleveland in Deed Volume 2085, Page 630 and being more particularly described as follows:

Beginning for Reference at an iron rod found in the centerline intersection of South Marginal Road and East 49th Street;

Thence with centerline East 49th Street, South 24° 01' 45" East, a distance of 585.02 feet to a stone found in the Northerly line of the Lake Shore and Michigan South Railway Company (now Conrail Railroad) said point being the True Point of Beginning of this description;

(1) Thence with the Northerly line of said Conrail Railroad land, South 65° 20' 43" West, a distance of 288.23 feet to an iron rod set;

(2) Thence North 25° 29' 51" West, a distance of 147.55 feet to an iron rod set at a point of curvature of said lease line;

(3) Thence with a curve to the right, having a radius of 130.00 feet, a central angle of 87° 34' 19", and a chord of 179.91 feet bearing North 18° 17' 22" East, an arc distance of 198.69 feet to an iron rod set at a point of tangency to said lease line;

(4) Thence North 62° 04' 53" East, a distance of 21.53 feet to an iron rod set at a point of curvature of said lease line;

(5) Thence with a curve to the right, having a radius of 125.00 feet, a central angle of 54° 14' 01", and a chord of 113.95 feet bearing North 89° 11' 37" East, an arc distance of 118.32 feet to an iron rod set at a point of tangency to said lease line;

(6) Thence South 63° 38' 50" East, a distance of 22.21 feet to an iron rod set at a point of curvature of said lease line;

(7) Thence with a curve to the right, having a radius of 200.00 feet, a central angle of 16° 56' 01", and a chord of 58.89 feet bearing South 55° 13' 25" East, an arc distance of 59.11 feet to an iron rod set in the Westerly line of East 49th Street;

(8) Thence with the Westerly line of said East 49th Street, South 24° 01' 45" East, a distance of 166.43 feet to the TRUE POINT OF BEGINNING, containing 1.68046 acres, more or less, and being subject to all easements and rights of ways of record.

The above description was prepared by Robert L. Sneller, Professional Surveyor 6738, of the Ohio Department of Natural Resources, Division of Engineering, based on an actual field survey. Bearings are based upon a magnetic observation taken on the site in July of 1996. All iron rods set are 3/4" rebars with plastic caps stamped "ODNR BOUNDARY".

Section 2. That the term of the lease authorized by Section 1 shall not exceed twenty-five (25) years.

Section 3. That the property described in Section 1 shall be leased at a rental of One Dollar (\$1.00) per year.

Section 4. That the lease may authorize the lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

Section 6. That the Director of Parks, Recreation and Properties and the Director of Law, and other appropriate City officials, are authorized to execute such other docu-

ments and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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

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

Ord. No. 1982-96.

By Councilmen Polensek and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the National Institute of Justice for the Law Enforcement Technology Development Program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$108,557.71, from the National Institute of Justice, to conduct the Law Enforcement Technology Development, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1982-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 1983-96.

By Councilmen Polensek and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice for the Problem Solving Partnership Grant.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$128,417.86, from the U.S. Department of Justice, to conduct the Problem Solving Partner-

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

Section 2. That the application for said grant, File No. 1983-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 1984-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Personnel and Human Resources to enter into an agreement for the lease of a high capacity medium-sized copier, for the Department of Personnel and Human Resources.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized and directed to make a written agreement for the lease for a term of five years, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for a high capacity medium-sized copier to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Personnel and Human Resources.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 15 SF 070, Request No. 22933.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committee on Finance.

Ord. No. 1985-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to install refurbished modular wall panels and blinds for offices located at 1701 East 13th Street, and the purchase of not to exceed two conference tables, for the Department of Personnel and Human Resources.

Whereas, this ordinance constitutes an emergency measure pro-

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to install refurbished modular wall panels and blinds for offices located at 1701 East 13th Street, and the purchase of not to exceed two conference tables, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Department of Personnel and Human Resources.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. 15 SF 069 and 15 SF 070, Request No. 22934.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committee on Finance.

Ord. No. 1986-96.

By Councilman Rokakis.
An emergency ordinance to change the name of Brookside Park Drive to Wildlife Way.

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 name of Brookside Park Drive be and the same is changed to Wildlife Way.

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

Referred to Director of Law; Committees on Finance.

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

Ord. No. 1990-96.

By Councilman Jackson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Mindsaver's, Inc. dba Sunrise Home Health Care, or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a building at 3334 Prospect Avenue, Cleveland, Ohio and to partially finance the acquisition of equipment and to pay for relocation costs.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Mindsaver's, Inc. dba Sunrise Home Health Care, or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a building at 3334 Prospect Avenue, Cleveland, Ohio and to partially finance the acquisition of equipment and to pay for relocation costs.

Section 2. That the terms of said loan shall be determined in accordance with the terms as set forth in the Executive Summary contained in File No. 1990-96-A.

Section 3. That the costs of said contract shall not exceed Two Hundred Fifty Two Thousand Three Hundred Dollars (\$252,300.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22283.

Section 4. That the Director of Economic Development is hereby authorized to accept collateral as said director shall deem adequate in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 18 SF 004, Loan Fees Fund.

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

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1987-96.

By Councilman McGuirk.

An emergency resolution withdrawing objection to the renewal of a Liquor Permit to Kilbane's Restaurant & Pub, 16800 Lorain Avenue, and repealing Res. No. 1526-96, objecting to said renewal.

Whereas, this Council objected to the renewal of a Liquor Permit to Kilbane's Restaurant & Pub, 16800 Lorain Avenue, by Res. No. 1526-96, adopted August 14, 1996; and

Whereas, this Council wishes to withdraw its objection to the above

renewal and consents to said renewal; and

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

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

Section 1. That objection to the renewal of a Liquor Permit to Kilbane's Restaurant & Pub, 16800 Lorain Avenue, be and the same is hereby withdrawn and Res. No. 1526-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal of a Liquor Permit to Kilbane's Restaurant & Pub, 16800 Lorain Avenue thereof.

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

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

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

Res. No. 1988-96.

By Councilman Paulenske.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 5474 Broadway, 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. 03111240005, Faddie S. Attallah, 5474 Broadway, first floor and basement, Cleveland, Ohio 44127, to Permit No. 7648088-0010, Jihad Saa, 5474 Broadway, first floor and basement, Cleveland, Ohio 44127; 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. 03111240005, Faddie S. Attallah, 5474 Broadway, first floor and basement, Cleveland, Ohio 44127, to Permit No. 7648088-0010, Jihad Saa, 5474 Broadway, first floor and basement, Cleveland, Ohio 44127, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1989-96.

By Councilman Rybka.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 2943-45 East 55th Street and second floor.

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. 4271431, Jelinek, Inc., dba Bullwinkles, 2943-45 East 55th Street and second floor, Cleveland, Ohio 44127, to Permit No. 1573924, Club Lexus Inc., dba Club Lexus, 2943-45 East 55th Street and second floor, Cleveland, Ohio 44127; 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. 4271431, Jelinek, Inc., dba Bullwinkles, 2943-45 East 55th Street and second floor, Cleveland, Ohio 44127, to Permit No. 1573924, Club Lexus Inc., dba Club Lexus, 2943-45 East 55th Street and second floor, Cleveland, Ohio 44127, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 307-96.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into and execute a lease agreement for the Charles V. Carr Center with the Cuyahoga Metropolitan Housing Authority for a term of ten years.

