

The City Record

Official Publication of the City of Cleveland

January the Fifteenth, Nineteen Hundred and Ninety-Seven

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

MAYOR-Michael R. White
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy
Barry Withers, Executive Assistant for Administration
Judith Zimomra, Executive Assistant for Service
Kenneth Silliman, Executive Assistant for Economic Development
Richard Werner, Executive Assistant for Governmental Affairs.
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 - Randell T. Scott, Commissioner, Room 25
Engineering and Construction - J. Christopher Nielson, Acting
Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novik, Acting Commissioner,
Harvard Yards
Architecture - Kenneth Nobile, Commissioner, Room 517

DEPT. OF PUBLIC HEALTH - Robert O. Staib, Director, Mural Building
1925 St. Clair Avenue.
DIVISIONS - Health - Joyce Atwell-Joyce, Commissioner, Mural Building,
1925 St. Clair Avenue
Environment - Carolyn Wallace, Acting Commissioner, Mural Building,
1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 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, Gary L. Holland, Director;
Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman,
Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City
Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E.
McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot,
Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S.
Rosenthal, Henry Simon.

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

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

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

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

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

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

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

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director;
Rev. Albert T. Rowan, Chairman; 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 Nobile, Theodore Sande, Randall Shorr, Shirley Thompson,
Councilmen Craig E. Willis and Helen K. Smith.

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

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, JANUARY 15, 1997

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CITY COUNCIL

MONDAY, JANUARY 13, 1997

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** _____, Chairman; Paulenske, Vice Chairman; Patton, Rokakis, White, Willis.
10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Jackson, O'Malley, Patton, Patton, Paulenske, Zone.

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio January 13, 1997.
The meeting of the Council was called to order, the President, Jay Westbrook in the chair.

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

Also present were Chief of Staff Sheffield-McClain, and Directors Sobol Jordan, Carmody, Konicek, Staib, Denihan, Hamilton, Nolan, Warren, and Acting Directors Richiotti and Waldron.

Absent: Mayor White and Directors Cunningham, Guzman, Willis.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Dr. Marvin A. McMickle, Pastor of Antioch Baptist Church. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 61-97.

From National City Trust re: The L.C. Hanna, Jr./Cleveland Mall Fund, Investment and Transaction Statement, October 1, 1996 through December 31, 1996. Received.

File No. 62-97.

From the Division of Purchases and Supplies: re: Excess Property - Reference No. 14-96. Received.

File No. 63-97.

From the Division of Purchases and Supplies: re: Excess Property - Reference No. 1-97. Received.

File No. 64-97.

From the Division of Purchases and Supplies: re: Emergency Requisition (RE-098314) for sewer repair at Superior Avenue and West 9th Street. Received.

File No. 65-97.

From the Division of Purchases and Supplies: re: Emergency Requisition (RE-097460) for the repair of leaks at the Convention Center Exhibition Hall. Received.

File No. 66-97.

From the Division of Purchases and Supplies: re: Emergency Requisition (RE-097464) for the repair of the Convention Center's steam line. Received.

STATEMENT OF WORK ACCEPTED

File No. 67-97.

From the Department of Parks, Recreation and Properties re: Contract No. 48931 for the improvement of the West Side Market (window replacement). Received.

OATH OF OFFICE

File No. 68-97.

Oath of Office for Joyce Atwell-Joyce, Commissioner for the Division of Health, Department of Public Health. Received.

File No. 69-97.

Oath of Office for Daniel A. Novak, Acting Commissioner for the Division of Motor Vehicle Maintenance, Department of Public Safety. Received.

COMMUNICATIONS

File No. 70-97.

January 10, 1997

The Honorable Jay Westbrook
President, Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am pleased to recommend Ms. Paula Fields for appointment to the Community Relations Board as an industry representative. This appointment is effective immediately upon approval by Council and will expire on March 31, 1999.

Thank you for your consideration.

Sincerely,

Michael R. White
Mayor

Received. Referred to Committee on Mayor's Appointments.

COMMITTEE ON MAYOR'S APPOINTMENTS

The Chair appointed Councilman Gary Paulenske as Chairman and Councilmen Craig Willis, Charles L. Patton, Jr., Michael D. Polensek, and

Odelia V. Robinson to consider the Mayor's appointment.

File No. 71-97.

January 7, 1997

Artha Woods, Clerk
Cleveland City Council
601 Lakeside Ave., Room 220
Cleveland, Ohio 44114

Dear Ms. Woods,

I'm writing to resign my position as Ward 20 Councilperson, effective 1:00 p.m. today, in order to accept the appointment as State Representative from District 19. It has been an honor to serve the people of Ward 20 and the City of Cleveland as Councilman, and I have tried always to keep the welfare of my neighborhood and the city uppermost in my mind. I deeply appreciate all the help and support received from you, your staff, Council President Westbrook, my colleagues, Mayor White, all the directors, commissioners, city staff, community leaders, and the people of Ward 20, without whom the progress made during my term of office would not have been possible.

Please excuse that the nature of this transition did not allow for appropriate advance notice of my resignation.

Sincerely yours,

Dale Miller, Councilman

Received.

**ELECTION TO FILL
VACANCY IN WARD 20**

The Clerk of Council read a letter of resignation from Councilman Dale Miller of Ward 20. The President of Council accepted the resignation and declared a vacancy in Ward 20. Councilman Joseph Zone nominated Mr. Martin J. Sweeney to serve as Councilman from Ward 20. Councilman Roosevelt Coats seconded the nomination. Council Majority Leader Roosevelt Coats moved that the nominations be closed. Without objection, the nominations were closed.

Thereupon the President of Council instructed the members of Council to state the name of the candidate when responding to the roll call, and requested the Clerk to call the roll upon the election of the Councilman of Ward 20. Upon completion of the roll call, the Clerk announced that Mr. Martin J. Sweeney received 19 votes. Those who voted for Mr. Sweeney were: Councilmen Britt, Coats, Dolan, Jackson, Johnson, Lewis, Melena, O'Malley, Patmon, Patton, Polensek, Robinson, Rokakis, Rybka, Smith, Westbrook, White, Willis, Zone.

The Chair declared Mr. Martin J. Sweeney, having received the unanimous vote of all the members elected to Council to be the duly elected Councilman of Ward 20. The President requested Councilmen Joseph Zone, Roosevelt Coats, Michael Polensek, and Kenneth Johnson to escort the duly elected member of Council to the podium to have the oath of office administered by his father, Judge Gerald Francis Sweeney of Cleveland Municipal Court. Mr. Earle B. Turner, Cleveland Municipal Clerk of Courts held the bible during the ceremony.

File No. 72-97.

OATH OF OFFICE

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

I, MARTIN J. SWEENEY do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Ohio, and the Charter of the City of Cleveland, and that I will faithfully, honestly, and impartially discharge the duties of the office of CITY COUNCILMAN, WARD 20 of the City of Cleveland, State of Ohio, during my continuance in said office.

MARTIN J. SWEENEY

Sworn before me and subscribed in my presence this 13th day of January, 1997.

Charlene M. Berry
Notary Public

Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 73-97. Mr. Connie Comer.

Res. No. 74-97. Eurdia Hunt.

Res. No. 75-97. Willie F. Hardimon, Jr.

Res. No. 76-97. Robert E. Scalley.

Res. No. 77-97. Raymond Harris.

Res. No. 78-97. George D. Andrews.

Res. No. 79-97. Sarah A. Eutsey.

CONGRATULATORY RESOLUTIONS

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

Res. No. 80-97. Rev. Dr. Marvin McMickle.

Res. No. 81-97. Dennis Smith.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 1879-A-96.

(As a substitute for Ordinance No. 1879-96).

By Councilman Paulenske.

An emergency ordinance authorizing and directing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 1440 St. Clair Avenue to Mike D. White, or his designee.

Whereas, Mike D. White has offered to purchase City-owned property hereinafter described and has submitted a proposal for said property to continue to be used for accessory off-street parking for the tenants and patrons of the Euclid Blueprint Building and the Democratic Headquarters Building, located at 1478 St. Clair Avenue and 1466 St. Clair Avenue, respectively; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer

needed for public use: 1440 St. Clair Avenue, Cleveland, Ohio and identified as Permanent Parcel No. 102-06-026.

Section 2. That the proposal of Mike D. White for the use of Permanent Parcel No. 102-06-026 as accessory off-street parking for the tenants and patrons of the Euclid Blueprint Building and the Democratic Headquarters Building, located at 1478 St. Clair Avenue and 1466 St. Clair Avenue, respectively, is hereby approved, and that by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized and directed to sell said property to Mike D. White at a price not less than fair market value as determined by the Board of Control, said price is hereby determined to be the fair market value of the property taking into account the restrictive covenants and reversionary interests set forth in Section 5 herein.

Section 3. That the Director of Community Development is hereby authorized and directed to enter into a project agreement for the sale and use of the subject property for and on behalf of the City with Mike D. White. The project agreement shall be prepared by the Director of Law and shall contain appropriate provisions to enforce the conditions contained in this ordinance.

Section 4. That the conveyance shall be made by Official (quit-claim) Deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland.

Section 5. That the deed and/or project agreement shall contain the following covenants running with the land and shall provide appropriate remedies for any breach of the covenants or conditions, including reversionary interests, and shall contain such other conditions that may be required by the Board of Control to enforce the provisions contained in this ordinance: (a) the subject property shall comply with all applicable requirements of the Codified Ordinances of the City of Cleveland, 1976, including those specifically relating to surface parking; (b) the subject property shall be used solely for surface parking by the tenants and patrons of the Euclid Blueprint Building and the Democratic Headquarters Building; (c) the grantee shall not use, permit the use of, or permit the subject property to be used in conjunction with an Adult Use, as that term is defined in the Codified Ordinances of Cleveland, Ohio 1976, as from time-to-time amended; and (d) that the City of Cleveland shall have a right of first refusal at any time the property is proposed to be sold after the initial conveyance to Mike D. White.

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.

Without objection, substitute agreed to. Ordinance No. 1879-96 Laid on the Table.

Ord. No. 46-97.
By Councilmen Britt, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into a project agreement with Villas of Woodhaven, Limited Liability Company, or its designee, for the acquisition, clearance and redevelopment of certain lands in the East 79th-East 89th-Euclid-Chester Community Development Plan Area.

Whereas, the Council of the City of Cleveland by Ordinance No. 898-87, passed July 24, 1987, as amended by Ordinance Nos. 1423-89, 169-90, 668-91, 1518-92, 1853-93, and 1000-94 passed June 19, 1989, May 7, 1990, March 16, 1992, October 19, 1992, October 25, 1993 and June 13, 1994, approved and adopted the East 79th-East 89th-Euclid-Chester Community Development Plan dated July, 1987 (the "Plan"), for the plan area designated and described in said Plan (the "Plan Area"); and

Whereas, the Plan established a action area for a portion of the Plan Area (the "Action Area") to achieve some of the following purposes: public or private land acquisition, public or private demolition or redevelopment of structures, public or private site improvements, or any combination of these purposes; and

Whereas, East 79th-East 89th-Euclid-Chester, or its designee, has submitted a proposal which the Director of Community Development has determined to be a satisfactory means of achieving some of the purposes for the Action Area as described in the Plan; and

Whereas, this ordinance constitutes an emergency measure providing for the public property, health or safety, in that the authorization of a project agreement with Villas of Woodhaven, Limited Liability Company, or its designee, will achieve certain purposes for the Action Area as described in the Plan; 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 Title V of the Community Development Code and Chapters 181 and 183 in the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to enter into and execute a project agreement for and on behalf of the City of Cleveland with Villas of Woodhaven, Limited Liability Company, or its designee, (the "Redeveloper") for the acquisition, disposition and private redevelopment for Action Area 2 Action Area in accordance with the provisions of the Community Development Plan ("the Plan").

Section 2. That the project agreement authorized by Section 1 shall include without limitation the following terms and conditions:

(a) an agreement by the City of Cleveland to acquire that property within the Action Area which cannot be privately acquired in a timely fashion through reasonable negotiations;

(b) an agreement by the City of Cleveland to convey, by official deed or deeds, within the Action Area, certain property more fully

described in Section 3 of this ordinance; provided that the deed or deeds shall contain such restrictive covenants, reversionary interests or similar provisions as may, in the judgment of the Director of Community Development, be required to insure the elimination within the Action Area of conditions of blight and deterioration and for the prevention of recurrence of said conditions;

(c) a commitment by the Redeveloper to comply with all Federal and State real property acquisition requirements, including without limitation relocation assistance, to the extent Federal or State funding is usual for acquisition;

(d) a commitment by the Redeveloper to pay all costs of real property acquisition within the Action Area;

(e) a commitment by the Redeveloper to pay all costs of demolition required to develop the Action Area in accordance with the Plan; and

(f) such other requirements as the Director of Community Development, may deem necessary to protect the interests of the City of Cleveland.

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 property referenced in Section 2(b) may be conveyed to the Redeveloper pursuant to the project agreement and is described as follows:

P. P. No. 119-04-070, 071

Parcel No. 1:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the southerly 35 feet of Sublot No. 7 in Fitch Raymond's Allotment of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat of said allotment in Volume 5 of Maps, Page 47 of Cuyahoga County Records, said part of said Sublot No. 7 has a frontage of 35 feet on the Easterly side of East 84th Street N.E., (formerly Tilden Avenue) and extends back between parallel lines 137 feet, be the same more or less, but subject to all legal highways.

Parcel No. 2:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 7 in Fitch Raymonds Subdivision of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 5 of Maps, Page 47 of Cuyahoga County Records, being more fully described as follows: Beginning in the Easterly line of East 84th Street (formerly Tilden Avenue) at the Northwesterly corner of Sublot No. 7 in Fitch Raymonds Subdivision, as recorded in Volume 5 of Maps, Page 47 of Cuyahoga County Records; thence from said place of beginning Southerly along the Easterly line of East 84th Street 20 feet to a point and the principal place of beginning of the land herein described; thence Easterly parallel with the Northerly line of said Sublot No. 7, 137 feet to the Easterly line of said Sublot No. 7; thence Southerly along said Easterly line of Sublot No. 7, 5 feet; thence Westerly parallel with the Northerly line of Sublot No. 7, 137 feet to the Easterly line of East 84th Street; thence Northerly along the Easterly line of East 84th Street; 5

feet to the principal place of beginning and forming a parcel of land having a frontage of 5 feet on the Easterly side of East 84th Street, and extend back between parallel lines 137 feet, be the same more or less, but subject to all legal highways.