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

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

Ord. No. 1186-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract with Ohio Power Company for professional services and associated equipment and materials to provide engineering, analyses, and other

services as needed, for the Division of Cleveland Public Power, Department of Public Utilities.

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

1. In Section 1, line 5, strike "training," and after "restoration" insert "**resulting from unforeseen emergency and/or storm-related outages in the system**"; and in line 6, strike "two (2) years" and insert in lieu thereof "**one (1) year**".

2. Add new Sections 3 and 4 to read, respectively, as follows:

"Section 3. That prior to utilizing services under said contract, the Director of Public Utilities must first ascertain that the current Cleveland Public Power employees are unavailable or otherwise unable to perform this work.

Section 4. That the Director of Public Utilities must provide a written report to the Public Utilities Committee within fifteen (15) days after utilizing any services pursuant to said contract."

3. Renumber existing Section 3 to new "Section 5".

4. In Section 2, at the end, insert the following new sentence: "**The cost of the contract authorized by this ordinance shall not exceed \$150,000.00.**"

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

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

Ord. No. 1283-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating or otherwise improving the Convention Center; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing said director to employ one or more firms of architects or engineers and/or asbestos consultants to provide professional services related to this improvement.

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

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

Ord. No. 1433-96.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating and reconstructing Cornell Road from Euclid Avenue to Murray Hill Road; authorizing the Director of Public Service to employ professional design engineering services to design the public improvement; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commission of Purchases and Supplies to acquire for right-of-way purposes such real

property as is necessary to make the public improvement.

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

Ord. No. 1459-96.

By Councilman Paulenske. An emergency ordinance to vacate a portion of Sweeney Avenue, S.E., hereinafter described.

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

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

Ord. No. 1473-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Service to accept a grant from the Ohio Department of Natural Resources for the 1997 Recycle Ohio Program; and to enter into one or more contracts with various agencies to implement the program and for the purchase of equipment and supplies for the program, if necessary.

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

1. In Section 2, line 4, strike "\$100,000.00" and insert in lieu thereof "**\$57,400.00**".

2. Insert a new Section 4 to read as follows:

"Section 4. That any promotional, marketing or other public information materials that identify the City Administration and any Department of the City of Cleveland as a sponsor, or for reference of City participation or support, shall also identify the Cleveland City Council, the President of Council and the telephone number of Council in a manner comparable to other references of City of Cleveland personnel or offices."

3. Renumber existing Section 4 to new "Section 5".

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

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

Ord. No. 1594-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Bargar Metal Fabricating Company, or its designee, to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to acquire new equipment and technology at 13000 St. Clair Avenue located in the Cleveland Area Enterprise Zone.

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

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

Ord. No. 1597-96.

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, 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 37th and East 38th Streets at Central Commons Subdivision No. 5.

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

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

Ord. No. 1604-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide professional services to design, layout, and produce 1996 and 1997 annual reports and other consumer information publications, for the Divisions of Water, Cleveland Public Power and Water Pollution Control.

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

1. In the title, line 6, and in Section 1, line 6, strike "and 1997".

Amendment agreed to.

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

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

Ord. No. 1711-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend the title and Section 2 of Ordinance No. 1130-93, passed May 24, 1993; to supplement said ordinance by adding new Section 3; and to renumber existing Section 3 to new Section 4, relating to upgrading the computer system for the Department of Law.

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

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

Ord. No. 1753-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept grants from the Ohio State Board of Emergency Medical Services for the Fire E.M.T. Training Program for years 1995 through 1997.

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

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

Ord. No. 1794-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program located North of St. Clair

between East 96 and East 103 Streets and 934 Lakeview to Glenville Development Corp., or designee.

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

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

Ord. No. 1799-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6917 Gertrude Avenue to Cleveland Housing Network.

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

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

Ord. No. 1834-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and bounded by East 55th to East 65th Streets, north to Central and south to Quincy Avenue to Burten, Bell and Carr Development Corporation or designee.

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

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

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 1625-96.

By Councilman Paulenske (by request).

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

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

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 1165-96.

By Councilmen Jackson and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1190-96.

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

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

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1289-96.

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

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

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1300-96.

By Councilmen Patton and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1321-96.

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

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

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1435-96.

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

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

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1458-96.

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

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

Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1600-96.

By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and repair the air conditioning systems for the various divisions of the Department of Port Control, for a period not to exceed two years.
Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1601-96.

By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and repair building automation computer systems and associated equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.
Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1603-96.

By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of not to exceed two portable TV inspection systems, for the Division of Water Pollution Control, Department of Public Utilities.
Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1605-96.

By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide material testing and geotechnical services.
Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1606-96.

By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of various parts for use at the pump stations, for the Division of Water Pollution Control, Department of Public Utilities.
Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1607-96.

By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to make emergency sewer repairs and installation of new sewers, for the Division of Water Pollution Control, Department of Public Utilities.
Read third time. Passed. Yeas 19. Nays 0.

**THIRD READING
ORDINANCES PASSED**

Ord. No. 1047-96.

By Councilman Britt.
An ordinance to change the Use, Area, and Height Districts of lands north of Quincy Avenue, S.E. between E. 88 Street and E. 89 Street. (Map Change No. 1907, Sheet No. 5)
Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1048-96.

By Councilman Polensek.
An ordinance to change the Use District of lands on both sides of Grovewood Avenue, N.E. between E. 167 Street and E. 172 Street. (Map Change No. 1908, Sheet No. 7)
Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1197-96.

By Councilman Polensek.
An ordinance to change the Use District of lands on the southerly side of Lake Shore Boulevard, N.E. between E. 169 Street and E. 174 Street. (Map Change No. 1911, Sheet No. 7)
Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1198-96.

By Councilman Polensek.
An ordinance to change the zoning of lands on both sides of Waterloo Road, N.E. between Shiloh Road, N.E. and west of E. 152 Street and between E. 160 Street and E. 162 Street. (Map Change No. 1909, Sheet No. 7)
Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 1199-96.

By Councilman Zone.
An ordinance to change the Use, Area, and Height Districts of lands north of Lorain Avenue on the west side of W. 110 Street. (Map Change No. 1910, Sheet No. 2)
Read third time. Passed. Yeas 19. Nays 0.

LAID ON THE TABLE

Ord. No. 2010-95.

By Mayor White.
An emergency ordinance authorizing the Mayor to apply for and accept grants from the Gund Foundation and the Cleveland Foundation for the Citizens Outreach Services Program; and to enter into contract as necessary to implement the Program.
Without objection, Ordinance No. 2010-95 was Laid on the Table pursuant to the rules of Council.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried, that the absence of Councilwoman Odella Robinson and Councilman Gary Paulsenke be and is hereby authorized.

MOTION

The Council adjourned at 8:27 p.m. to meet on Monday, November 11, 1996 at 7:00 p.m.