P.P. No. 119-04-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a parcel of land 20 feet in width off the South side of Sublot No. 6 and 20 feet in width off the North side of Sublot No. 5 in Fitch Raymond's Subdivision of part of Original 100 Acre Lot No. 399 as the same is recorded in Volume 5, Page 47 of Maps, of land in said County, and making together a frontage of 40 feet on the Easterly side of East 84th Street and a depth of 137 feet as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 119-04-116

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. 400, and bounded and described as follows:

Beginning on the Westerly line of East 86th Street, distant Northerly 337 feet from its point of intersection with the Northerly line of Euclid Avenue; thence Westerly on a line parallel to the Northerly line of land in said lot deeded by Josetta A. Comstock and W. C. Comstock, husband, to Charles W. Comstock by deed dated May 2, 1893 and recorded in Volume 541, Page 435 of Cuyahoga County Records, about 65 feet to the Westerly line of land formerly owned by said Josetta A. Comstock; thence Southerly along said Westerly line, 30 feet; thence Easterly on a line parallel to said Northerly line of land conveyed to Charles W. Comstock, about 65 feet to the Westerly line of East 86th Street; thence Northerly along the Westerly line of East 86th Street, 30 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 119-04-122

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 400, and bounded and described as follows: Beginning on the Westerly line of East 86th Street, at a point 512 feet Northerly from its point of intersection with the Northerly line of Euclid Avenue; thence Westerly on a line at right angles with the Westerly line of said East 86th Street, 65 feet to the Westerly line of said Original One Hundred Acre Lot No. 400; thence Northerly along the Westerly line of said Original One Hundred Acre Lot No. 400, 40 feet; thence Easterly on a line at right angles to the Westerly line of said Original Lot No. 400, 65 feet to the Westerly line of East 86th Street; thence Southerly along the Westerly line of East 86th Street, 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 119-04-125

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 400, bounded and described as follows:

Beginning on the Westerly line of East 86th Street at a point 624 feet Northerly from the Northerly line of Euclid Avenue; thence Northerly 31-1/2 feet; thence Westerly on a line at right angles with said Westerly line of East 86th Street 65 feet to the Westerly line of said Original Lot No. 400; thence Southerly along said Westerly line Original Lot No. 400, 31-1/2 feet; thence Easterly 65 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 119-04-126

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. 400 and bounded and described as follows: Beginning on the Westerly line of East 86th Street at a point 655.50 feet Northerly from the Northerly line of Euclid Avenue; thence Northerly along the Westerly line of East 86th Street 31.50 feet; thence Westerly on a line at right angles to the Westerly line of East 86th Street 65 feet to the Westerly line of said Original One Hundred Acre Lot No. 400; thence Southerly along the Westerly line of said one hundred acre Lot No. 400, 31.50 feet; thence Easterly 65 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 119-06-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 400 and bounded and described as follows:

Beginning on the easterly line of East 86th Street, 40 feet wide (said easterly line being also the easterly line of land conveyed to the City of Cleveland by deed dated August 1, 1891, and recorded in Volume 508, Page 243 of Cuyahoga County Records) at the southwesterly corner of land conveyed to the County of Cuyahoga, by deed dated April 27, 1948, and recorded in Volume 6480, Page 519 of Cuyahoga County Records; thence southerly along the easterly line of East 86th Street, 34 feet to the southwesterly corner of the third parcel of land conveyed to Max Pevsner by deed dated April 26, 1945, and recorded in Volume 5859, Page 189 of Cuyahoga County Records; thence easterly along the southerly line of the third parcel of land so conveyed, 45 feet to the Westerly line of Crumb, Baslington & Oviatt's Allotment as shown by the recorded plat in Volume 5 of Maps, Page 49 of Cuyahoga County Records; thence northerly along the westerly line of said Allotment 34 feet to an inner corner of land conveyed to the County of Cuyahoga as aforesaid; thence westerly along the southerly line of land so conveyed to the County of Cuyahoga, 45 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P. P. No. 119-06-018

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. 400, and part of Sublot No. 1 in Crumb Baslington & Oviatt's Allotment of part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat in Volume 5 of Maps, Page 49 of Cuyahoga County

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

Beginning on the Easterly line of East 86th Street, at a point 422 feet Northerly measured along said Easterly line from its point of intersection with the Northerly line of Euclid Avenue, 80 feet wide; thence Northerly along the said Easterly line of East 86th Street, 32 feet; thence Easterly on a line at right angles with said Easterly line of East 86th Street, 75 feet; thence Southerly on a line parallel with said Easterly line of East 86th Street, 32 feet; thence Westerly 75 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 119-06-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 1 and 2 in Crumb, Baslington and Oviatt's Allotment of part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat of said Allotment in Volume 5 of Maps, Page 49 of Cuyahoga County Records. Said parts of said Sublots Nos. 1 and 2 together form a parcel of land bounded and described as follows: Beginning in the Westerly line of East 87th Street (formerly Brookfield Street), at the Northeast corner of said Sublot No. 2; thence Westerly along the Northerly line of said Sublots Nos. 2 and 1, about 147 feet, 8 inches to the Northeast corner of a parcel of land conveyed by H. M. Briggs and wife, to Minnie E. Berner, by deed dated January 18, 1893, and recorded in Volume 540, Page 261 of Cuyahoga County Records; thence Southerly along the Easterly line of the land conveyed to Berner, as aforesaid and along the Easterly line of a parcel of land conveyed by H. M. Briggs and wife, to Ida M. McDermott, by Deed dated March 7, 1893, and recorded in Volume 541, Page 376 of Cuyahoga County Records, 60 feet; thence Easterly parallel with the Northerly line of said Sublots 1 and 2, about 147 feet, 8 inches to the Westerly line of East 87th Street; thence Northerly along the Westerly line of East 87th Street, 60 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways. Restrictions of record and zoning ordinance if any.

Section 4. That this Council finds the conveyance to the Redeveloper of the property described in Section 3, for the purposes of redevelopment, constitutes a public use of said property.

Section 5. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the property described in Section 3 of this ordinance at a price not less than the fair reuse value of the property taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed or deeds of conveyance.

Section 6. That the conveyance to the Redeveloper shall be made by official quitclaim deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland.

Section 7. That the Mayor, the Director of Community Development, the Director of Law, and such appropriate City officials are autho-

rized to execute such certifications and documents, and take such other actions as may be necessary or appropriate in connection with carrying out the terms of the project agreement and the activities contemplated by the Plan.

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

Ord. No. 47-97.

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

An emergency ordinance approving certain amendments to the East 79th-East 89th-Euclid-Chester Community Development Plan to establish the Action Area 2 Action Area therein.

Whereas, the Council of the City of Cleveland by Ordinance No. 878-87, passed July 24, 1987, as amended by Ordinance No. 1423-89, 169-90, 668-91, 1518-92, 1853-93, and 1000-94, passed June 19, 1989, May 7, 1990, March 16, 1992, October 18, 1992, October 25, 1993 and June 13, 1994, respectively, approved the East 79th-East 89th-Euclid-Chester Community Development Plan (the "CD Plan") for the plan area designated and described in the CD Plan (the "Plan Area"), and which Plan included an area designated therein as the Action Area 1 Action Area, and which Plan contemplated certain activities and treatment for the elimination of conditions of blight and deterioration, and for the prevention of recurrence thereof within the Plan Area; and

Whereas, the City Planning Commission has adopted certain amendments to the CD Plan providing for the designation of a second Action Area within the Plan Area to be known as the Action Area 2 Action Area (the "New Action Area"); and

Whereas, pursuant to notice duly given, the City Planning Commission held a public hearing on the amendments to the CD Plan, and has approved such CD Plan as amended; and

Whereas, the document entitled "East 79th-East 89th-Euclid-Chester Community Development Plan, as amended," dated July, 1987, and the City Planning Commission findings and related materials have been presented to this Council, and are set forth in File No. 47-97-A, and oral reports and testimony thereon have been presented by City staff, and Council has been apprised of the facts, conditions, structural deficiencies, and blighting influences pertaining to the New Action Area, including the existence of a majority of structures therein which because of structural deficiencies by reason of age, deterioration, dilapidation, or obsolescence, or non-conformities with modern code requirements relating to building, or fire protection, or of existing conditions therein endangering life and property by fire or other causes, and because of the existence in such

New Action Area of other conditions which are detrimental to the public health, safety, morals, and general welfare; and

Whereas, this Council has determined that it shall be City policy that specific "Action Areas," with defined boundaries, within the community development plan areas will be established by the City when the City has determined that the presence of blight, and the possible recurrence of blight, can be prevented through City or private maintenance, rehabilitation or redevelopment; and

Whereas, the designation of the New Action Area contemplates specific measures to eliminate such conditions of blight and deterioration from the New Action Area by providing for the maintenance, rehabilitation, or clearance and redevelopment of structures on the property comprising the area described in the New Action Area, all pursuant to the CD plan standards; and

Whereas, for the foregoing reasons, Council has determined that the plan for the New Action Area, and the implementation of the measures therein set forth will be in the best interests of the citizens of the City and will provide for the general health, safety, and welfare of the City; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public property, health, and safety in that approval of the plan for the New Action Area is necessary in order that steps can be immediately undertaken to eliminate conditions of blight and deterioration therein; now, therefore,

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

Section 1. That, based upon the facts and conditions concerning blight and deterioration, it is hereby found and determined that the Action Area 2 Action Area, as more fully described hereinafter, is a blighted and deteriorated area and meets the requirements of Section 313.02 of the Codified Ordinances of the City of Cleveland:

EAST 79TH - EAST 89TH -
EUCLID - CHESTER
ACTION AREA 2

Beginning on the Northerly line of Euclid Avenue (80 feet wide) at its intersection with the Easterly line of East 84th Street (50 feet wide);

Thence Easterly along the Northerly line of said Euclid Avenue to its intersection with the Westerly line of East 85th Street (44 feet wide);

Thence Northerly along the Westerly line of said East 85th Street to its intersection with the Westerly prolongation of the Northerly line of Sublot Number 2 in the Eighty-Fifth Street Realty Co.'s Subdivision as shown by the recorded plat in Volume 77, Page 20 of Cuyahoga County Map Records;

Thence Easterly along the Westerly prolongation and the Northerly line of Sublot Number 2 and the Northerly line of Sublot Number 1 and its Easterly prolongation in said subdivision to its intersection with the centerline of East 86th Street (40 feet wide);

Thence Northerly along the centerline of said East 86th Street to its intersection with the Westerly prolongation of the Northerly line of parcel of land owned by the Cleveland Clinic Foundation as shown by the Deed recorded in Volume 88-6827,

Page 58 of Cuyahoga County Records;

Thence Easterly along the Westerly prolongation and the Northerly line of lands conveyed to the Cleveland Clinic Foundation as aforesaid to an interior corner;

Thence Northerly, Easterly, Northerly and Easterly along the irregular line of the aforesaid Cleveland Clinic Foundation lands to its intersection with the Westerly line of East 87th Street (50 feet wide);

Thence Northerly along the Westerly line of said East 87th Street to the Southerly line of Chester Avenue N.E. (proposed);

Thence Westerly along the irregular Southerly line of said Chester Avenue (proposed) to its intersection with the Easterly line of East 84th Street as aforesaid;

Thence Southerly along the said East 84th Street to the place of beginning.

Section 2. That this Council hereby finds that the public actions and policies proposed and contemplated by the amendments to the CD Plan are necessary and appropriate in order to eliminate the conditions of blight and deterioration, and prevent the recurrence thereof in the Action Area 2 Action Area; and that the designation of said Action Area is hereby approved as an amendment to the East 79th-East 89th-Euclid-Chester Community Development Plan within the meaning of, and for the purposes of the Community Development Plan within the meaning of, and for the purposes of the Community Development Code of the City of Cleveland and the procedures followed for designation of said Action Area and hearing thereon are hereby approved, and it is hereby found and determined that the CD Plan, as amended, conforms to and is in compliance with the applicable provisions of the Codified Ordinances of the City of Cleveland.

Section 3. That notwithstanding and as an exception to Section 317.03 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the CD Plan will afford maximum opportunity consistent with the sound needs of the City as a whole for redevelopment of the Plan Area and the Action Area 2 Action Area; that the CD Plan gives due consideration to the provision of adequate open space, park and recreational areas appropriate to the area and that the Plan is in conformity with the general plan of the City and the workable program for community improvements of the City.

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

Ord. No. 48-97.

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 1931, 1937, 1028 East 84 Street; 1908, 1896, 1893, 1917 East 86 Street and 1910 East 87 Street to Fairfax Renaissance Development Corp., or designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-04-070, 119-04-071, 119-04-073, 119-04-116, 119-04-122, 119-04-125, 119-04-126, 119-06-011, 119-06-018, and 119-06-033, as more fully described in Section 2 below, to Fairfax Renaissance Development Corp., or designee.

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

P.P. No. 119-04-070, 071

Parcel No. 1:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the southerly 35 feet of Sublot No. 7 in Fitch Raymond's Allotment of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat of said allotment in Volume 5 of Maps, Page 47 of Cuyahoga County Records, said part of said Sublot No. 7 has a frontage of 35 feet on the Easterly side of East 84th Street N.E., (formerly Tilden Avenue) and extends back between parallel lines 137 feet, be the same more or less, but subject to all legal highways.

Parcel No. 2:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being part of Sublot No. 7 in Fitch Raymonds Subdivision of part of Original One Hundred Acre Lot No. 399, as shown by the recorded plat in Volume 5 of Maps, Page 47 of Cuyahoga County Records, being more fully described as follows: Beginning in the Easterly line of East 84th Street (formerly Tilden Avenue) at the Northwesterly corner of Sublot No. 7 in Fitch Raymonds Subdivision, as recorded in Volume 5 of Maps, Page 47 of Cuyahoga County Records; thence from said place of beginning Southerly along the Easterly line of East 84th Street 20 feet to a point and the principal place of beginning of the land herein described; thence Easterly parallel with the Northerly line of said Sublot No. 7, 137 feet to the Easterly line of said Sublot No. 7; thence Southerly along said Easterly line of Sublot No. 7, 5 feet; thence Westerly parallel with the Northerly line of Sublot No. 7, 137 feet to the Easterly line of East 84th

Street; thence Northerly along the Easterly line of East 84th Street; 5 feet to the principal place of beginning and forming a parcel of land having a frontage of 5 feet on the Easterly side of East 84th Street, and extend back between parallel lines 137 feet, be the same more or less, but subject to all legal highways.

P.P. No. 119-04-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a parcel of land 20 feet in width off the South side of Sublot No. 6 and 20 feet in width off the North side of Sublot No. 5 in Fitch Raymond's Subdivision of part of Original 100 Acre Lot No. 399 as the same is recorded in Volume 5, Page 47 of Maps, of land in said County, and making together a frontage of 40 feet on the Easterly side of East 84th Street and a depth of 137 feet as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 119-04-116

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. 400, and bounded and described as follows:

Beginning on the Westerly line of East 86th Street, distant Northerly 337 feet from its point of intersection with the Northerly line of Euclid Avenue; thence Westerly on a line parallel to the Northerly line of land in said lot deeded by Josetta A. Comstock and W. C. Comstock, husband, to Charles W. Comstock by deed dated May 2, 1893 and recorded in Volume 541, Page 435 of Cuyahoga County Records, about 65 feet to the Westerly line of land formerly owned by said Josetta A. Comstock; thence Southerly along said Westerly line, 30 feet; thence Easterly on a line parallel to said Northerly line of land conveyed to Charles W. Comstock, about 65 feet to the Westerly line of East 86th Street; thence Northerly along the Westerly line of East 86th Street, 30 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 119-04-122

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 400, and bounded and described as follows: Beginning on the Westerly line of East 86th Street, at a point 512 feet Northerly from its point of intersection with the Northerly line of Euclid Avenue; thence Westerly on a line at right angles with the Westerly line of said East 86th Street, 65 feet to the Westerly line of said Original One Hundred Acre Lot No. 400; thence Northerly along the Westerly line of said Original One Hundred Acre Lot No. 400, 40 feet; thence Easterly on a line at right angles to the Westerly line of said Original Lot No. 400, 65 feet to the Westerly line of East 86th Street; thence Southerly along the Westerly line of East 86th Street, 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 119-04-125

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of

Original 100 Acre Lot No. 400, bounded and described as follows:

Beginning on the Westerly line of East 86th Street at a point 624 feet Northerly from the Northerly line of Euclid Avenue; thence Northerly 31-1/2 feet; thence Westerly on a line at right angles with said Westerly line of East 86th Street 65 feet to the Westerly line of said Original Lot No. 400; thence Southerly along said Westerly line Original Lot No. 400, 31-1/2 feet; thence Easterly 65 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 119-04-126

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. 400 and bounded and described as follows: Beginning on the Westerly line of East 86th Street at a point 655.50 feet Northerly from the Northerly line of Euclid Avenue; thence Northerly along the Westerly line of East 86th Street 31.50 feet; thence Westerly on a line at right angles to the Westerly line of East 86th Street 65 feet to the Westerly line of said Original One Hundred Acre Lot No. 400; thence Southerly along the Westerly line of said one hundred acre Lot No. 400, 31.50 feet; thence Easterly 65 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 119-06-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 400 and bounded and described as follows:

Beginning on the easterly line of East 86th Street, 40 feet wide (said easterly line being also the easterly line of land conveyed to the City of Cleveland by deed dated August 1, 1891, and recorded in Volume 508, Page 243 of Cuyahoga County Records) at the southwesterly corner of land conveyed to the County of Cuyahoga, by deed dated April 27, 1948, and recorded in Volume 6480, Page 519 of Cuyahoga County Records; thence southerly along the easterly line of East 86th Street, 34 feet to the southwesterly corner of the third parcel of land conveyed to Max Pevsner by deed dated April 26, 1945, and recorded in Volume 5859, Page 189 of Cuyahoga County Records; thence easterly along the southerly line of the third parcel of land so conveyed, 45 feet to the Westerly line of Crumb, Baslington & Oviatt's Allotment as shown by the recorded plat in Volume 5 of Maps, Page 49 of Cuyahoga County Records; thence northerly along the westerly line of said Allotment 34 feet to an inner corner of land conveyed to the County of Cuyahoga as aforesaid; thence westerly along the southerly line of land so conveyed to the County of Cuyahoga, 45 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P.P. No. 119-06-018

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. 400, and part of Sublot No. 1 in Crumb Baslington & Oviatt's Allotment of part of Original One Hundred Acre Lot No. 400, as shown by

the recorded plat in Volume 5 of Maps, Page 49 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 86th Street, at a point 422 feet Northerly measured along said Easterly line from its point of intersection with the Northerly line of Euclid Avenue, 80 feet wide; thence Northerly along the said Easterly line of East 86th Street, 32 feet; thence Easterly on a line at right angles with said Easterly line of East 86th Street, 75 feet; thence Southerly on a line parallel with said Easterly line of East 86th Street, 32 feet; thence Westerly 75 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 119-06-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 1 and 2 in Crumb, Baslington and Oviatt's Allotment of part of Original One Hundred Acre Lot No. 400, as shown by the recorded plat of said Allotment in Volume 5 of Maps, Page 49 of Cuyahoga County Records. Said parts of said Sublots Nos. 1 and 2 together form a parcel of land bounded and described as follows: Beginning in the Westerly line of East 87th Street (formerly Brookfield Street), at the Northeast corner of said Sublot No. 2; thence Westerly along the Northerly line of said Sublots Nos. 2 and 1, about 147 feet, 8 inches to the Northeast corner of a parcel of land conveyed by H. M. Briggs and wife, to Minnie E. Berner, by deed dated January 18, 1893, and recorded in Volume 540, Page 261 of Cuyahoga County Records; thence Southerly along the Easterly line of the land conveyed to Berner, as aforesaid and along the Easterly line of a parcel of land conveyed by H. M. Briggs and wife, to Ida M. McDermott, by Deed dated March 7, 1893, and recorded in Volume 541, Page 376 of Cuyahoga County Records, 60 feet; thence Easterly parallel with the Northerly line of said Sublots 1 and 2, about 147 feet, 8 inches to the Westerly line of East 87th Street; thence Northerly along the Westerly line of East 87th Street, 60 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

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

Ord. No. 49-97.

By Councilmen Patton and Polensek (by departmental request).

An emergency ordinance to establish No Right Turn at the specific intersection in the City of Cleveland listed herein, and to amend the schedule on file with the Clerk of Council, File No. 106-76, pursuant to Section 413.10 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to No Right Turns during certain hours.

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 4511.13 of the Ohio Revised Code, this Council does hereby prohibit right turns against a steady red signal, between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday at the specific intersection in the City of Cleveland listed herein, which list shall be added to the schedule on file with the Clerk of Council by amending File No. 106-76, established pursuant to Section 413.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976.

WARD

1

INTERSECTION

East 141st and Harvard Avenue

DIRECTION

All Directions

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

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

Ord. No. 50-97.

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

An emergency ordinance authorizing the Director of Community Development to lease real property located north and adjacent to the Main Avenue Bridge between West 6th and West 9th Streets from the Board of County Commissioners of Cuyahoga County, and to then lease all or part of that same real prop-

erty to Water Street Associates, Ltd., or its designee, for a term not to exceed fifty years to make parking available in support of a housing development project.

Whereas, the acquisition of real property and interests in real property for housing development is a proper public purpose pursuant to Article VIII, Section 16 of the Ohio Constitution; and

Whereas, the Board of County Commissioners of Cuyahoga County has proposed to lease to the City of Cleveland certain real property, located north and adjacent to the Main Avenue Bridge between West 6th and West 9th Streets, for the purposes of enhancing housing development; and

Whereas, the City of Cleveland desires to lease all or part of that same real property to Water Street Associates, Ltd., or its designee, for the purpose of providing parking for a housing project developed consistent with policies and standards set by 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 provision of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to lease from the Board of County Commissioners of Cuyahoga County certain real property located north and adjacent to the Main Avenue Bridge between West 6th and West 9th Streets, and more fully described as follows:

LEASE PARCEL 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot Numbers 1 and 2, together forming a parcel of land bounded and described as follows:

Beginning in the Northeastly line of West 9th Street, 99 feet wide, at a drill hole and cross found at the most Southerly corner of a parcel of land conveyed to Bardons and Oliver, Inc., by deed dated December 20, 1938 and recorded in Volume 5045, Page 412 of Cuyahoga County Records, said point also being distant North 33° 53' 07" West measured along said Northeastly line of West 9th Street, 244.75 feet from the center line of Lakeside Avenue N.W., 99 feet wide;

Course No. 1: Thence North 56° 07' 23" East along the Southeastly line of land so conveyed to Bardons and Oliver, Inc., 132.82 feet to a capped 5/8" iron pin found at the most Easterly corner thereof and a point in the Southwesterly line of Original Two Acre Lot Number 2;

Course No. 2: Thence South 33° 53' 34" East along said Southwesterly line of Lot Number 2, 0.25 feet to a railroad spike found at the most Westerly corner of a parcel of land conveyed to the Board of County Commissioners of Cuyahoga County by deed dated October 29, 1938 and recorded in Volume 4911, Page 690 of Cuyahoga County Records;

Course No. 3: Thence North 56° 07' 23" East along the Northwesterly line of land so conveyed to the County Commissioners, 132.82 feet to a railroad spike found at the most Northerly corner thereof and the

Northeasterly line of Original Two Acre Lot Number 2;

Course No. 4: Thence South 33° 54' 01" East along said Northeastly line of Original Two Acre Lot number 2, 9.52 feet to the Northwesterly face of the wall of the ramp leading to the Main Avenue Bridge;

Thence in a general Southwesterly direction along the face of the wall of the ramp leading to the Main Avenue Bridge the following courses and distances;

Course No. 5: Thence South 56° 13' 19" West, 20.82 feet to an angle point therein;

Course No. 6: Thence South 56° 04' 22" West, 49.99 feet to an angle point therein;

Course No. 7: Thence South 56° 09' 11" West, 100.29 feet to an angle point therein;

Course No. 8: Thence South 56° 04' 05" West, 79.62 feet to the bridge pier of said ramp;

Course No. 9: Thence North 33° 39' 40" West along the Northeastly face of said bridge pier, 4.84 feet;

Course No. 10: Thence South 56° 20' 20" West along the Northwesterly face of said bridge pier and in Southwesterly prolongation, 14.94 feet to its intersection with the first aforementioned Northeastly line of West 9th Street;

Course No. 11: Thence North 33° 53' 07" West, along said Northeastly line of West 9th Street, 4.91 feet to the place of beginning, bearings are to be assumed meridian and are used to indicate angles only, according to a survey by Garrett and Associates, Inc., Registered Engineers and Surveyors, made in December, 1996.

LEASE PARCEL 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot Numbers 3 and 4, together forming a parcel of land bounded and described as follows:

Beginning in the Southwesterly line of West 6th Street, 99 feet wide, at a capped 5/8" iron pin found at the most Easterly corner of a parcel of land conveyed to Bardons and Oliver, Inc., by deed dated June 25, 1979 and recorded in Volume 15058, Page 819 of Cuyahoga County Records;

Course No. 1: Thence South 33° 56' 25" East along said Southwesterly line of West 6th Street, 3.04 feet to its intersection with the back of the curb of the ramp leading to the Main Avenue Bridge;

Thence in a general Southwesterly direction along said back of curb the following courses and distances;

Course No. 2: Thence Southwesterly along the arc of a circle deflecting to the right, a distance of 6.33 feet to a point of compound curvature therein, said curved line having a radius of 42.27 feet and a chord which bears South 38° 14' 06" West, 6.32 feet;

Course No. 3: Thence continuing Southwesterly along the arc of a circle deflecting to the right, a distance of 43.56 feet to a point of compound curvature therein, said curved line having a radius of 281.88 feet and a chord which bears South 46° 57' 22" West, 43.51;

Course No. 4: Thence continuing Southwesterly along the arc of a circle deflecting to the right, a distance of 26.01 feet to its intersection with the Northeastly face of the wall of said ramp, said curved line having a radius of 356.30 feet and a

chord which bears South 53° 28' 28" West, 26.00 feet;

Course No. 5: Thence North 37° 12' 17" West along said Northeasterly edge of the wall of the ramp leading to the Main Avenue Bridge, 1.11 feet to the most Northerly corner thereof;

Thence in a general Southwesterly direction along the Northwesterly face of the wall of said ramp, the following courses and distances:

Course No. 6: Thence South 56° 03' 04" West, 34.56 feet to an angle point therein;

Course No. 7: Thence South 56° 06' 59" West, 57.74 feet to a corner therein;

Course No. 8: Thence South 33° 53' 01" East, 0.53 feet to an inner corner therein;

Course No. 9: Thence South 56° 13' 19" West, 48.86 feet to a point in the Southwesterly line of the aforementioned Original Two Acre Lot Number 3;

Course No. 10: Thence North 33° 54' 01" West along said Southwesterly line of Original Two Acre Lot Number 3, 12.55 feet to the most Southerly corner of Parcel A of land conveyed to Bardons and Oliver, Inc., by deed dated December 20, 1938 and recorded in Volume 5045, Page 412 of Cuyahoga County Records;

Course No. 11: Thence North 56° 08' 08" East along the Southeasterly line of Parcel A of land so conveyed to Bardons and Oliver, Inc., and along the Southeasterly line of land conveyed to Bardons and Oliver, Inc., as first aforementioned, passed through a drill hole at 0.51 feet, 216.17 feet to the place of beginning, bearings are to an assumed meridian and are used to indicate angles only, according to a survey by Garrett and Associates, Inc., Registered Engineers and Surveyors made in December, 1996.

Section 2. That the rent for the lease described in Section 1 shall be for fair market value as determined by the Board of Control; that the lease shall be for a term of not to exceed fifty (50) years as determined by the Director of Community Development and subject to an annual appropriation by Council; that the lease shall be for the purpose of enhancing housing development; that the costs of the lease shall be paid from Fund No. 14 SF 810 and that the lease shall contain any other provisions that the Director of Community Development and Director of Law deem necessary to protect the public interest and effect the purpose of housing development.

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 Director of Community Development is authorized to lease all or part of the real property described in Section 1 to Water Street Associates, Ltd., or its designee, which property is determined to be not needed for any public use other than the provision of parking for housing development.

Section 4. That the rent for the real property described in Section 3 shall be for fair market value as determined by the Board of Control; that the lease shall be for a term equal to the term described in Section 2; that the lease shall be for the purpose of provision of parking for housing development; and that the lease shall contain any other provisions that the Director of Community Development and Director of Law deem necessary to protect the pub-

lic interest and effect the purpose of housing development.

Section 5. That the Director of Community Development and Law, and other appropriate City officials, are hereby authorized to execute any other documents and certificates, and take any other actions as may be necessary or appropriate to effect the leases authorized pursuant to this ordinance.

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

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

Ord. No. 51-97.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Health to enter into a contract with Famicos Foundation for the implementation of the Lead Based Paint Abatement on Low and Moderate Income Private Housing Program.

Whereas, pursuant to Ordinance No. 909-93, passed October 18, 1993, Council authorized the Director of Public Health to apply for and accept a grant from the United States Department of Housing and Urban Development for the Lead Based Paint Abatement on Low and Moderate Income Private Housing Program; and

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to enter into a contract or contracts with Famicos Foundation to implement the Lead Based Paint Abatement on Low and Moderate Income Private Housing Program, and specifically for lead hazard control treatments for low and moderate income dwelling units, to include but not be limited to repainting, recovering, or replacing lead-based painted surfaces, and performing soil cleanings, soil removals, and providing plantings, as needed, in a total sum not to exceed \$408,000, payable from Fund No. 13 SF 360.

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

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

Ord. No. 52-97.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into an amendment to Agreement

No. 48939 with Hill & Knowlton for Washington representation services for the City of Cleveland.