Clerk of Council

THE CALENDAR

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

NONE

2029

BOARD OF CONTROL

October 23, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 23, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Waldron, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Acting Director Patterson, Director Warren, Acting Director Alexander.
Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 745-96.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Dis-Tran Packaged Substations, Inc. for an estimated quantity of System Expansion E-6 (Substation Equipment), Schedule C, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 22nd day of August, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, on the basis of the estimated quantity would amount to One Million Three Hundred Eighty-Eight Thousand Ninety-Eight and 80/100 Dollars, (\$1,388,098.80), (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. 88763 which shall be certified against such contract in the sum of Three Hundred Thousand and no/100 Dollars, (\$300,000.00).

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

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

Nays: None.
Absent: None.

Resolution No. 746-96.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Smart Solutions, Inc. dba Micro Age for an estimated quantity of personal computers, various printers and software (items A-1, A-2, A-3, A-4, A-5, C-2 and C-3) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a con-

tract received on the 16th day of August, 1996, pursuant to the authority of Ordinance No. 2278-96, passed May 6, 1996, on the basis of the estimated quantity would amount to Seven Hundred Thirty Three Thousand Four Hundred Fifty-Six and 47/100 Dollars, (\$733,456.47), 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. 79377

which shall be certified against such contract in the sum of Seven Hundred Thirty Three Thousand Four Hundred Fifty Six and 47/100 Dollars, (\$733,456.47).

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

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

Nays: None.
Absent: None.

Resolution No. 747-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Erie Shores Computers, Inc. for an estimated quantity of personal computers, various printers and software (items A-6, C-1, C-4 and C-5) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 16th day of August, 1996, pursuant to the authority of Ordinance No. 2278-96, passed May 6, 1996, on the basis of the estimated quantity would amount to One Hundred Seventy Five Thousand Seven Hundred Sixty One and 16/100 Dollars, (\$175,761.16), 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. 79378

which shall be certified against such contract in the sum of One Hundred Seventy Five Thousand Seven Hundred Sixty One and 16/100 Dollars, (\$175,761.16).

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

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

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

Nays: None.
Absent: None.

Resolution No. 748-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 2024-93, passed by the Council of the City of Cleveland on November 22, 1993, Montgomery Watson Americas, 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 for biological and chemical testing of raw and treated water, 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 Montgomery Watson Americas, Inc. based upon its proposals dated December 1, 1995 and September 19, 1996 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 \$374,060.00 and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

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

Nays: None.
Absent: None.

Resolution No. 749-96.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of J.J. Turner Inc., dba Turner Equipment Company for an estimated quantity of various equipment and appurtenances for vac-all vacuum catch basin cleaners for the Division of Water Pollution Control, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 12th day of September, 1996, pursuant to the authority of Ordinance No. 247-96, passed May 6, 1996, which on the basis of the estimated quantity would amount to Seventy Thousand and 00/100 Dollars, (\$70,000.00), (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 goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 096383

which shall be certified against such contract in the sum of Seventy Thousand and 00/100 Dollars, (\$70,000.00).

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

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

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

Nays: None.
Absent: None.

Resolution No. 750-96.

By Director Cunningham.

Whereas, pursuant to Ordinance No. 929-95, passed by the Cleveland City Council on June 12, 1995, and Board of Control Resolution No. 264-96, adopted April 24, 1996, the City entered into an agreement with O. R. Colan Associates, Inc. ("Consultant" FBE/DBE) for interior consulting services for acquisition/relocation services for 94 single residences at Cleveland Hopkins International Airport for the Department of Port Control, Contract No. 49852; and

Whereas, the City has determined that it was necessary to expand the scope of services to include an additional 55 residences; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into a first amendment to Contract No. 49852 between the City and O. R. Colan Associates ("Consultant" FBE/DBE) to expand the scope of services to provide for acquisition/relocation services based upon the Consultant's proposal letter dated August 1, 1996. The contract shall increase from an amount not to exceed one million three hundred seventy-three thousand eighty-six and 96/100 dollars (\$1,373,086.93) to an amount not to exceed one million eight hundred seventy-seven thousand five hundred twenty-four and 28/100 (\$1,877,524.28).

Be it further resolved that the Director of Port Control is hereby authorized to complete and execute any documents necessary and appropriate to effect the amendment hereby authorized.

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

Nays: None.
Absent: None.

Resolution No. 751-96.

By Director Cunningham.

Whereas, pursuant to the authority of Ordinance No. 1980-90 passed by the Council of the City of Cleveland on September 24, 1990, Hopkins Airport Hotel Partnership and the City of Cleveland entered into Amended and Restated Leases by Way of Concession (the "Leases") for the lease of certain land, hotel and parking facilities at Cleveland Hopkins International Airport (Contract Nos. 44250-A and 44250-B); and

Whereas, Hopkins Partners, an Ohio general partnership, has acquired the Lessee's interest in and to the Leases, and the City of Cleveland has consented to the acquisition pursuant to Resolution 521.95 adopted by the Board of Control of the City of Cleveland on July 19, 1995 and as amended by Resolution No. 783-95 adopted by the Board of

Control of the City of Cleveland on October 18, 1995; and

Whereas, pursuant to Article XVIII of the Leases, Hopkins Partners has requested that the City consent to a Second Lien Open-End Leasehold Mortgage on the Leases to be granted to The Huntington National Bank to secured certain indebtedness from Hopkins Partners to The Huntington National Bank; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the request of Hopkins Partners to enter into and carry out the foregoing Second Lien Open-End Leasehold Mortgage is hereby approved.

Be it further resolved that the City of Cleveland hereby acknowledges that, as provided in Sections F and G of Article XVIII of the Hotel Lease, Contract No. 44250-A, and of the Parking Lot Lease Contract No. 44250-B, The Huntington National Bank, as the mortgagee under the Second Lien Open-End Leasehold Mortgage, shall have the rights to cure any defaults by Hopkins Partners as Lessees under the Leases as stated in such Sections.

Be it further resolved that the Director of Port Control is hereby authorized to complete and execute all documents necessary and appropriate to evidence the acknowledgment and consent hereby authorized and to cause this Resolution and the Second Lien Open-End Leasehold Mortgage, Assignment of Leases and Rents and Security Agreement from Hopkins Partners to The Huntington National Bank to be filed with the Commissioner of Accounts for the City of Cleveland in order to be attached to the Leases.

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

Nays: None.

Absent: None.

Resolution No. 752-96.

By Director Guzman.

Whereas, pursuant to Ordinance No. 680-95, passed by the Council of the City of Cleveland on June 12, 1995, and Board of Control Resolution No. 773-95 adopted October 11, 1995, and entered into an agreement with Sussen, Inc. for various items of automotive parts; and

Whereas, by its August 30, 1996 letter, Sussen, Inc. has notified the City that it has become a division of General Parts, Inc. doing business as CARQUEST Distribution Center; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to CARQUEST Distribution Center's August 30, 1996 letter, this Board hereby acknowledges the change of ownership and name and the assignment of Contract No. 49076 from Sussen, Inc. to General Parts, Inc.

Be it further resolved that the Director of Public Service is hereby authorized to execute any documents necessary to effect and recognize such name and ownership change with respect to Contract No. 49076.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director

Waldron, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Acting Director Patterson, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 753-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Akzo Nobel Salt, Inc. for an estimated quantity of rock salt, (all items) for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 27th day of September, 1996, pursuant to the authority of Ordinance No. 240-96, passed April 1, 1996, which on the basis of the estimated quantity would amount to approximately Three million four hundred twenty one thousand two hundred fifty and no/100 Dollars, (\$3,421,250.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 095855

which shall be certified against such contract in the sum of One hundred seventy one thousand sixty two and 50/100 Dollars, (\$171,062.50).

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.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractor to Akzo Nobel Salt, Inc. for the purchase of rock salt (All Items), hereby is approved:

Granger Trucking
MBE - \$422,622.50

Fox Construction
FBE - \$77,587.50

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

Nays: None.

Absent: None.

Resolution No. 754-96.

By Director Denihan.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 258-95, passed by the Council of the City of Cleveland on May 22, 1995, the Director of Public Safety is hereby authorized to lease to the Police Historical Society, or its designees, the second floor of the City of Cleveland's Third District Police Station located at 2001 Payne Avenue.

Be it further resolved that the Director of Public Safety is authorized, pursuant to Ordinance No. 258-95, to lease said property to the Cleveland Police Historical Society for a term not to exceed twenty (20)

years at a rental rate of One Dollar (\$1.00) per year which rental rate is determined to be fair market rental value for a non-profit organization which has to make improvements, subject to the approval of appropriate City agencies and officials, to the lease premises.

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

Nays: None.

Absent: None.

Resolution No. 755-96.

By Director Denihan.

Whereas by Resolution No. 542-96, adopted August 7, 1996, pursuant to the authority of Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Board of Control approved the bid of Atwell Police & Fire Equipment Company, Inc., as the lowest and best for Uniform Clothing, (Ballistic Vests) all items, for the Division of Police, Department of Public Safety; and

Whereas, items 1B (female ballistic vest) and 2B (female carrier) bid did not comply with the City's specifications; and

Whereas, the City desires to rescind the approval of those items 1B and 2B from said Resolution No. 542-96; now, therefore

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 542-96, adopted August 7, 1996, approving the bid of Atwell Police & Fire Equipment Company, Inc. as the lowest and best for Uniform Clothing, (Ballistic Vests), Items 1B and 2B, for the Division of Police, Department of Public Safety, hereby is amended by deleting reference to items 1B and 2B, where appearing, and by decreasing the total estimated contract amount from \$645,000.00 to \$580,000.00.

Be it further resolved that the Director of Public Safety is hereby authorized to execute all documents and to do all things necessary to effect the amendment hereby authorized to said Resolution No. 542-96.

Be it further resolved that all other provision of said Resolution No. 542-96 not expressly amended hereby shall remain unchanged and in full force and effect.

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

Nays: None.

Absent: None.

Resolution No. 756-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cairns and Brother, Inc. for an estimated quantity of Turnout Clothing, Item 11 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on the 5th day of September, 1996, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Twenty-two thousand, six hundred forty nine and 00/100 Dollars, (\$22,649.00),

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. 093904

Turnout Clothing

100 Item #11 - Helmets, as specified which shall be certified against such contract in the sum of Twenty-two thousand, six hundred forty-nine and 00/100 Dollars, (\$22,649.00).

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, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Waldron, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Acting Director Patterson, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 757-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Hose and Holster, Inc. dba The Fire House for an estimated quantity of Turnout Clothing, Item 8 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on the 5th day of September, 1996, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Nineteen thousand, eight hundred and 00/100 Dollars, (\$19,800.00), (1% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 093907

Turnout Clothing

180 Item #8 - Bunker Boots, as specified

which shall be certified against such contract in the sum of Eleven thousand, eight hundred eighty and 00/100 Dollars, (\$11,880.00).

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, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Waldron, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Acting Director Patterson, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 758-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Dicar Corporation for an estimated quantity of Turnout Clothing, Items 1, 2, 3, 4, 5, 6, 7, and 10, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on the 5th day of September, 1996, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One hundred fifty-eight thousand, five hundred twenty-five and 00/100 Dollars, (\$158,525.00), (Net 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 093905

Turnout Clothing

100 Item #4 - Turnout Coats, Traditional Liner, specified

100 Item #5 - Turnout Pants, Traditional Liner, specified which shall be certified against such contract in the sum of Sixty-two thousand, seven hundred and 00/100 Dollars, (\$61,700.00).

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, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Waldron, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Acting Director Patterson, Director Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 759-96.

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. 137-02-042 located at 12216 Oakfield Avenue in Ward 13; 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, Isiah and Minnie E. Fondren, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 3 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Isiah and Minnie E. Fondren for the sale and development of Permanent Parcel No. 137-02-042 located at 12216 Oakfield Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

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

Nays: None.

Absent: None.

Resolution No. 760-96.

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. 136-10-035 located at 10407 Harvard Avenue in Ward 2; and

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

Whereas, Adolph C. Johnson, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Adolph C. Johnson for the sale and development of Permanent Parcel No. 136-10-035 located at 10407 Harvard Avenue, in accordance with the Land Reutilization Program in such

manner as best carries out the intent of said Program.

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

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

Nays: None.

Absent: None.

Resolution No. 761-96.

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. 133-28-054 located at 4017 East 89 Street in Ward 2; and

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

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

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Ines Bobrowski for the sale and development of Permanent Parcel No. 133-28-054 located at 4017 East 89 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

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

Nays: None.

Absent: None.

Resolution No. 762-96.

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. 137-02-124 located at 3549 East 120 Street in Ward 3; and

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

Whereas, Ernestine Perry, 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 requested to execute an Official Deed for and on behalf of the City of Cleveland with Ernestine Perry for the sale and development of Permanent Parcel No. 137-02-124 located at 3549 East 120 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

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

Nays: None.

Absent: None.

Resolution No. 763-96.

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. 130-03-098 located at 3174 East 121 Street in Ward 4; 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, Hilary H. and Kathleen A. Battle, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 4 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Hilary H. and Kathleen A. Battle for the sale and development of Permanent Parcel No. 130-03-098 located at 3174 East 121 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

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

Nays: None.

Absent: None.

Resolution No. 764-96.

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. 104-21-011 and 104-21-012 under said Land Reutilization Program; and

Whereas, Ordinance No. 1850-96 passed October 7, 1996, authorized the sale of said parcel for a consideration established by the Board of Control of not less than the Fair Market Value; and

Whereas, Christopher and Francine Hawkins 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. 1850-96 passed October 7, 1996 by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Christopher and Francine Hawkins for the sale and development of Permanent Parcel No. 104-21-011 and 104-21-012 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the

consideration for said parcel shall be \$100.00 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, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Waldron, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Acting Director Patterson, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 765-96.