Whereas, pursuant to Ordinance No. 1616-95, passed December 18, 1995, the Director of Parks, Recreation and Properties entered into Agreement No. 48939 with Hill & Knowlton for Washington representation services for the City of Cleveland; and

Whereas, the City wishes to extend the agreement for an additional two year period beginning October 1, 1996; and

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

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

Section 1. That the Director of Finance is authorized to enter into an amendment to Agreement No. 48939 with Hill & Knowlton for Washington representation services for the City of Cleveland. Said amendment shall extend the term of the agreement for an additional two years period beginning October 1, 1996, payable from Fund No. 01-99-98-0320. All other terms and conditions of Agreement No. 48939 shall remain the same.

Section 2. That said amendment to Agreement No. 48939 shall be prepared and approved by the Director of Law and shall contain such provisions as she deems necessary to protect the public interest.

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

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

**FIRST READING
ORDINANCES REFERRED**

Ord. No. 53-97.

By Councilman Britt.

An ordinance to change the Use, Area, and Height Districts of lands on the northwesterly side of Edgell Road, N.E. between Cornell Road, N.E. and the City Boundary line. (Map Change No. 1930, Sheet No. 9)

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

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

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot No. 404 and bounded and described as follows:

Beginning at a point in the Northwesterly line of Edgell Road (60 feet wide) at the intersection of said Northwesterly line with the Easterly line of Original 100 Acre Lot No. 404; thence from said place of beginning North 0 degrees, 11 minutes, 10 seconds, East along said Easterly line of Original Lot No. 404, 133.70 feet to an iron pin; thence South 45 degrees, 15 minutes, 35 seconds West, along the Southeasterly line of Andrew Cozad Allotment, as recorded in Volume 7, Page 21 of Cuyahoga County Map Records, a distance of 461.56 feet to a stone monument; thence South 36 degrees, 14 minutes, 5 seconds West, 158.05

feet to a drill hole in said Northerly line of Edgell Road; thence North 46 degrees, 45 minutes, 05 seconds East, 28.47 feet to a point of curvature in said Northerly line; thence continuing along said Northerly line Northeastery on a curved line deflecting to the right, 460.60 feet said curved line having a radius of 2199.22 feet and the chord of whose arc bears North 52 degrees, 43 minutes, 5 seconds East, 459.76 feet to a point of reverse curvature in said Northerly line; thence continuing along said Northerly line on a curved line deflecting to the left, said curved line having a radius of 1245.23 feet and the chord of whose arc bears North 57 degrees, 52 minutes, 52 seconds East, 40 feet to the Easterly line of Original Lot No. 404 and the place of beginning, be the same more or less, but subject to all legal highways. EXCEPTING THEREFROM the following described parcel of land:

Beginning at the most Easterly corner of Sublot No. 169 in The Andrew Cozad Allotment, as shown by the recorded plat in Volume 7 of Maps, Page 21 of Cuyahoga County Records; thence Southwesterly along the Southeasterly line of said Sublot No. 169 and about 33 feet to the northeasterly line of land conveyed to Tomasso Iosne and others by deed dated February 25, 1913 and recorded in Volume 1454, Page 173 of Cuyahoga County Records; thence Southeasterly along the Northeasterly line of land so conveyed to Tomasso Iosne, about 7.40 feet to the Northwesterly line of Edgell Road; thence Northeasterly along said Northwesterly line of Edgell Road, about 33.55 feet to its point of intersection with the Southeasterly prolongation of the Northerly line of said Sublot No. 169; thence Northwesterly along said Southeasterly prolongation of said Northeasterly line of Sublot No. 169, about 13.55 feet to the place of beginning, be the same more or less, but subject to all legal highways, ALSO EXCEPTING THEREFROM the following described parcel of land:

Beginning at the most Southerly corner of Sublot No. 169 in The Andrew Cozad Allotment, as shown by the recorded plat in Volume 7 of Maps, Page 21 of Cuyahoga County Records; thence Northeasterly along the Southeasterly line of said Sublot No. 169, about 33 feet to the Southwesterly line of land conveyed to Pietro Testa and Santa Testa and others by deed dated May 1, 1913 and recorded in Volume 1459, Page 479 of Cuyahoga County Records; thence Southeasterly along the Southwesterly line of land so conveyed to Pietro Testa and others about 7.40 feet to the Northwesterly line of Edgell Road; thence Southwesterly along said Northwesterly line of Edgell Road, about 33.65 feet to its point of intersection with the Southeasterly prolongation of said Southwesterly line of Sublot No. 169; thence Northwesterly along said Southeasterly prolongation of said Southwesterly line of Sublot No. 169 about 1.25 feet to the place of beginning, be the same more or less, but subject to all legal highways.

(Permanent Parcel No. 121-05-060) and as outlined in red on the map hereto attached, be and the same are hereby changed to a Townhouse RA - 3 District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1930, Sheet No. 9 and

shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 54-97.

By Councilman Britt.

An ordinance to establish a Planned Unit Development Overlay District and approve the corresponding Planned Unit Development Project on property located at 2243 Edgell Road, (Map Change No. 1929, Sheet No. 9)

Whereas, Edgell Development Limited has submitted an application to the Director of the City Planning Commission proposing the creation of a Planned Unit Development (PUD) Overlay District on property located at 2243 Edgell Road and construction of a PUD project to be known as "Edgell Homes" on said properties; and

Whereas, the Director of the City Planning Commission has accepted said application and has provided written notification of his acceptance of the application to the members of the Council in whose ward the proposed PUD Overlay District and PUD project are located, and said member of Council has not objected; and

Whereas, the Council of the City of Cleveland has determined that the proposed PUD Overlay District and PUD project meet the purposes and the approval standards set forth in Chapter 334 of the Codified Ordinances of Cleveland, Ohio, 1976; now therefore

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

Section 1. That the area outlined on the site plan and described in the following legal description and known as 2243 Edgell Road is hereby designated as a Planned Unit Development (PUD) Overlay District, in accordance with the provisions of Chapter 334 of the Codified Ordinances of Cleveland, Ohio, 1976.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot No. 404 and bounded and described as follows:

Beginning at a point in the Northwesterly line of Edgell Road (60 feet wide) at the intersection of said Northwesterly line with the Easterly line of Original 100 Acre Lot No. 404; thence from said place of beginning North 0 degrees, 11 minutes, 10 seconds, East along said Easterly line of Original Lot No. 404, 133.70 feet to an iron pin; thence South 45 degrees, 15 minutes, 35 seconds West, along the Southeasterly line of Andrew Cozad Allotment, as recorded in Volume 7, Page 21 of Cuyahoga County Map Records, a distance of 461.56 feet to a stone monument; thence South 36 degrees, 14 minutes, 5 seconds West, 158.05 feet to a drill hole in said Northerly line of Edgell Road; thence North 46 degrees, 45 minutes, 05 seconds East, 28.47 feet to a point of curvature in said Northerly line; thence continuing along said Northerly line Northeastery on a

curved line deflecting to the right, 460.60 feet said curved line having a radius of 2199.22 feet and the chord of whose arc bears North 52 degrees, 43 minutes, 5 seconds East, 459.76 feet to a point of reverse curvature in said Northerly line; thence continuing along said Northerly line on a curved line deflecting to the left, said curved line having a radius of 1245.23 feet and the chord of whose arc bears North 57 degrees, 52 minutes, 52 seconds East, 40 feet to the Easterly line of Original Lot No. 404 and the place of beginning, be the same more or less, but subject to all legal highways. EXCEPTING THEREFROM the following described parcel of land:

Beginning at the most Easterly corner of Sublot No. 169 in The Andrew Cozad Allotment, as shown by the recorded plat in Volume 7 of Maps, Page 21 of Cuyahoga County Records; thence Southwesterly along the Southeasterly line of said Sublot No. 169 and about 33 feet to the northeasterly line of land conveyed to Tomasso Iosne and others by deed dated February 25, 1913 and recorded in Volume 1454, Page 173 of Cuyahoga County Records; thence Southeasterly along the Northeasterly line of land so conveyed to Tomasso Iosne, about 7.40 feet to the Northwesterly line of Edgell Road; thence Northeasterly along said Northwesterly line of Edgell Road, about 33.55 feet to its point of intersection with the Southeasterly prolongation of the Northerly line of said Sublot No. 169; thence Northwesterly along said Southeasterly prolongation of said Northeasterly line of Sublot No. 169, about 13.55 feet to the place of beginning, be the same more or less, but subject to all legal highways, ALSO EXCEPTING THEREFROM the following described parcel of land:

Beginning at the most Southerly corner of Sublot No. 169 in The Andrew Cozad Allotment, as shown by the recorded plat in Volume 7 of Maps, Page 21 of Cuyahoga County Records; thence Northeasterly along the Southeasterly line of said Sublot No. 169, about 33 feet to the Southwesterly line of land conveyed to Pietro Testa and Santa Testa and others by deed dated May 1, 1913 and recorded in Volume 1459, Page 479 of Cuyahoga County Records; thence Southeasterly along the Southwesterly line of land so conveyed to Pietro Testa and others about 7.40 feet to the Northwesterly line of Edgell Road; thence Southwesterly along said Northwesterly line of Edgell Road, about 33.65 feet to its point of intersection with the Southeasterly prolongation of said Southwesterly line of Sublot No. 169; thence Northwesterly along said Southeasterly prolongation of said Southwesterly line of Sublot No. 169 about 1.25 feet to the place of beginning, be the same more or less, but subject to all legal highways.

(Permanent Parcel No. 121-05-060)

Section 2. That the designation of land described in Section 1 and as outlined in red on the map attached hereto shall be identified as Map Change No. 1929 Sheet No. 9 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and in the office of the City Planning Commission.

Section 3. That the PUD project depicted in the site plan contained in the above mentioned file which has been proposed for the PUD Overlay District created by Section 1,

and which is known as the "Edgehill Townhouses" is hereby approved.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 55-97.

**By Councilman Zone (by request).
An emergency resolution declaring the intention to vacate a portion of Adeline Road, S.W.**

Whereas, this Council is satisfied that there is good cause for vacating a portion of Adeline Road S.W., as hereinafter described, and

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

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

Section 1. That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being all that portion of:

The southeasterly 21.81 feet of ADELIN ROAD S.W., (80.00 feet wide), that extends northeasterly from the northeasterly line of Oliver Road S.W., (50.00 feet wide), to its intersection with the westerly line of Sublot No. 64 in the Moses & Samantha Day Subdivision as recorded in Volume 16, Page 17 of Cuyahoga County Map Records.

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

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

Res. No. 56-97.

By Councilman Paulenske (by request).

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

Whereas, this Council is satisfied that there is good cause for vacating a portion of Houston Avenue S.W., as hereinafter described, and

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

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

Section 1. That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as:

Being all that portion of HOUSTON AVENUE S.W. (40.00 feet wide), extending Southerly and Southwesterly from the Westerly prolongation of the Southerly line of Houston Avenue S.W. at its intersection with the Southerly prolongation of the Westerly line of West 5th Street (40.00 feet wide) to the

Easterly line of West 7th Street (50.00 feet wide) and including it associated turnouts.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 57-97.

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 1709-11 East 82 Street and 1715 East 82 Street to Sophia D. Moncrieffe.

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. 106-23-023 and 106-23-024, as more fully described in Section 2 below, to Sophia D. Moncrieffe.

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. 106-23-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 4 in W.E. and Cornelia F. Pedrick's Re-Subdivision of part of Eliza Hough and others' Subdivision of part of Original One Hundred Acre Lot Nos. 391 and 392, as shown by the recorded plat of said Re-Subdivision in Volume 5 of Maps, Page 19 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 82nd Street, (formerly Genesee Avenue), at a point 200 feet Northerly from its intersection with the Northerly line of Hough Avenue, N.E. (formerly Hough Avenue); thence Easterly parallel to the Northerly line of Hough Avenue, N.E., 103 feet to the Easterly line of said Sublot No. 4; thence Southerly along the Easterly line of said

Sublot No. 4, 38 feet; thence Westerly parallel to the Northerly line of Hough Avenue, N.E., 103 feet to the Easterly line of East 82nd Street; thence Northerly along the Easterly line of East 82nd Street, 38 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 106-23-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 4 in Pedrick's Subdivision of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 5 of Maps, Page 19 of Cuyahoga County Records, and bounded and described as follows: Beginning on the Easterly line of 82nd Street (formerly Genesee Avenue) at a point distant 124 feet Northerly, measured along said Easterly line, from the Northerly line of Hough Avenue, N.E.; thence Northerly along the Easterly line of East 82nd Street, 38 feet; thence Easterly parallel with the Northerly line of Hough Avenue, N.E., 103 feet to the Easterly line of said Sublot No. 4; thence Southerly along the Easterly line of said Sublot No. 4, 38 feet; thence Westerly parallel with the Northerly line of Hough Avenue, N.E., 103 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.

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

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

Ord. No. 58-97.
By Councilmen Westbrook, O'Malley and Polensek.

An emergency ordinance to amend Section 181.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-92, passed March 16, 1992, relating to the compliance with fair employment practice in Northern Ireland.

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 181.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-92, passed March 16, 1992, is hereby amended to read as follows:

Section 181.36 Compliance with Fair Employment Practice in Northern Ireland

(a) All contractors and any subcontractors having more than a fifty percent (50%) interest in a contract, prior to any contract being awarded by the City, shall disclose on a form to be prescribed by the Commissioner of Purchases and Supplies, if said contractor or subcontractor or any controlling shareholder, subsidiary, or parent corporation of said contractor or subcontractor is engaged in any business or trading for profit in Northern Ireland. As used in division (a) of this section, "controlling shareholder" means any shareholder owning more than fifty percent (50%) of the stock in the corporation or more than twenty-five percent (25%) of the stock in the corporation if no other shareholder owns a larger share of the stock in the corporation.

(b) Any contractor or subcontractor making the disclosure prescribed in division (a) of this section shall stipulate to the Commissioner of Purchases and Supplies, that the said contractor or subcontractor, and all enterprises included in the disclosure are taking lawful and good faith steps to engage in fair employment practices which are relevant to the standards embodied in the "MacBride Principles for Fair Employment in Northern Ireland." **Any contractor or subcontractor required to make the stipulation pursuant to this division (b) shall have supplied such information concerning their operations in Northern Ireland to Investor Responsibility Research Center, Inc. ("IRRC"), an independent research agency, as is necessary for the IRRC to evaluate their compliance with fair employment practices in Northern Ireland. The Commissioner of Purchases and Supplies shall consider the information supplied to the IRRC in determining whether a contractor or subcontractor has accurately supplied the stipulation prescribed in this division (b).**

(c) Any contractor or subcontractor failing to make the disclosure prescribed in division (a) of this section, **or failing to accurately make the stipulation prescribed in division (b) of this section, or failing to supply the information to the IRRC prescribed in division (b) of this section,** shall not be eligible to provide any goods or services whatsoever for use by the City, in return for payments, fees, or commissions from City funds.