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. 106-22-024, 106-22-025 and 106-22-026 under said Land Reutilization Program; and

Whereas, Ordinance No. 1849-96 passed October 7, 1996 authorized the sale of said parcel for a consideration established by the Board of Control of not less than the Fair Market Value; and

Whereas, Lena Faye Hogue 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. 1849-96 passed October 7, 1996 by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Lena Faye Hogue for the sale and development of Permanent Parcel No. 106-22-024, 106-22-025 and 106-22-026 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00 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, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Waldron, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Acting Director Patterson, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 766-96.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that all bids received on August 7, 1996 for one (1) police armored security vehicle, apparatus and necessary appurtenances (all items) for the Division of Motor Vehicle Maintenance, Department of Public Service, pursuant to the authority of Ordinance No. 918-96, passed by the Council of the City of Cleveland on June 18, 1996, be and the same are hereby rejected.

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

Spellman, Hamilton, Acting Director Patterson, Director Warren, Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 767-96.

By Director Denihan.

Whereas, pursuant to Ordinance No. 2458-92, passed by the Council of the City of Cleveland on January 25, 1993, International Business Machines Corp. is hereby selected upon the nomination of the Director of Public Safety from a list firms determined after a full and complete canvass by the Director Safety, as the firm of computer system consultants to be employed by contract for the purpose of supplementing the regularly employed staff of the several departments of the City in order to provide project management, systems integration, application software support, end-user training and technical support personnel training, data conversion, and systems design, for the design, development implementation, including installation, licensing and support, of an integrated Records Management System (RMS) minicomputer network, for the Division of Police, Department of Public Safety; now, therefore,

Be it resolved that the Director of Public Safety hereby is authorized to enter into a written contract with International Business Machines Corporation for Phase I, Core Functions, of a Records Management System (RMS) minicomputer network for the Division of Police, based upon its proposal dated June 21, 1996, as amended by its proposal dated October 7, 1996, which contract shall be prepared by the Director of Law and shall include such additional provisions as she deems necessary to benefit and protect the public interest.

Be it further resolved that the costs for the aforementioned design, development, implementation, installation, licensing and support services for Phase I of the Records Management System (RMS) minicomputer network shall not exceed one million, one hundred eight thousand and no/100 dollars (\$1,108,000.00)

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

Nays: None.
Absent: None.

Resolution No. 768-96.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that all bids received on July 25, 1996 for Police Uniform Clothing (Ballistic Vests) Item numbers, 1B and 2B for the Division of Police, Department of Public Safety, pursuant to Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, be and the same are hereby rejected.

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

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, NOVEMBER 11, 1996

9:30 A.M.

Calendar No. 96-185: 1944 W. 48 St. Concepcion Perez and Iris Perez, owners, to convert to a day care center the 24' x 60' two story frame nonconforming three family apartment building on a 60' x 132' lot located in a Two Family District at 1944 W. 48 St.; said building being located less than 3' from the premises to the north instead of 30' therefrom as required by Sections 337.03 and 337.02 and said use being subject to the special use provisions of Sections 337.02 and 337.03 of the Codified Ordinances.

Calendar No. 96-191: 4700 Bridge Ave., N.W.

Mohammed Ganim, owner, to convert to a grocery store the 32' x 53' east part of the 66' x 53' one story masonry nonconforming stores building on a 66' x 75' corner lot located in a Two Family District on the northwest corner of W. 47 St. and Bridge Ave. at 4700 Bridge Ave.; said use as a grocery store being contrary to the residential use limitations of Section 337.03 but subject to the substitution provisions of Section 359.01 of the Codified Ordinances.

Calendar No. 96-192: 1900 W. 25 St. Merrell Building Ltd., owner, c/o Charge Development Co., general partner, c/o Doug Perkowski, to convert to 21 dwelling units the upper three floors of the 57' x 122' 4 story masonry building on a 60' x 124' corner lot located in a C-General Retail District on the northwest corner of W. 25 St. and Carroll Ave. at 1900 W. 25 St.; the floor area ratio being in excess of the lot area con-

trary to the .5 maximum of Section 355.04 and the rear yard being 0' instead of 20' as required by Section 357.08 and the interior sideyards being 0' instead of 8' wide as required by Section 357.09 of the Codified Ordinances.

Calendar No. 96-193: 3471 E. 49 St. Gorodetzer & Stillman Inc., owner, c/o Charles Wagner, and Eller Media Co., tenant, c/o David M. Yale, to erect a 14' x 48' double faced billboard on the 110' x 187' irregular shaped through parcel located in a General Industry District and Two Family District at 3471 E. 49 St. and extending through to E. 50 St.; said proposed billboard to be located 25' from a Residence District to the north instead of 200' therefrom and said proposed billboard to be located 75' from a bridge to the south and 120' from Interstate 77 instead of 672' therefrom and said proposed billboard to be 64' in height instead of the 50' height maximum all contrary to the provisions of Section 350.10 of the Codified Ordinances.

Calendar NO. 96-194: 11821 Avon Ave., S.E. Warren Gissentaner, owner, to erect a 24' x 8' one story addition, by enclosing the first floor front porch, to the 24' x 38' two story frame two family dwelling house located in a Two Family District on a 35' x 120' lot at 11821 Avon Ave.; said addition and enclosure being contrary to the encroachment provisions of Section 357.13 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 28, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, October 21, 1996, the following appeals were heard by the Board, and decided on Monday, October 28, 1996.

The following appeals were **Granted:**

Calendar No. 96-166: 4686 Pearl Rd., S.W. 4700 Pearl Rd. Ltd. Partnership, owner, c/o Victor Kassouf, and ZieCar Inc., tenant, c/o Guido Cariati, to use as an auto repair garage.

Calendar No. 96-182: 1325 Ansel Rd., N.E. City of Cleveland, Department of Community Development, owner, c/o Joseph Sidoti, and Notre Dame Campus Apartments Inc., prospective purchaser, c/o William DiTirro, to convert to retail sales, service, offices and restaurant the ground floor and 73 dwelling unit apartment for the elderly.

The following appeal was **Withdrawn:**

Calendar No. 96-188: 5401-03 Bridge Avenue, N.W.

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."

WEDNESDAY, NOVEMBER 6, 1996

Rockefeller Park Phase II, Signage Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1284-96, passed by the Council of the City of Cleveland.

A DEPOSIT OF TWENTY-FIVE (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND

SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

Rockefeller/Gordon Holden Parks Trust Pavement Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1284-96, passed by the Council of the City of Cleveland.

A DEPOSIT OF TWENTY-FIVE (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

October 23 and October 30, 1996

THURSDAY, NOVEMBER 7, 1996

Eddy Road Rehabilitation, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 905-93, 802-94 and 1012-95, passed by the Council of the City of Cleveland, June 14, 1993, June 13, 1994 and August 25, 1995, respectively.

A DEPOSIT OF FIFTY (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

October 23 and October 30, 1996

THURSDAY, NOVEMBER 14, 1996

Manhole Risers, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1104-96, passed by the Council of the City of Cleveland, August 14, 1996.

Paper Products, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 764-96, passed by the Council of the City of Cleveland, May 20, 1996.

Drug House Board-Up, for the Division of Building and Housing, Department of Community Development, as authorized by Ordinance No. 622-96, passed by the Council of the City of Cleveland, May 20, 1996.

One Venturi Flow Meter, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1295-96, passed by the Council of the City of Cleveland, August 14, 1996.

October 23 and October 30, 1996

WEDNESDAY, NOVEMBER 13, 1996

Two (2) Catch Basin Cleaning Machine Body Replacements and

Other Necessary Replacements, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1818-95, passed by the Council of the City of Cleveland, December 18, 1995.

Catch Basin Cleaning Machine Body Replacement, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1033-96, passed by the Council of the City of Cleveland, July 17, 1996.

October 30 and November 6, 1996

THURSDAY, NOVEMBER 14, 1996

Fire Turnout Cleaning (Leather Bunker Boots), for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, Ohio, 1976.

Police Uniforms (Female Ballistic Vests), for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, Ohio, 1976.

October 30 and November 6, 1996

FRIDAY, NOVEMBER 15, 1996

Tod Park Site Developments, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1884-94 and 1284-96, passed by the Council of the City of Cleveland, October 3, 1994 and October 14, 1996, respectively.

A DEPOSIT OF TWENTY-FIVE (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF

THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

Aluminum Dump Trailer, for the Division of Waste Collection, Department of Public Service, as authorized by Ordinance No. 1438-96, passed by the Council of the City of Cleveland, September 16, 1996.

Hydraulic Side-Dumping Trailer W/Steel Bins, for the Division of Waste Collection, Department of Public Service, as authorized by Ordinance No. 1437-96, passed by the Council of the City of Cleveland, September 16, 1996.

October 30 and November 6, 1996

THURSDAY, NOVEMBER 21, 1996

C-12 Substation Construction, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance Nos. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

SPECIFICATIONS WILL BE AVAILABLE AFTER OCTOBER 31, 1996.

Traffic Signal Material, for the Division of Traffic Engineering and Parking, Department of Public Safety, as authorized by Ordinance No. 1311-96, passed by the Council of the City of Cleveland, September 23, 1996.

October 30 and November 6, 1996

THURSDAY, NOVEMBER 21, 1996

Fulton Road Reconstruction, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 932-95, passed by the Council of the City of Cleveland, June 12, 1995.

A DEPOSIT OF FIFTY (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. "ACCORDING TO THE REQUIREMENTS IMPOSED UPON THE CITY BY CHAPTER 164 OF THE REVISED CODE AND THE CITY'S ISSUE II GRANT AGREEMENTS, THIS PROJECT HAS BEEN SET ASIDE FOR BIDDING BY STATE CERTIFIED MINORITY BUSINESS ENTERPRISES BY AUTHORITY OF THE EQUAL EMPLOYMENT OPPORTUNITY COORDINATOR OF THE STATION OF OHIO, PURSUANT TO DIVISION (B) OF REVISED CODE SECTION 123.151 AND CHAPTER 123:2 OF THE OHIO ADMINISTRATIVE CODE."

October 30, November 6 and November 13, 1996

October 30, November 6 and November 13, 1996

WEDNESDAY, NOVEMBER 27, 1996

Fasteners, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 645-96, passed by the Council of the City of Cleveland, May 20, 1996.

Rental and Laundry of Work Clothing, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 638-96, passed by the Council of the City of Cleveland, May 13, 1996.

October 30 and November 6, 1996

**Certified MBEs and FBEs
Third Quarter, 1996**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprise (MBE) and Female Business Enterprise (FBE) by the Mayor's Office of Equal Opportunity during the Third Quarter of 1996.

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1901-96.

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

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

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

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

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

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

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

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

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

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

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

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

Adopted October 21, 1996.

Effective October 21, 1996.

Res. No. 1917-96.

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

Whereas, Council has been noti-

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

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Permit No. 4174273, J.B. & K.L. Inc., dba Waterloo Rec Rose Garden, 15721 Waterloo Road, first floor and basement, Cleveland, Ohio 44110, to Permit No. 2843728, Charee Fountain, 15721 Waterloo Road, first floor and basement, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 21, 1996.

Effective October 28, 1996.

Res. No. 1918-96.

By Councilman Polensek.

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

Whereas, this Council objected to the transfer of ownership of a Liquor Permit to 15610 Lakeshore Boulevard by Res. No. 957-96, adopted May 20, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a Liquor Permit to 15610 Lakeshore Boulevard be and the same is hereby withdrawn and Res. No. 957-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted October 21, 1996.

Effective October 28, 1996.

Res. No. 1919-96.

By Councilman Polensek.

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

Whereas, this Council objected to the renewal of a Liquor Permit to 15610 Lakeshore Boulevard by Res. No. 1512-96 (amended Res. No. 1646-96), adopted August 14, 1996; and

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

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

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

Section 1. That objection to the renewal of a Liquor Permit to 15610 Lakeshore Boulevard be and the same is hereby withdrawn and Res. No. 1512-96 (amended Res. No. 1646-96), containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted October 21, 1996.

Effective October 28, 1996.

Res. No. 1920-96.**By Councilman Polensek.**

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

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

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

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

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

Section 1. That objection to the transfer of location of a Liquor Permit to 15617 Waterloo Avenue be and the same is hereby withdrawn and Res. No. 1362-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of location thereof.

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

Adopted October 21, 1996.

Effective October 28, 1996.

Res. No. 1921-96.**By Councilman Rokakis.**

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

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

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

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

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

Section 1. That objection to the stock transfer of a C2 and C2X Liquor Permit to 3548 Fulton Road, be and the same is hereby withdrawn and Res. No. 1366-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer of a C2 and C2X Liquor Permit to 3548 Fulton Road thereof.

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

Adopted October 21, 1996.

Effective October 28, 1996.

Res. No. 1922-96.**By Councilman Rokakis.**

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

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

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3893 West 23rd Street, first floor and basement, be and the same is hereby withdrawn and Res. No. 1231-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership of a C2 and C2X Liquor Permit to 3893 West 23rd Street, First floor and basement thereof.

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

Adopted October 21, 1996.

Effective October 28, 1996.

Res. No. 1923-96.**By Councilman Rybka.**

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

Whereas, this Council objected to the renewal of Liquor Permit to 6557 Broadway Avenue by Res. No. 1531-96 (amended Res. No. 1648-96), adopted August 14, 1996; and

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

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

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

Section 1. That objection to the renewal of a Liquor Permit to 6557 Broadway Avenue, be and the same is hereby withdrawn and Res. No. 1531-96 (amended Res. No. 1648-96), containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

Adopted October 21, 1996.

Effective October 28, 1996.

Res. No. 1924-96.**By Councilman Rybka.**

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

Whereas, this Council objected to the renewal of a Liquor Permit to 7527 Union Avenue by Res. No. 1533-96, adopted August 14, 1996; and

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

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

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

Section 1. That objection to the renewal of a Liquor Permit to 7527 Union Avenue be and the same is hereby withdrawn and Res. No. 1533-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted October 21, 1996.

Effective October 28, 1996.

Res. No. 1943-96.**By Councilman Lewis.**

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

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

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

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

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

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

Whereas, this objection is based on other legal grounds as set forth in Revised Code Chapters 4301 and 4303; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property,

safety and welfare in that, pursuant to the Ohio Revised Code, Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the issuance of a proposed contract for a liquor agency to be located at 9300 Wade Park Avenue, Cleveland, Ohio, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4301.17 of the Revised Code of Ohio.