(d) Any contractor or subcontractor which is awarded a contract to

supply goods or services whatsoever for use by the City, in return for payments, fees, or commissions with City funds, and which is subsequently deemed to have failed to make the disclosure prescribed by division (a) of this section, falsely made the stipulation prescribed by division (b) of this section **or falsely supplied information to the IRRC as prescribed in division (b) of this section** shall be declared to have acted in default of its contract and be subject to the remedies for default contained in the contract.

(e) Any contractor or subcontractor which has failed to cure any default of its contract which has been declared in accordance with division (d) of this section shall be automatically excluded without reserve, from tendering or bidding for the supply of any goods or services whatsoever for use by the City, for a period of two (2) calendar years.

(f) Any contractor or subcontractor which enters into contract with the City to supply any goods or services whatsoever, having made the stipulation prescribed in division (b) of this section, and which fails, or refuses to comply with said stipulation, shall be deemed to have acted in breach of contract and shall be deemed to have acted in default of its contract and shall be subject to the provisions of divisions (d) and (e) of this section.

(g) The Commissioner of Purchases and Supplies shall provide a list of the persons, firms or corporations who have (1) refused to make the disclosure called for in division (a) of this section; and/or (2) those that have made a stipulation pursuant to division (b) of this section; and/or (3) those who are in default of their contract under this section to the Clerk of City Council by April 1st of each year. Said list shall be made available for public inspection.

(h) This section shall, by way of limitation, apply to all contracts let by the Commissioner of Purchases and Supplies or that lawfully should be let by the Commissioner of Purchases and Supplies, except any contract entered into pursuant to the emergency procurement procedure set forth in Section 181.12 of the Codified Ordinances or any contract to a contractor or subcontractor where there is no other contractor or subcontractor who will contract to supply goods or services at comparable quality at a comparable price. The Director of Finance shall report to the Council any contract entered into pursuant to the exception specified in this division (h).

(i) The Commissioner of Purchases and Supplies shall not enforce the provisions of this section prior to March 16, 1992.

Section 2. That existing Section 181.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-92, passed March 16, 1992, is hereby repealed.

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 59-97.

By Councilman Polensek.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit to 15914 St. Clair Avenue, first floor and basement, and repealing Res. No. 2063-96, objecting to said transfer of ownership.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 15914 St. Clair Avenue, first floor and basement, by Res. No. 2063-96, adopted November 18, 1996; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership based upon and pursuant to a cooperation agreement signed December 23, 1996, a copy of which is in the file for this address in the City Law Department; and

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

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

Section 1. That objection to the transfer of ownership of a D5 and D6X Liquor Permit to 15914 St. Clair Avenue, first floor and basement, be and the same is hereby withdrawn and Res. No. 2063-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 60-97.

By Councilman Paulenske.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit to 5238 St. Clair Avenue, and repealing Res. No. 1645-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 and D6 Liquor Permit to 5238 St. Clair Avenue by Res. No. 1645-96, adopted September 9, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a D5 and

D6 Liquor Permit to 5238 St. Clair Avenue be and the same is hereby withdrawn and Res. No. 1645-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 2035-96.

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 Public Utilities Commission of Ohio for the 1996-97 Hazardous Materials Training Program and authorizing the Director of Public Safety to enter into contracts for the purchase of equipment, supplies and services for the Program.

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

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

Ord. No. 2037-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grants from the U.S. Department of Justice-Office of Community Oriented Policing Services and the State of Ohio for the COPS MORE: Phase II Program.

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

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

Ord. No. 2190-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to amend the agreement with the Board of County Commissioners of Cuyahoga County, to dedicate and sell 331 additional plots of ground in Highland Park Cemetery for the burial of Honorably Discharged Soldiers, Sailors, Marines and Nurses.

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

1. In the first "Whereas" clause, lines 5 and 6, strike "West Park Cemetery and".

Amendment agreed to.

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

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

Ord. No. 2193-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of insurance necessary for the construction of a new stadium facility, for the Division of Convention Center and Stadium, Department of Parks Recreation and Properties.

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

1. In the title, line 2, after "Authorizing and directing," insert "**competitive bidding for**".

2. In Section 1, in line 4, after "written contracts", insert "**competitively bid**".

3. In Section 1, at the end, insert the following new sentences: "**The specifications for these services shall require that the successful bidder conform to the MBE and FBE requirements applicable to professional services contracts for the Stadium project. The selection of the successful bidder(s) for the contract or contracts of insurance will be made by this Council and will require further legislative action.**"

Amendments agreed to.

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

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

Ord. No. 2196-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Actron Manufacturing Company, or its designee, to provide economic development assistance to partially finance the acquisition of approximately eleven acres of property in the Cleveland Business Park, Cleveland, Ohio 44114.

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

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

Ord. No. 2212-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Section 149.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 63410-A, passed September 22, 1924, relating to report and payment of fees due jurors and witnesses.

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

1. In Section 1, at Section 149.07, line 4, strike "or" and insert in lieu thereof "**of**".

Amendment agreed to.

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

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

Ord. No. 18-97.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into an Enterprise Zone Agreement with the Young Mens Christian Association of Cleveland, Ohio, or its designee, to provide for an eight year abatement for certain real estate taxes as an incentive to rehabilitate the Central YMCA Branch and residential tower at East 22nd and Prospect Avenue in the Cleveland Area Enterprise Zone.

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

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

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 2205-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of building materials, for the various divisions of City government, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2206-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of lamps, for the various divisions of City government, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2207-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of paper and cloth wipers, for the various divisions of City government, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2208-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of dry cell batteries, for the various divisions of City government, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2209-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of hand tools and hand held power tools, for the various divisions of City government, for a period not to exceed two years.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2210-96.
 By Councilman Rokakis (by departmental request).
 An emergency ordinance authorizing and directing the purchase by requirement contract of reproduction and mounting service, for the various divisions of City government, for a period not to exceed two years.
 Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2211-96.
 By Councilman Rokakis (by departmental request).
 An emergency ordinance to amend Section 32 of Ordinance No. 486-96, passed April 1, 1996, relating to compensation for various classifications.
 Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2213-96.
 By Councilman Rokakis (by departmental request).
 An emergency ordinance authorizing and directing the Director of Finance to employ one or more consultants to provide professional services necessary to maintain and support the hardware, software, firmware and application software for the MITIS computer system; and authorizing and directing the purchase by requirement contract of component necessary to operate the MITIS computer system.
 Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 2214-96.
 By Councilman Rokakis (by departmental request).
 An emergency ordinance authorizing and directing the Director of Finance to enter into contract with Blue Cross Blue Shield of Ohio to provide Super Blue Plus medical coverage for City employees.
 Read third time. Passed. Yeas 20. Nays 0.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unaniously carried, that the absence of Councilman Gary M. Paulenske be and is hereby authorized.

The Council adjourned at 8:30 p.m. to meet on Monday, January 27, 1997 at 7:00 p.m.


 Clerk of Council

THE CALENDAR

The following measures will be on their final passage at the next meeting:
 NONE

BOARD OF CONTROL

January 8, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 8, 1997, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting

Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.
 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. 1-97.
 By Director Carmody.
 Whereas, pursuant to the authority of Ordinance No. 90-95 passed by the Council of the City of Cleveland on February 13, 1995, and Resolution No. 847-96 adopted by this Board of Control on November 27, 1996, the City through its Director of Finance, entered into a contract with Interstate Gas Supply, for Natural Gas for Various Divisions of City Government, Department of Finance; now, therefore,
 Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 847-96, adopted November 27, 1996, hereby is amended by correcting the initial requisition amount from One Hundred Dollars to One Hundred Thousand Dollars. The Director of Finance is hereby authorized to execute all documents and do all things necessary to effectuate the amendment authorized hereby.

Be it further resolved that all other provisions of said Resolution No. 847-96 not expressly amended hereby shall remain unchanged and in full force and effect.
 Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
 Nays: None.
 Absent: None.

Resolution No. 2-97.
 By Director Konicek.
 Be it resolved, by the Board of Control of the City of Cleveland that all bids received on October 24, 1996 for Lake Road Exterior Maintenance (all items) for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Ordinance No. 424-96, passed by the Council of the City of Cleveland on May 6, 1996, are hereby rejected.
 Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
 Nays: None.
 Absent: None.

Resolution No. 3-97.
 By Director Konicek.
 Be it resolved by the Board of Control of the City of Cleveland, that the bid of Triad Engineering and Contracting Company for the public improvement of Cooley Avenue area relief sewer construction for the Division of Water Pollution Control, Department of Public Utilities, received on December 5, 1996, pursuant to the authority of Ordinance No. 111-93, passed February 8, 1993, upon a unit basis, for the improvement in the aggregate amount of Four million nine hundred seventy-three five hundred eighty and 70/100 (\$4,973,580.70) Dollars, is hereby affirmed and

approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.
 Be it further resolved that the employment of the following subcontractors to Triad Engineering and Contracting Company for the above-mentioned public improvement hereby is approved:

SUBCONTRACTORS	WORK
Granger Trucking	Stone supply MBE
Cook Paving	Paving MBE
Lott Construction	Sewer work MBE
Collinwood Concrete	Ready Mix Concrete FBE
LT Services	Trucking FBE
Choice Construction	Sewer Work FBE

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
 Nays: None.
 Absent: None.

Resolution No. 4-97.
 By Director Konicek.
 Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 18, 1996 for System Expansion Program C-13 Residential Connections, (all items) for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Ordinance No. 1071-93, passed by the Council of the City of Cleveland on June 7, 1993, are hereby rejected.
 Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.
 Nays: None.
 Absent: None.

Resolution No. 5-97.
 By Director Cunningham.
 Whereas, pursuant to Ordinance No. 390-95, passed by the Council of the City of Cleveland on May 1, 1995, and Board of Control Resolution No. 433-95, adopted on June 21, 1995, the City entered into an agreement with G & T Associates, Inc. (MBE "Consultant") to provide professional surveying services for Burke Lakefront Airport and Cleveland Hopkins International Airport for the Department of Port Control, No. 48577; and
 Whereas, it is necessary to make an addition to the scope of work previously approved to include additional surveying services for Burke Lakefront and Cleveland Hopkins International Airports to expand the scope of work to provide additional boundary, obstruction, topographic,

and miscellaneous surveys; 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 the first amendment to the agreement between the City and G & T Associates, Inc. ("Consultant"), Contract No. 48577, for an addition to the scope of work based on the Consultant's letter dated November 1, 1996. The amount to be paid for all surveying services shall be increased from an amount not to exceed one hundred thousand and no/100 dollars (\$100,000.00) to an amount not to exceed one hundred thirty-four thousand and no/100 dollars (\$134,000.00)

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 Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 6-97.

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the Agreement and Lease between the City of Cleveland and the Original Scheduled Airlines and the Additional Scheduled Airlines, the 1997 Annual Budget and calculation of Rentals and Landing Fees dated and mailed to the Airlines on September 25, 1996, and discussed by them at the October 31, 1996 meeting shall be adopted and effective January 1, 1997.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 7-97.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to authority of Ordinance No. 1467-96 passed by the Council of the City of Cleveland October 14, 1996, the firm of Michael Benza and Associates, Inc. is hereby selected upon the nomination of the Director of Public Service from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Public Service, as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City in order to obtain engineering services for the rehabilitation of East 55th Street.

Be it further resolved that the Director of Public Service hereby is authorized to enter into a written contract with Michael Benza and Associates, Inc. based on its October 17, 1996 proposal as clarified by its letters dated November 12, 1996 and November 15, 1996, provided that the compensation to be paid shall not exceed Three Hundred Forty One Thousand Five Hundred and no/100 dollars (\$341,500.00), which contract

shall be prepared by the Director of Law and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractors to Michael Benza and Associates, Inc. for the design services contract authorized above hereby is approved:

Dalia Consultants
6025 Royalton Road
North Royalton, Ohio 44133
(MBE) - 14.5%

John E. Foster and Associates, Inc.
Asia Plaza
2999 Payne Avenue
Cleveland, Ohio 44111
(MBE) - 14.5%

Water Resource & Coastal
Engineering Consultants
7524 Winchester Drive
Solon, Ohio 44139
(FBE) - 6.3%

The City Blue Printing Co.
1937 Prospect Avenue
Cleveland, Ohio 44115
(FBE) - 1.7%

Bemba K. Jones P.S. & Associates
3368 East 113 Street
Cleveland, Ohio 44104
(MBE) - 1%

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 8-97.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that all bids received on September 6, 1996 for fifteen (15) mid-size four (4) door sedans, twenty (20) full-size police type, four (4) door sedans, twenty (20) mid-size, four (4) door sedans, and forty (40) mid-size, pre-owned, four (4) door sedans (Items 1, 2, 3, and 4) 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 Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 9-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Choice Construction Co., Inc., including add alternate no. 1, for the public improvement of restoring the Cleveland Convention Center Exterior Facade and Little Theater Wall, for the Division of Convention Center & West Side Market, Department of Parks, Recreation and Properties, received on November 21, 1996, pursuant to the authority of Ordinance No. 1283-96, passed October 28, 1996, for a gross price for the improvement in the aggregate amount of One Million

Eight Hundred Forty Thousand and no/100 Dollars, (\$1,840,000.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties, is hereby authorized to enter into contract for said improvement with said bidder.

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

Thompson Ground
Development, Inc.
(MBE) 11%

Perk Co., Inc.
(MBE) 14%

Cuyahoga Supply &
Tool, Inc.
(FBE) 8%

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 10-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-01-040 located at 1348 West 80 Street in Ward 17; and

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

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

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

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

3. The proposed 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 Holly A. Hajostek for the sale and development of Permanent Parcel No. 002-01-040 located at 1348 West 80 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 Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 11-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 128-12-104 located at 9708 Stoughton Avenue 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, Easter M. Baker, 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 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 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 Easter M. Baker for the sale and development of Permanent Parcel No. 128-12-104 located at 9708 Stoughton 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 Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 12-97.

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. 107-16-122 under said Land Reutilization Program; and

Whereas, Ordinance No. 1946-96

passed December 16, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Rose Johnson and Hazel Bell 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. 1946-96 passed December 16, 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 Rose Johnson and Hazel Bell for the sale and development of Permanent Parcel No. 107-16-122, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 13-97.

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. 107-16-155 under said Land Reutilization Program; and

Whereas, Ordinance No. 1949-96 passed December 16, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Dorothy M. and Elaine Eggleton 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. 1949-96 passed December 16, 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 Dorothy M. and Elaine Eggleton for the sale and development of Permanent Parcel No. 107-16-155, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 14-97.

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. 119-05-048 under said Land Reutilization Program; and

Whereas, Ordinance No. 1950-96 passed December 16, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Harry Stewart 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. 1950-96 passed December 16, 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 Harry Stewart for the sale and development of Permanent Parcel No. 119-05-048, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 15-97.

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. 143-09-022 under said Land Reutilization Program; and

Whereas, Ordinance No. 1940-96 passed December 16, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Deborah M. Moore 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. 1940-96 passed December 16, 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 Deborah M. Moore for the sale and development of Permanent Parcel No. 143-09-022, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 16-97.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 106-04-115 and 106-04-116 under said Land Reutilization Program; and

Whereas, Ordinance No. 1790-96 passed December 2, 1996 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Willie D. Sims has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1790-96 passed December 2, 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 Willie D. Sims for the sale and development of Permanent Parcel Nos. 106-04-115 and 106-04-116, 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 parcels shall be \$1.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 17-97.

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. 107-09-166 under said Land Reutilization Program; and

Whereas, Ordinance No. 1840-96 passed December 2, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Henry and Rosetta Barksdale 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. 1840-96 passed December 2, 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 Henry and Rosetta Barksdale for the sale and development of

Permanent Parcel No. 107-09-166, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 18-97.

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. 119-12-088 under said Land Reutilization Program; and

Whereas, Ordinance No. 1791-96 passed December 2, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Ida Mason 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. 1791-96 passed December 2, 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 Ida Mason for the sale and development of Permanent Parcel No. 119-12-088, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 19-97.

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. 107-14-069 under said Land Reutilization Program; and

Whereas, Ordinance No. 1788-96 passed December 2, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Yucon Harris 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. 1788-96 passed December 2, 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 Yucon Harris for the sale and development of Permanent Parcel No. 107-14-069, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 20-97.

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. 106-07-101 under said Land Reutilization Program; and

Whereas, Ordinance No. 1792-96 passed December 2, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, V. O. Frazier and Lucy Frazier 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. 1792-96 passed December 2, 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 V. O. Frazier and Lucy Frazier for the sale and development of Permanent Parcel No. 106-07-101, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.

Absent: None.

Resolution No. 21-97.

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. 106-10-137 under said Land Reutilization Program; and

Whereas, Ordinance No. 1839-96 passed December 2, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, George Thomas 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. 1839-96 passed December 2, 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 George Thomas for the sale and development of Permanent Parcel No. 106-10-137, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 22-97.

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. 105-29-072 under said Land Reutilization Program; and

Whereas, Ordinance No. 1947-96 passed December 16, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Elaine Fannel and Napoleon Robinson 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. 1947-96 passed December 16, 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 Elaine Fannel and Napoleon Robinson for the sale and development of Permanent Parcel No. 105-29-072, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 23-97.

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. 106-05-150 under said Land Reutilization Program; and

Whereas, Ordinance No. 1948-96 passed December 16, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Bernice Gibbs 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. 1948-96 passed December 16, 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 Bernice Gibbs for the sale and development of Permanent Parcel No. 106-05-150, 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 24-97.

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. 119-03-031 under said Land Reutilization Program; and

Whereas, Ordinance No. 1837-96 passed December 16, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Harry and Mary Sykes have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1837-96 passed December 16, 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 Harry and Mary Sykes for the sale and development of Permanent Parcel No. 119-03-031, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 25-97.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 129-25-106 and 128-20-056 under said Land Reutilization Program; and

Whereas, Ordinance No. 1932-96 passed December 16, 1996 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Buckeye Area Development Corp. or designee has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1932-96 passed December 16, 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 Buckeye Area Development Corp. or designee for the sale and development of Permanent Parcel Nos. 129-25-106 and 128-20-056, 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 parcels shall be \$100.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

Resolution No. 26-97.

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. 107-12-178 under said Land Reutilization Program; and

Whereas, Ordinance No. 1836-96 passed December 2, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Leonie Smith 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. 1836-96 passed December 2, 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 Leonzie Smith for the sale and development of Permanent Parcel No. 107-12-178, 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 \$400.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Jackman, Director Konicek, Acting Directors Waldron, Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 27, 1997

9:30 A.M.

Calendar No. 96-249: 3741-43 W. 36 St. Alexandru Badea, owner, to convert to a boarding house (group home) for 9 elderly residents and with a manager's suite the 53' x 38' two story brick nonconforming 4 dwelling unit apartment building located in a B-Two-Family District on a 75' x 68' lot at 3741-43 W. 36 St.; said use as a boarding house (group home) being contrary to the two-family residence use limitations of Section 337.03 but subject to the substitution limitations of Section 359.01 and the north sideyard being 2' instead of 8' wide as required by Section 357.09 and the rear yard being 10' in depth instead of 20' as required by Section 357.08 and the total floor area of the building

being approximately 78% of the lot area instead of the maximum 50% as limited by Section 355.04 of the Codified Ordinances.

Calendar No. 96-251: 1252-56 E. 74 St. Come Home Missionary Baptist Church, appeals, under Section 329.01(e) and Section 329.02(d) from the refusal to approve a lot split for the 90' x 140' corner lot located in a Two-Family District on the southwest corner of E. 74 St. and Lock-year Ave. and known as 1252-56 E. 74 St.; said refusal being by the Commissioner of Engineering and Construction and the Director of City Planning under authority of Sections 337.02 (e)(1) and 355.04 of the Codified Ordinances.

Calendar No. 97-1: 11875 Putnam Ave., S.E.

Michael Butler, owner, to use as an auto repair garage and motorcycle repair shop the 74' x 50' one story masonry shop building located in a Semi-Industry District on a 550' x 159' (average) irregular shaped parcel at 11875 Putnam Ave.; said use being located 25' from the Residence District to the south (centerline of Putnam Ave.) instead of 100' therefrom as required for an auto repair garage by Section 345.03(c)2 of the Codified Ordinances.

Calendar No. 97-3: 5841 Broadway, S.E.

Mid-National Investment Co., owner, c/o John Gillombardo, and Charter One Bank F.S.B., tenant; c/o Jim Brill, to install an automatic teller machine (approximately 9' 6" x 3' x 11' high) and fencing in front of the supermarket building located in a General Retail District on a 327' x 395' irregular shaped through corner parcel on the northeast corner of Cable Ave. and Broadway and extending through to Engel Ave. and known as 5841 Broadway; said machine to be located 3' from the street line of Broadway instead of back of the 13' specific setback building line (43' from centerline of Broadway) as required by Section 357.07 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 13, 1997

At the Meeting of the Board of Zoning Appeals, on, Monday, January 6, 1997, the following appeals were heard by the Board, and decided on Monday, January 13, 1997.

The following appeals were **Refused:**

Calendar No. 96-236: 13024 Bellaire Road S.W.

Alonza R. Price, owner, to erect a 16' x 6' 3" addition by enclosing the open porch.

Calendar No. 96-241: 1594 E. 47th Street

Michael Hocevar, owner, to erect a 12' x 20' two story "L" shaped frame addition for a living room and bedroom.

The following appeal was **Withdrawn:**

Calendar No. 96-239: 7900 Grace Avenue, S.W.

The following appeal was **Postponed:**

Calendar No. 96-242: Appeal of Lucky Building Supply Company
To appeal under the authority of Section 76-6 of the Charter of the City of Cleveland from the refusal on October 11, 1996.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
January 8, 1997

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

* * *

Docket A-207-96.

RE: Appeal of Preferred Solutions, Inc. Owner of the Property located on the premises known as 1700 London Road from a CEASE USE ORDER - FIRE CODE of the Chief of the Division of Fire dated October 31, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the Docket will be rescheduled for January 22, 1997.

* * *

Docket A-207-96.

RE: Appeal of Preferred Solutions, Inc. Owner of the Property located on the premises known as 1700 London Road from a SEALING ORDER of the Director of Public Health dated December 10, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the Docket will be rescheduled for January 22, 1997.

* * *

Docket A-217-96.

RE: Appeal of S & B Industries, Owner of the Property located on the premises known as 2900 East 65th Street from a NOTICE OF VIOLATION - FIRE CODE of the Chief of the Division of Fire dated October 10, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action.

* * *

Docket A-220-96.

RE: Appeal of Moments of Faith Ministries, Owner of the Property located on the premises known as 8129-31 Wade Park Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated November 19, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in

order at this time to DENY the Appellant's request for an "Extension of Time" in which to abate the violations, and to REMAND the property at 8129-31 Wade Park Avenue to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-222-96.

RE: Appeal of Jerome L. Goldsby, Owner of the Residential Property located on the premises known as 825-27 Lakeview Road from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated October 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant a three month (3 mo.) "Extension of Time" on the permit, with the understanding that the work is in progress; and to REMAND the property at 825-27 Lakeview Road to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-226-96.

RE: Appeal of Elma F. Coram, Owner of the Residential Property located on the premises known as 1035 East 72nd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated October 7, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-226-96 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-227-96.

RE: Appeal of Ann E. Colagiovanni, Owner of the Property located on the premises known as 4455 Lee Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated November 5, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by requiring the Appellant to board and secure the garage and clean the grounds around the property immediately, and to grant the Appellant six months (6 mos.) in which to obtain permits and abate the violations, and to require that the garage remain boarded and secured during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for super-

vision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by July 22, 1997. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-236-96.

RE: Appeal of S & B Industries, Owner of the Property located on the premises known as 12730 Shaker Boulevard from a NOTICE OF VIOLATION - NEC of the Commissioner of the Division of Building and Housing dated November 19, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action.

* * *

Docket A-237-96.

RE: Appeal of David N. Myers College, Owner of the Property located on the premises known as 112 Prospect Avenue from a NOTICE OF VIOLATION - FIRE CODE of the Chief of the Division of Fire dated December 10, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to OBBC Sections 709.4 and 710.3 and permit the closer to be abandoned during the period of construction, noting the reuse of the space and that smoke detectors are in place and operating in the outside of the elevator. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-1-97.

RE: Appeal of The Cleveland Clinic Foundation, Owner of the Property located on the premises known as 9500 Euclid Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated January 2, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to OBBC 711.6 and permit the fire damper to be deleted in the fully sprinklered portions of the building. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Saunders and seconded by Mr.

Sullivan for Approval and Adoption of the Resolution as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

- A-206-96—Melvin C. Lomax.
 - A-212-96—Ohio Savings Bank.
 - A-215-96—Colander & Henry Walker, Ruby Holmes.
- Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

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

- A-209-96—Principal Residential Mortgage.
 - A-213-96—Carol Drummond.
 - A-219-96—BCGS, L.L.C.
 - A-225-96—Jasmine Hall & Christopher Hall.
- Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

AMENDED RESOLUTION:

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

Docket A-232-96 - J. Christopher Assoc. (Hampton Inn) - 1460 East 9th Street:

FROM: . . . grant the following variances to:

OBBC SECTION 705.3:
To grant the variance and permit the openings to exist with the provision that the Appellant provide either fire shutters or one hour rated glass to be submitted to the City for approval.

OBBC SECTION 403.9:
To grant the variance and accept the two sources of power as equivalent to a generator, with the provision that the Appellant submit a letter from the Illuminating Company signed by an engineer indicating the reliability of the service similar to the December 16, 1996 letter. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

TO: . . . grant the following variances to:

OBBC SECTION 705.3:
To grant the variance and permit the openings to exist with the provision that the Appellant provide a direc-

tional sprinkler head between the drapes and window as indicated on the submitted sketch.

OBBC SECTION 403.9:

To grant the variance and accept the two sources of power as equivalent to a generator, with the provision that the Appellant submit a letter from the Illuminating Company signed by an engineer indicating the reliability of the service similar to the December 16, 1996 letter. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: Mr. Bowes.

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Bowes and seconded by Mr. Sullivan for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

December 18, 1996

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

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Council Committee
on City Planning**

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, January 22, 1997
1:30 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, January 22, 1997, at 1:30 P.M., to consider the following ordinances now pending in the Council:

Ord. No. 877-96.

By Councilman Paulenske.

An ordinance to change the Use, Area and Height Districts of lands on the northerly side of Lakeside Avenue, N.E. to the Shoreway between E. 13 Street and E. 23 Street. (Map Change No. 1905, Sheet Nos. 1, 4 & 5)

Ord. No. 24-97.

By Councilman Coats.

An ordinance to change the Use and Height District of lands on the easterly side of East 124 Street approximately 190' to 302' south of St. Clair Avenue. (Map Change No. 1928, Sheet No. 8)

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

Edward W. Rybka,
Chairman
Committee on City Planning

January 8 and January 15, 1997

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

FRIDAY, JANUARY 24, 1997

Pre-Sort Mail, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2225-96, passed by the Council of the City of Cleveland, December 16, 1996.

January 8 and January 15, 1997

THURSDAY, JANUARY 30, 1997

Upgrade of Two (2) Processing Machines, for the Division of Fiscal Control, Department of Public Utilities, as authorized by Ordinance No. 1302-96, passed by the Council of the City of Cleveland, September 23, 1996.

January 8 and January 15, 1997

FRIDAY, JANUARY 31, 1997

Four (4) Street Sweepers, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 918-96 and 1476-96, passed by the Council of the City of Cleveland, June 18 and August 14, 1996, respectively.

Hand Tools and Hand-Held Power Tools, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2209-96.

Building Materials, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2205-96.

January 8 and January 15, 1997

THURSDAY, FEBRUARY 6, 1997

Installation of an HVAC Unit and Associated Appurtenances, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 545-96, passed by the Council of the City of Cleveland, May 6, 1996.

A MANDATORY PRE-BID MEETING WILL BE HELD ON FRIDAY, JANUARY 24, 1997, 10:00 A.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO.

Two (2) Dock Levelers, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 1448-96, passed by the Council of the City of Cleveland, September 30, 1996.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JANUARY 29, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO.

Safety Modifications to Escalators, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 541-96, passed by the Council of the City of Cleveland, May 20, 1996.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JANUARY 22, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO.

Maintain and Repair Building Automation Computer Systems, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 1601-96, passed by the Council of the City of Cleveland, October 28, 1996.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, JANUARY 23, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CON-

ERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO.

January 8 and January 15, 1997

FRIDAY, FEBRUARY 7, 1997

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

A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, JANUARY 23, 1997, 10:00 A.M. AT THE CLEVELAND DIVISION OF WATER, HARVARD DISTRIBUTION WAREHOUSE, TRAINING ROOM, 4300 HARVARD AVENUE.

January 8 and January 15, 1997

THURSDAY, JANUARY 30, 1997

Asbestos Abatement - Speedwalk Building, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 929-96, passed by the Council of the City of Cleveland, June 15, 1996.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON FRIDAY, JANUARY 24, 1997, 10:00 A.M. IN THE ENGINEERING CONFERENCE ROOM CORNER OF 5 POINTS AND CARGO ROAD.

Tod Park Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1886-94 and 1284-96, passed by the Council of the City of Cleveland, October 3, 1994 and October 24, 1996, respectively.

A DEPOSIT OF TWENTY-FIVE DOLLARS (\$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.