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

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

Adopted October 21, 1996.
Effective October 28, 1996.

Ord. No. 1285-96.
By Councilman McGuirk (by departmental request).

An emergency ordinance to renumber Section 135.47 of the Codified Ordinances of Cleveland, Ohio, as enacted by Ordinance No. 370-96, passed June 10, 1996, to new Section 135.55.

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 135.47 as enacted by Ordinance No. 370-96, passed June 10, 1996, is hereby renumbered to new Section 135.55.

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

Passed October 21, 1996.
Effective October 28, 1996.

Ord. No. 1447-96.
By Councilman McGuirk (by departmental request).

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

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 605.031 thereof to read as follows:

Section 605.031 Indecent Exposure; Penalty

(a) No person shall recklessly expose his or her private parts in a public place.

(b) It is an affirmative defense to this section that the offender:

(1) Is answering an urgent call of nature; and

(2) Takes reasonable precautions against discovery; and

(3) Is not imprudent in choosing a site; and

(4) Does not despoil public property or public conveniences.

(c) As used in this section, "private parts" means the genitals, pubic region, buttocks and female breasts below a point immediately above the areola.

(d) Whoever violates this ordinance is guilty of a minor misdemeanor.

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

Passed October 21, 1996.

Effective October 28, 1996.

Ord. No. 1750-96.
By Councilmen Jackson, Rybka and Rokakis (by departmental request).

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

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. 002-28-013, as more fully described in Section 2 below, to Cleveland Housing Network, Limited Partnership XIII.

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. 002-28-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 257 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lots Nos. 32, 33, 48 and 49, as shown by the recorded plat in Vol-

ume 2, Page 49 of Cuyahoga County Records and being 38 feet front on the Southerly side of Wakefield Avenue N.W. and extending back between parallel lines 114 feet deep to Wakefield Ct. N.W. in the rear, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any

Section 3. 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. 002-28-016, as more fully described in Section 4 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P.P. No. 002-28-016

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 96 in James M. Hoyt's Subdivision of part of Original Brooklyn Township Lots Nos. 32, 33, 48 and 49 as shown by the recorded plat in Volume 2 of Maps, page 49 of Cuyahoga County Records, and bounded and described as follows: Beginning at the Northeast corner of said Sublot No. 96; thence Westerly along the Northerly line of said Sublot, which is also the Southerly line of Wakefield Avenue, N.W., 35 feet; thence Southerly and parallel with the Easterly line of said Sublot No. 96, 84 feet; thence Easterly and parallel with the Northerly line of Sublot No. 96, 23 feet; thence Southerly and parallel with the Easterly line of Sublot No. 96, 30 feet; thence Easterly along the Southerly line of Sublot No. 96, 114 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 5. 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. 002-28-017, as more fully described in Section 6 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P.P. No. 002-28-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 97 in The James M. Hoyt's Allotment of Part of Original Brooklyn Township Lots Nos. 32, 33, 48 and 49 as shown by the recorded plat in Volume 2 of Maps, Page 49 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Southerly line of Wakefield Avenue, N.W. (formerly Bayne Street), 60 feet wide, at the Northeast corner of said Sublot No. 97; thence Westerly along said Southerly line of Wakefield Avenue, N.W., 13 feet; thence Southerly along a line parallel with the Easterly line of said Sublot No. 97, 74 feet; thence Westerly along the line parallel with the said Southerly line of Wakefield Avenue, N.W., 15 feet; thence Southerly along a line par-

allel with the Westerly line of said Sublot No. 97, 40 feet to the Northerly line of Wakefield Court, N.W., 14 feet wide; thence Easterly along said Northerly line of Wakefield Court, N.W., 28 feet to the Southeastly corner of said Sublot No. 97; thence Northerly along said Easterly line of Sublot No. 97, 114 feet to the place of beginning, as appears by said plat be the same more or less, but subject to all legal highways.

Section 7. 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. 002-30-060, as more fully described in Section 8 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 8. That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P.P. No. 002-30-060

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 250 and the Easterly seven feet front and rear of Sublot No. 251 in the Gordon Avenue Allotment of part of Original Brooklyn Township Lot No. 32 as shown by the recorded plat in Volume 21 of Maps, Page 2 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 45 feet on the Southerly side of Ellen Avenue, N.W., and extending back of equal width 70 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 9. 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. 002-30-061, as more fully described in Section 10 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 002-30-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 32, bounded as described as follows:

Beginning in the southerly line of Ellen Avenue, N.W., formerly Ellen Street, as dedicated by Volume 21, Page 2 of Cuyahoga County Records, at a point distant 289 feet Easterly from the Easterly line of West 65th Street, formerly Gordon Avenue. Thence easterly along the southerly line of Ellen Avenue N.W., 35.75 feet; thence southerly at right angles to the southerly line of Ellen Avenue, N.W., 70 feet; then westerly parallel with the southerly line of Ellen Avenue, N.W., 35.75 feet; Thence northerly at right angles to the southerly line of Ellen Avenue, N.W., 70 feet to the place of beginning.

Be the same more or less, but subject to all legal highways.

Section 11. 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. 123-31-045, as

more fully described in Section 12 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 123-31-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 87 in Barkwill and Jackson's Subdivision, of part of Original 100 Acre Lot No. 320, as shown by the recorded plat in Volume 7 of Maps, Page 7 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 49th Street, and extending back of equal width 120 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 13. 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. 126-17-032, as more fully described in Section 14 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P.P. No. 126-17-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 97 in R. Yeakel's Allotment of part of Original One Hundred Acre Lots Nos. 417 and 425, as shown by the recorded plat in Volume 10 of Maps, Page 25 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Yeakel Avenue S.E. and extending back between parallel lines, 116 feet deep to Yeakel Court S.E. in the rear 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 15. 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. 126-17-049, as more fully described in Section 16 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P.P. No. 126-17-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 119 in R. Yeakel's Subdivision of part of Original One Hundred acre Lot Nos. 417 and 425 by the recorded plat in Volume 10 of Maps, Page 25 of Cuyahoga County Records; and being 40 feet front on the Northerly side of Yeakel Avenue S.E. and extending back of equal width 116.33 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 17. 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. 127-12-035, as

more fully described in Section 18 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P.P. No. 127-12-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 60 in The Theodore E. Burton's Allotment of part of Original 100 Acre Lot No. 440, as shown by the recorded plat in Volume 12, Page 1 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Laisy Avenue, S.E., and extending back of equal width 121 feet, as appears by said plat, be the same more or less but subject to all legal highways.

Section 19. 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. 127-13-045, as more fully described in Section 20 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 20. That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P.P. No. 127-13-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in T. E. Burton Subdivision of Part of Original Newburgh Township Lot No. 440 as shown by the recorded plat in Volume 12 of Maps, Page 1 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Laisy Avenue S.E. (50 feet wide) and extending back between parallel lines 121 feet as appears by said plat, be the same more or less but subject to all legal highways.