January 15 and January 22, 1997

FRIDAY, JANUARY 31, 1997

Towing Services, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1973-96, passed by the Council of the City of Cleveland, December 2, 1996.

January 15 and January 22, 1997

WEDNESDAY, FEBRUARY 5, 1997

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

January 15 and January 22, 1997

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 25-97.
By Councilman Johnson.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 11201 Forest Avenue, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 2816744, Forest Food Market, Inc., 11201 Forest Avenue, first floor and basement, Cleveland, Ohio 44104, to Permit No. 8843652, 10522 Superior Inc., dba Forest Food Market, 11201 Forest Avenue, first floor and basement, Cleveland, Ohio 44104; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 2816744, Forest Food Market, Inc., 11201 Forest Avenue, first floor and basement, Cleveland, Ohio 44104, to Permit No. 8843652, 10522 Superior Inc., dba Forest Food Market, 11201 Forest Avenue, first floor and basement, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in

accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 6, 1997.
Effective January 10, 1997.

Res. No. 26-97.
By Councilman O'Malley.

An emergency resolution objecting to the transfer of ownership of a D2, D2X and D3 Liquor Permit to 4995-97 Denison Avenue, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D2, D2X and D3 Liquor Permit from Permit No. 2066515, Denison Compact Inc., dba Compact Lounge, 4995-97 Denison Avenue, first floor and basement, Cleveland, Ohio 44102, to Permit No. 4268344-0005, Jeg Lounge Bar Inc., 4995-97 Denison Avenue, first floor and basement, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the trans-

fer of ownership of a D2, D2X and D3 Liquor Permit from Permit No. 2066515, Denison Compact Inc., dba Compact Lounge, 4995-97 Denison Avenue, first floor and basement, Cleveland, Ohio 44102, to Permit No. 4268344-0005, Jeg Lounge Bar Inc., 4995-97 Denison Avenue, first floor and basement, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 6, 1997.
Effective January 10, 1997.

Res. No. 27-97.
By Councilman O'Malley.
An emergency resolution objecting to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 2109 Tate Avenue.

Whereas, Council has been notified

by the Director of Liquor Control of an application for the stock transfer of a D1, D2, D3 and D3A Liquor Permit to Permit No. 8771382, T.N.T. Lounge Bar Inc., dba Green Leaf Tavern, 2109 Tate Avenue, Cleveland, Ohio 44109; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure provided

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

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

Section 1. That Council does hereby record its objection to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to Permit No. 8771382, T.N.T. Lounge Bar Inc., dba Green Leaf Tavern, 2109 Tate Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 6, 1997.
Effective January 10, 1997.

Ord. No. 28-97.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Sections 8, 9, 22, 40 and 45 of Ordinance No. 486-96, passed April 1, 1996, as amended and enacted by various ordinances, relating to compensation for various classifications.

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 8 of Ordinance No. 486-96, passed April 1, 1996, as amended by Ordinance No. 1375-96, passed July 17, 1996, and Sections 9, 22, 40 and 45 of Ordinance No. 486-96, passed April 1, 1996, are hereby amended to read, respectively, as follows:

Section 8. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Accountant I.....	\$ 6.36 per hour	\$14.24 per hour
2. Accountant II.....	\$ 7.06 per hour	\$15.63 per hour
3. Accountant III.....	\$ 7.96 per hour	\$17.32 per hour
4. Accountant Clerk I.....	\$ 4.81 per hour	\$11.54 per hour
5. Accountant Clerk II.....	\$ 5.46 per hour	\$12.47 per hour
6. Activities Therapist.....	\$ 9.15 per hour	\$10.97 per hour
7. AIDS Support Services Coordinator	\$10.49 per hour	\$12.27 per hour
8. Air Pollution Control, Engineer I	\$ 8.43 per hour	\$18.32 per hour
9. Air Pollution Control, Engineer II	\$ 8.96 per hour	\$19.30 per hour
10. Air Pollution Control, Engineer III	\$ 9.50 per hour	\$20.34 per hour
11. Air Pollution Engineer	\$12.04 per hour	\$14.30 per hour
12. Air Pollution Inspector I.....	\$ 9.48 per hour	\$14.73 per hour
13. Air Pollution Inspector II	\$ 7.53 per hour	\$16.44 per hour
14. Air Pollution Technician I	\$ 7.12 per hour	\$15.63 per hour
15. Air Pollution Technician II	\$ 7.53 per hour	\$16.44 per hour
16. Air Pollution Technician III	\$ 8.43 per hour	\$18.32 per hour
17. Airport Information Representative	\$ 8.56 per hour	\$11.97 per hour
18. Airport Operations Agent I	\$12.09 per hour	\$14.80 per hour
19. Airport Operations Agent II	\$15.18 per hour	\$17.42 per hour
20. Airport Safety Man	\$25,197.87	\$31,503.12
21. Architect	\$ 9.73 per hour	\$21.54 per hour
22. Assistant Buyer	\$ 6.71 per hour	\$14.95 per hour
23. Assistant City Planner	\$ 7.12 per hour	\$15.63 per hour
24. Assistant Civil Engineer	\$ 7.12 per hour	\$15.63 per hour
25. Assistant Electrical Engineer	\$ 7.12 per hour	\$15.63 per hour
26. Assistant Mechanical Engineer	\$ 7.12 per hour	\$15.63 per hour
27. Assistant Plan Examiner	\$ 7.53 per hour	\$16.44 per hour

	Minimum	Maximum
28. Associate Programmer	\$ 7.55 per hour	\$16.75 per hour
29. Bacteriologist	\$ 7.96 per hour	\$17.32 per hour
30. Bill Collector	\$ 8.56 per hour	\$11.97 per hour
31. Building Inspector	\$12.17 per hour	\$15.89 per hour
32. Camera Room Operator	\$ 6.04 per hour	\$13.60 per hour
33. Caseworker I	\$ 5.73 per hour	\$13.00 per hour
34. Caseworker II	\$ 6.36 per hour	\$14.24 per hour
35. Cashier/Starter	\$ 6.36 per hour	\$14.24 per hour
36. Chemist	\$ 8.90 per hour	\$18.67 per hour
37. Chief Miscellaneous Investigator	\$ 7.53 per hour	\$16.44 per hour
38. Citizens Information Representative	\$ 6.04 per hour	\$13.60 per hour
39. Civil Engineer	\$ 9.50 per hour	\$21.54 per hour
40. Claims Examiner	\$ 7.53 per hour	\$16.44 per hour
41. Clerk Typist	\$ 7.62 per hour	\$ 8.92 per hour
42. Clinical Laboratory Assistant	\$ 6.36 per hour	\$13.60 per hour
43. Clinical Laboratory Technician I	\$ 7.12 per hour	\$15.63 per hour
44. Clinical Laboratory Technician II	\$ 7.37 per hour	\$16.75 per hour
45. Cocaine Treatment Counselor I	\$ 8.56 per hour	\$12.93 per hour
46. Cocaine Intake Specialist	\$ 9.95 per hour	\$11.64 per hour
47. Community Development Code Enforcement Inspector I	\$14.08 per hour	\$17.33 per hour
48. Community Development Code Enforcement Inspector II	\$14.89 per hour	\$18.32 per hour
49. Community Development Code Enforcement Inspector III	\$15.70 per hour	\$19.30 per hour
50. Community Development Code Enforcement Inspector/Heating I	\$14.08 per hour	\$17.33 per hour
51. Community Development Code Enforcement Inspector/Heating II	\$14.89 per hour	\$18.32 per hour
52. Community Development Code Enforcement Inspector/Heating III	\$15.70 per hour	\$19.30 per hour
53. Community Development Code Enforcement Inspector/Refrigeration I	\$14.08 per hour	\$17.33 per hour
54. Community Development Code Enforcement Inspector/Refrigeration II	\$14.89 per hour	\$18.32 per hour
55. Community Development Code Enforcement Inspector/Refrigeration III	\$15.70 per hour	\$19.30 per hour
56. Community Development Code Enforcement Inspector/Trainee	\$ 9.97 per hour	\$13.98 per hour
57. Community Development Planner	\$ 9.87 per hour	\$20.72 per hour
58. Community Health Aide	\$ 4.81 per hour	\$11.54 per hour
59. Community Relations Representative I	\$ 6.04 per hour	\$13.60 per hour
60. Community Relations Representative II	\$ 7.53 per hour	\$16.44 per hour
61. Community Relations Representative III	\$ 9.51 per hour	\$20.34 per hour
62. Composing Equipment Operator	\$ 6.71 per hour	\$14.95 per hour
63. Computer Monitor Assistant	\$ 8.43 per hour	\$ 9.87 per hour
64. Computer Operator	\$ 7.53 per hour	\$16.44 per hour
65. Consumer Protection Specialist	\$ 5.73 per hour	\$13.00 per hour
66. Cook	\$ 9.73 per hour	\$11.25 per hour
67. Copy Center Operator	\$ 5.67 per hour	\$12.47 per hour
68. Cost Construction Estimator	\$ 8.34 per hour	\$16.00 per hour
69. Customer Service Representative	\$ 8.57 per hour	\$12.45 per hour
70. Data Control Clerk	\$ 5.24 per hour	\$11.98 per hour
71. Data Conversion Operator	\$ 8.48 per hour	\$10.84 per hour
72. Dental Assistant	\$ 4.75 per hour	\$11.31 per hour
73. Development Officer	\$ 8.96 per hour	\$19.29 per hour
74. Dietician	\$ 9.08 per hour	\$14.23 per hour
75. Drug and Alcohol Counselor	\$ 9.05 per hour	\$10.59 per hour
76. Electrical Engineer	\$ 9.50 per hour	\$21.54 per hour
77. Electronic Engineer	\$ 9.54 per hour	\$21.93 per hour
78. Elevator Inspector	\$12.16 per hour	\$17.33 per hour
79. Environmental Technician	\$10.91 per hour	\$13.01 per hour
80. Family Planning Clerk	\$ 7.22 per hour	\$ 9.98 per hour
81. Financial Analyst	\$ 7.12 per hour	\$15.63 per hour
82. Financial Counselor	\$ 7.94 per hour	\$16.44 per hour
83. Fuel System Technician	\$ 8.96 per hour	\$14.51 per hour
84. General Health Aide	\$ 4.81 per hour	\$11.54 per hour
85. General Storekeeper	\$ 7.96 per hour	\$17.32 per hour
86. Geriatric Outreach Worker	\$ 7.12 per hour	\$15.63 per hour
87. Guard	\$ 6.55 per hour	\$11.53 per hour
88. Head Cook	\$ 5.46 per hour	\$12.46 per hour
89. Head Storekeeper	\$ 7.11 per hour	\$15.64 per hour
90. Health Educator I	\$ 6.36 per hour	\$14.24 per hour
91. Health Educator II	\$ 7.12 per hour	\$15.63 per hour
92. Heating Inspector	\$12.16 per hour	\$15.89 per hour
93. HIV Educator	\$ 8.17 per hour	\$ 9.09 per hour

	Minimum	Maximum
94.	House Connection Inspector	\$10.31 per hour \$13.29 per hour
95.	House of Correction Guard	\$10.10 per hour \$12.26 per hour
96.	Housing Inspector	\$12.47 per hour \$14.14 per hour
97.	Human Resources Contract Specialist	\$ 9.73 per hour \$21.53 per hour
98.	Human Resources On-the-Job Training Specialist	\$10.21 per hour \$18.31 per hour
99.	Human Resources Planner	\$10.74 per hour \$22.75 per hour
100.	Human Resources Special Projects Coordinator	\$10.21 per hour \$18.31 per hour
101.	Income Tax Tracer	\$ 6.36 per hour \$14.24 per hour
102.	Industrial Hygiene Engineer	\$ 9.73 per hour \$21.53 per hour
103.	Industrial Nuisance Inspector	\$ 6.36 per hour \$14.24 per hour
104.	Information Control Analyst	\$ 6.81 per hour \$14.92 per hour
105.	Inspector of Weights and Measures	\$ 5.73 per hour \$13.00 per hour
106.	Institutional Guard	\$ 9.50 per hour \$12.26 per hour
107.	Instrument Repairman	\$ 8.21 per hour \$14.23 per hour
108.	Instrumentation Technician I	\$14.41 per hour \$15.30 per hour
109.	Instrumentation Technician II	\$16.08 per hour \$16.85 per hour
110.	Intake Specialist	\$ 4.81 per hour \$11.54 per hour
111.	Job Retraining Assistant	\$ 7.12 per hour \$15.63 per hour
112.	Junior Cashier	\$ 5.24 per hour \$11.97 per hour
113.	Junior Chemist	\$ 5.46 per hour \$12.47 per hour
114.	Junior City Planner	\$ 6.36 per hour \$14.24 per hour
115.	Junior Civil Engineer	\$ 6.36 per hour \$14.24 per hour
116.	Junior Clerk	\$ 8.46 per hour \$ 9.98 per hour
117.	Junior Draftsman	\$ 7.25 per hour \$12.23 per hour
118.	Junior Engineering Aide	\$ 5.46 per hour \$12.47 per hour
119.	Laboratory Assistant	\$ 6.04 per hour \$13.60 per hour
120.	Laboratory Helper	\$ 4.77 per hour \$10.75 per hour
121.	Landscape Architect	\$ 9.50 per hour \$20.34 per hour
122.	Lead Pressman	\$ 8.93 per hour \$15.84 per hour
123.	Life Guard	\$ 4.75 per hour \$ 9.33 per hour
124.	Life Guard Captain	\$ 7.14 per hour \$ 9.33 per hour
125.	Mechanical Engineer	\$ 9.50 per hour \$21.54 per hour
126.	Messenger	\$ 4.77 per hour \$10.75 per hour
127.	Meter Reader	\$10.95 per hour \$13.97 per hour
128.	Minority Business Consultant	\$11.15 per hour \$23.97 per hour
129.	Miscellaneous Investigator	\$ 5.46 per hour \$12.47 per hour
130.	Monitoring, Auditing and Evaluation Coordinator	\$13.65 per hour \$15.86 per hour
131.	Office Machine Operator	\$ 8.46 per hour \$10.46 per hour
132.	Offset Duplicating Machine Operator	\$ 5.46 per hour \$12.47 per hour
133.	On The Job Training Specialist	\$12.71 per hour \$15.33 per hour
134.	Park and Recreation Planner	\$ 9.51 per hour \$20.34 per hour
135.	Parking Attendant	\$ 6.31 per hour \$11.54 per hour
136.	Parking Meter Collector	\$ 6.32 per hour \$11.51 per hour
137.	Parking Meter Serviceman	\$11.64 per hour \$12.12 per hour
138.	Permit Processing Specialist	\$ 7.00 per hour \$ 9.66 per hour
139.	Pharmacist	\$10.74 per hour \$22.75 per hour
140.	Pharmacodependent Rehabilitation Counselor I	\$ 6.49 per hour \$11.04 per hour
141.	Pharmacodependent Rehabilitation Counselor II	\$ 7.57 per hour \$13.05 per hour
142.	Photographer	\$ 9.08 per hour \$15.63 per hour
143.	Photographic Laboratory Technician	\$ 6.80 per hour \$13.60 per hour
144.	Photo-Litho Operator	\$ 5.48 per hour \$12.47 per hour
145.	Physical Director	\$ 8.33 per hour \$14.06 per hour
146.	Plan Examiner	\$ 7.96 per hour \$18.60 per hour
147.	Play Director	\$ 4.75 per hour \$ 9.84 per hour
148.	Police Radio Technician	\$13.99 per hour \$15.13 per hour
149.	Pressman	\$ 7.89 per hour \$15.34 per hour
150.	Preventive Health Counselor	\$13.59 per hour \$15.90 per hour
151.	Preventive Health Educator	\$ 8.89 per hour \$10.68 per hour
152.	Principal Cashier	\$ 7.24 per hour \$16.75 per hour
153.	Principal Clerk	\$10.19 per hour \$14.24 per hour
154.	Print Shop Helper	\$ 9.06 per hour \$10.55 per hour
155.	Private Secretary	\$ 6.71 per hour \$14.95 per hour
156.	Program Analyst	\$16.64 per hour \$21.67 per hour
157.	Programmer	\$ 8.96 per hour \$19.30 per hour
158.	Programmer Analyst	\$ 9.73 per hour \$21.53 per hour
159.	Property Clerk	\$11.37 per hour \$23.99 per hour
160.	Psychiatric Social Worker	\$12.48 per hour \$15.58 per hour
161.	Psychologist I	\$10.74 per hour \$20.73 per hour
162.	Psychologist II	\$12.88 per hour \$24.44 per hour
163.	Public Health Nursing Aide	\$ 9.08 per hour \$ 9.96 per hour
164.	Public Health Sanitarian I	\$10.91 per hour \$13.31 per hour
165.	Public Health Sanitarian II	\$12.25 per hour \$14.90 per hour
166.	Public Health Sanitarian III	\$13.23 per hour \$15.54 per hour
167.	Public Health Sanitarian IV	\$ 8.78 per hour \$19.29 per hour
168.	Public Information Officer	\$ 7.38 per hour \$16.44 per hour
169.	Quality Assurance Analyst	\$ 8.96 per hour \$19.29 per hour