Section 21. 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. 128-12-101, as more fully described in Section 22 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P.P. No. 128-12-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 22, and the westerly one foot of Sublot No. 21, in Joseph Heina's and G. W. Taylor's Allotment of part of Original 100 Acre Lots Nos. 425 and 426, as shown by the recorded plat in Volume 13 of Maps, page 42 and 43 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 41 feet on the Northerly side of Sophia Avenue, S.E., (formerly Hein Street), and extending back of equal width 183.81 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 23. 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. 128-21-061, as

more fully described in Section 24 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P.P. No. 128-21-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 130 in the Helper Woodland Hills Park Subdivision of part of Original 100 Acre Lots Nos. 433 and 434 as shown by the recorded plat in Volume 42 of Maps, Page 26 of Cuyahoga County Records and being 40 feet front on the Northeasterly side of Hilgert Drive and extending back 179.94 feet on the Northwesterly line, 191.77 feet on the Southeasterly line and having a rear line of 45 feet, as appears by said plat, be the same more or less but subject to all legal highways.

Section 25. 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. 131-19-038, as more fully described in Section 26 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P.P. No. 131-19-038

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in Stephen C. Ballou's Subdivision of part of Original One Hundred Acre Lot No. 282, as shown by the recorded plat in Volume 7 of Maps, Page 22 of Cuyahoga County Records and being 31 feet front on the Westerly side of East 48th Street and extending back between parallel lines, 118 feet, 10 inches deep, be the same more or less, but subject to all legal highways.

Section 27. 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. 006-04-069, as more fully described in Section 28 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P.P. No. 006-04-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 745 in J. M. Hoyt's Subdivision of part of Original Brooklyn Township Lots Nos. 28 and 33 as shown by the recorded plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Lawn Avenue, N.W., and extending back of equal width 126 feet to an alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 29. 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. 006-04-070, as more fully described in Section 30 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 30. That the real property

to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P.P. No. 006-04-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 744 in J.M. Hoyt's Subdivision of part of Original Brooklyn Township Lots Nos. 28 and 33 as shown by the recorded plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Lawn Avenue, N.W., (formerly Lawn Street) and extending back of equal width 126 feet to an alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 31. 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. 006-04-071, as more fully described in Section 32 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P.P. No. 006-04-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 743 in J.M. Hoyt's Subdivision of part of Original Brooklyn Township Lots Nos. 28 and 33 as shown by the recorded plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Lawn Avenue, N.W. and extending back of equal width 126 feet to an alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 33. 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. 006-04-072, as more fully described in Section 34 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P.P. No. 006-04-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 742 in James M. Hoyt's Allotment of part of Original Brooklyn Township Lots Nos. 28 and 33 as shown by Recorded Plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records now in said City; said Sublot No. 742 has a frontage of 35 feet on the Southerly side of Lawn Avenue N.W., (formerly Lawn Street;) and extends back of equal width 126 feet to an alley, be the same more or less, but subject to all legal highways. Subject to Zoning Ordinances, if any.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-05-065, as more fully described in Section 36 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P.P. No. 107-05-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 52 in the Rose and Korman's Subdivision of part of Original 100 Acre Lot No. 375, as shown by the recorded plat in Volume 18 of Maps, Page 2 of Cuyahoga County Records and being 35 feet front on the Southerly side of Korman Avenue, N.E. and extending back of equal width 118.01 feet, as appears by said plat.

Section 37. 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. 006-04-144, as more fully described in Section 38 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P.P. No. 006-04-144

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 609 in James M. Hoyt Subdivision of part of Original Brooklyn Township Lots Nos. 28 and 33, as shown by the recorded plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records, and being 35 feet front on the Northwesterly side of Elton Avenue and extending back of equal width 126 feet to an alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 39. 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. 006-04-145, as more fully described in Section 40 below, to Cleveland Housing Network, Limited Partnership XIII.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P.P. No. 006-04-145

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 610 in James M. Hoyt's Allotment of part of Original Brooklyn Township Lots Nos. 28 and 33 as shown by the recorded plat in Volume 3 of Maps, Page 37 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Elton Avenue, N.W. and extending back of equal width 126 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 41. 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 42. 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 43. 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 44. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 21, 1996.

Effective October 28, 1996.

Ord. No. 1842-96.

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

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

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, Sections 1, 2, 3 and 4 of Ordinance No. 607-95, passed June 5, 1995, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with LNH, Inc., or its designee, to provide economic development assistance to partially finance improvements including any machinery and equipment acquisition to a gas station/mini mart located at 7318 Superior Avenue, Cleveland, Ohio, 44103.

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with LNH, Inc., or its designee, to provide economic development assistance to partially finance improvements including any machinery and equipment acquisition to a gas station/mini mart located at 7318 Superior Avenue, Cleveland, Ohio, 44103.

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. 607-95-A.

Section 3. That the costs of said contract, as set forth in Ordinance No. 607-95 shall be increased by Twenty Seven Thousand Dollars (\$27,000.00), and shall not exceed Sixty Three Thousand Dollars (\$63,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 22425.

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.

Section 2. That the existing title, Sections 1, 2, 3, and 4 of Ordinance No. 607-95, passed June 5, 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.

Passed October 21, 1996.

Effective October 28, 1996.

Ord. No. 1913-96.

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

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

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

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

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

Passed October 21, 1996.

Effective October 28, 1996.

Ord. No. 1914-96.

By Councilmen Patton and Rokakis (by departmental request).

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

Whereas, pursuant to the emergency purchase provisions of Section 181.12 of the Codified Ordinances of Cleveland, Ohio, 1976, the City contracted with Ohio Power Company on June 14, 1996, for the rental of a mobile 40 MVA transformer to be installed at Cleveland Public Power's West 41st Street substation pending the purchase and

installation of a new transformer; and

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

Whereas, in order to insure the reliability of electric service to CPP customers, it is necessary to continue the rental of the mobile transformer until the installation of the new transformer; and

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Ohio Power Company. Therefore, the Director of Public Utilities is hereby authorized and directed to make a written contract with said Ohio Power Company upon the basis of its proposal dated September 26, 1996, for the rental of one transformer through March 31, 1997, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Passed October 21, 1996.

Effective October 28, 1996.

Ord. No. 1915-96.

By Councilmen Paulenske and Robinson.

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

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Regional Transit Authority to install, maintain and remove banners on Payne Avenue at East 36th Street and on Union Avenue at Kinsman Road from the period from October 21, 1996 to November 30, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so

as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed October 21, 1996.
Effective October 28, 1996.

**Ord. No. 1916-96.
By Councilmen Paulenske and Patton.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Regional Transit Authority to stretch banners on East 55th Street at St. Clair Avenue, on St. Clair Avenue at East 71st Street, and on Lee Road in front of the Lee-Harvard Shopping Center for the period

from October 21, 1996 to November 30, 1996, inclusive, publicizing its new Circulator Bus Line in Cleveland's neighborhoods.

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

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

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

banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed October 21, 1996.
Effective October 28, 1996.

COUNCIL COMMITTEE MEETINGS

Monday, October 28, 1996

Finance Committee: 2:00 P.M. —
Present: Westbrook, Vice Chrm., Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Rybka, Smith.
Excused: Rokakis, Chrm., Robinson.

Wednesday, October 30, 1996

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

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