	Minimum	Maximum	
170.	Radio Dispatcher	\$14.81 per hour	\$15.18 per hour
171.	Radio Technician	\$13.99 per hour	\$15.13 per hour
172.	Receptionist	\$ 6.06 per hour	\$11.00 per hour
173.	Records Manager	\$ 9.84 per hour	\$11.53 per hour
174.	Recreation Aide	\$ 4.75 per hour	\$ 7.68 per hour
175.	Recreation Instructor	\$ 4.81 per hour	\$11.54 per hour
176.	Recreation Instructor I	\$ 5.24 per hour	\$12.29 per hour
177.	Recreation Instructor II	\$ 5.46 per hour	\$12.78 per hour
178.	Recreation Instructor III	\$ 6.83 per hour	\$13.51 per hour
179.	Recreation Program Supervisor	\$ 6.83 per hour	\$12.55 per hour
180.	Redevelopment Advisor	\$ 7.96 per hour	\$17.32 per hour
181.	Redevelopment Coordinator	\$ 8.38 per hour	\$19.30 per hour
182.	Refrigeration Inspector	\$12.17 per hour	\$15.89 per hour
183.	Refugee Outreach Worker	\$ 8.40 per hour	\$10.74 per hour
184.	Registered Animal Health Technician	\$ 7.94 per hour	\$11.54 per hour
185.	Rehabilitation Advisor	\$ 6.71 per hour	\$14.95 per hour
186.	Sanitarian Aide	\$ 9.92 per hour	\$11.19 per hour
187.	Secretary	\$ 6.30 per hour	\$12.47 per hour
188.	Secretary to Director of Consumer Affairs	\$ 9.51 per hour	\$20.34 per hour
189.	Senior Assistant Architect	\$ 7.96 per hour	\$17.32 per hour
190.	Senior Assistant City Planner	\$ 7.96 per hour	\$17.32 per hour
191.	Senior Assistant Civil Engineer	\$ 7.96 per hour	\$17.32 per hour
192.	Senior Assistant Electrical Engineer	\$ 7.96 per hour	\$17.32 per hour
193.	Senior Assistant Mechanical Engineer	\$ 7.96 per hour	\$17.32 per hour
194.	Senior Assistant Traffic Engineer	\$ 7.96 per hour	\$17.32 per hour
195.	Senior Bacteriologist	\$ 6.71 per hour	\$14.95 per hour
196.	Senior Cashier	\$ 6.36 per hour	\$14.24 per hour
197.	Senior Chemist	\$ 7.53 per hour	\$16.44 per hour
198.	Senior Clerk	\$ 8.79 per hour	\$12.47 per hour
199.	Senior Computer Operator	\$ 8.96 per hour	\$19.30 per hour
200.	Senior Data Conversion Operator	\$ 5.73 per hour	\$13.00 per hour
201.	Senior Development Officer	\$12.63 per hour	\$25.33 per hour
202.	Senior Draftsman	\$ 8.29 per hour	\$13.97 per hour
203.	Senior Engineering Draftsman and Photographer	\$ 7.12 per hour	\$15.63 per hour
204.	Senior Information Control Analyst	\$ 7.38 per hour	\$16.44 per hour
205.	Senior Laboratory Technician	\$10.86 per hour	\$12.72 per hour
206.	Senior Landscape Architect	\$ 9.73 per hour	\$21.53 per hour
207.	Senior Site Inspector - Demolition	\$ 8.43 per hour	\$18.31 per hour
208.	Sewer Service Man	\$12.80 per hour	\$13.59 per hour
209.	Site Inspector	\$ 7.53 per hour	\$16.44 per hour
210.	Social Worker for Homeless	\$13.82 per hour	\$16.17 per hour
211.	Starter (Golf)	\$ 4.75 per hour	\$ 9.55 per hour
212.	S.T.D. Clerk	\$ 7.88 per hour	\$ 9.23 per hour
213.	Stenographer I	\$ 8.35 per hour	\$10.49 per hour
214.	Stenographer II	\$ 9.21 per hour	\$11.70 per hour
215.	Stenographer III	\$ 7.37 per hour	\$13.00 per hour
216.	Stock Clerk	\$ 5.46 per hour	\$12.84 per hour
217.	Storekeeper	\$ 6.36 per hour	\$14.64 per hour
218.	Street Obstruction Inspector	\$ 6.04 per hour	\$13.60 per hour
219.	Surveyor	\$ 8.96 per hour	\$19.30 per hour
220.	Tax Auditor I	\$ 7.12 per hour	\$15.63 per hour
221.	Tax Auditor II	\$ 7.96 per hour	\$17.32 per hour
222.	Technical Specialist	\$ 7.53 per hour	\$16.44 per hour
223.	Technical Specifications Writer	\$ 9.08 per hour	\$17.33 per hour
224.	Telephone Operator	\$ 5.24 per hour	\$11.97 per hour
225.	Telephone Supervisor	\$ 5.46 per hour	\$12.47 per hour
226.	Timekeeper	\$ 5.46 per hour	\$12.47 per hour
227.	Traffic Engineer	\$ 9.50 per hour	\$20.34 per hour
228.	Traffic Sign and Marking Technician	\$11.69 per hour	\$12.47 per hour
229.	Typist	\$ 8.48 per hour	\$10.84 per hour
230.	Urban Planning and Development Technician	\$ 5.73 per hour	\$13.00 per hour
231.	Utility Adjuster	\$ 9.09 per hour	\$13.80 per hour
232.	Vector Control Assistant	\$ 8.90 per hour	\$10.41 per hour
233.	Veteran's Counselor	\$ 7.38 per hour	\$14.15 per hour
234.	Water Hydraulic Repairman	\$12.80 per hour	\$13.59 per hour
235.	Water Meter Repairman	\$12.80 per hour	\$13.96 per hour
236.	Water Pipe Repairman.....	\$11.59 per hour	\$13.96 per hour
237.	Water Serviceman	\$ 9.05 per hour	\$11.59 per hour
238.	Water System Construction Inspector	\$10.48 per hour	\$17.32 per hour

Section 9. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Bilingual Communication Specialist	\$20,739.17	\$27,390.93
2. Police Radio Dispatcher	20,741.97	29,998.01
3. Police Safety Aide	17,590.83	21,351.50
4. Safety Telephone Operator	19,273.89	23,189.74

Section 22. That the salaries and the compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Apprentice Cable Splicer	\$14.35 per hour	\$18.07 per hour
2. Apprentice Lineman	\$14.46 per hour	\$18.22 per hour
3. Cable Foreman	\$20.31 per hour	\$23.77 per hour
4. Cable Splicer	\$16.95 per hour	\$19.85 per hour
5. Cable Splicer I	\$18.17 per hour	\$21.26 per hour
6. Cable Splicer II	\$16.64 per hour	\$19.47 per hour
7. Cable Splicer Helper	\$12.25 per hour	\$15.15 per hour
8. Dispatcher Electric System Operator	\$17.13 per hour	\$20.04 per hour
9. Electric Meter Industrial Installer	\$18.10 per hour	\$21.19 per hour
10. Electric Meter Instrument Specialist and General Tester	\$18.31 per hour	\$21.43 per hour
11. Electric Meterman Apprentice	\$14.13 per hour	\$17.82 per hour
12. Electric Meter Service Foremen	\$20.31 per hour	\$23.77 per hour
13. Electric Meter Service Installer I	\$16.87 per hour	\$19.73 per hour
14. Electric Meter Service Installer II	\$15.71 per hour	\$18.39 per hour
15. Electric Motor and Transformer Repairman	\$16.87 per hour	\$19.75 per hour
16. Electric Switchboard Operator Foreman	\$20.31 per hour	\$23.77 per hour
17. Electric Transmission and Distribution Inspector	\$18.17 per hour	\$21.26 per hour
18. Foreman Low Tension	\$19.95 per hour	\$23.34 per hour
19. Gas Turbine Mechanic	\$16.87 per hour	\$19.73 per hour
20. Gas Turbine Mechanic Apprentice	\$14.35 per hour	\$18.07 per hour
21. Junior Electric Switchboard Operator	\$14.43 per hour	\$16.88 per hour
22. Leader Lineman Low-Tension	\$19.35 per hour	\$22.65 per hour
23. Line Foreman	\$20.31 per hour	\$23.34 per hour
24. Line Clearance Man	\$14.19 per hour	\$17.57 per hour
25. Line Helper Driver	\$12.08 per hour	\$17.21 per hour
26. Lineman	\$18.17 per hour	\$21.26 per hour
27. Lineman Leader	\$19.48 per hour	\$22.78 per hour
28. Line Switchman	\$19.48 per hour	\$22.78 per hour
29. Low Tension Lineman	\$16.95 per hour	\$19.85 per hour
30. Low Tension Lineman Apprentice	\$13.95 per hour	\$17.57 per hour
31. Low Tension Trouble Lineman	\$17.77 per hour	\$22.20 per hour
32. Police Division Trouble Lineman	\$18.63 per hour	\$21.81 per hour
33. Safety Signal Trouble Lineman	\$18.63 per hour	\$21.81 per hour
34. Senior Electric Switchboard Operator	\$15.91 per hour	\$18.61 per hour
35. Senior Lineman	\$19.14 per hour	\$22.40 per hour
36. Signal System Powerman	\$18.97 per hour	\$22.20 per hour
37. Telecommunications Technician	\$18.97 per hour	\$22.20 per hour
38. Traffic Signal Control Technician	\$20.09 per hour	\$23.50 per hour
39. Transformer Repairman Foreman	\$20.31 per hour	\$23.77 per hour
40. Trouble Lineman	\$19.14 per hour	\$22.40 per hour
41. Underground Conduit Foreman	\$20.31 per hour	\$23.77 per hour

Section 40. Part-Time/Seasonal Group

That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Box Office Cashier	\$ 10.30 per hour	\$ 12.29 per hour
2. Chaplain	\$ 6.74 per hour	\$ 9.72 per hour
3. Checker	\$ 4.75 per hour	\$ 6.29 per hour
4. Conservation Aide	\$ 4.75 per hour	\$ 5.11 per hour
5. Dentist	\$ 13.38 per hour	\$ 24.18 per hour
6. Head Usher	\$ 4.82 per hour	\$ 9.88 per hour
7. Medical Examiner	\$ 21.40 per hour	\$ 36.60 per hour
8. Organ Tuner	\$ 9.63 per hour	\$ 21.21 per hour
9. Park Maintenance Aide	\$ 4.82 per hour	\$ 7.48 per hour
10. Ranger	\$ 4.75 per hour	\$ 9.49 per hour
11. School Crossing Guard	\$ 16.50 per day	\$ 18.39 per day
12. Section Supervisor.....	\$ 5.50 per hour	\$ 6.00 per hour
13. Snow Removal Vehicle Operator	\$ 10.40 per hour	\$ 11.93 per hour
14. Stage Hand	\$ 18.55 per hour	\$ 21.70 per hour
15. Stage Hand Casual	\$ 20.00 per hour	\$ 21.86 per hour
16. Stage Hand - Show Rate	\$ 63.00 per show	\$ 71.29 per show

		Minimum	Maximum
17.	Student Aide	\$ 4.75 per hour	\$ 7.34 per hour
18.	Student Assistant	\$ 4.75 per hour	\$ 6.47 per hour
19.	Usher	\$ 4.82 per hour	\$ 5.59 per hour
20.	Usher Captain	\$ 5.89 per hour	\$ 6.77 per hour

Section 45. Division of Police, Patrol Officers

The annual salaries of persons appointed to the ranks of patrol officer shall be fixed by the appointing authority within the limits established in the following schedules:

		Minimum	Maximum
1.	Patrol Officer I	\$37,859.23	\$38,359.23
2.	Patrol Officer II	34,787.66	34,787.66
3.	Patrol Officer III	34,287.66	34,287.66
4.	Patrol Officer IV	33,287.66	33,287.66
5.	Trainee	\$8.50 per hour	\$8.84 per hour

Notwithstanding the above schedule for Patrol Officer I, the maximum annual salaries of Patrol Officers I whose annual salaries on May 1, 1981, were \$19,381.43 or more shall be \$37,031.74.

Section 2. That existing Section 8 of Ordinance No. 486-96, passed April 1, 1996, as amended by Ordinance No. 1375-96, passed July 17, 1996, and Sections 9, 22, 40 and 45 of Ordinance No. 486-96, passed April 1, 1996, 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 January 6, 1997.

Effective January 10, 1997.

**Ord. No. 29-97.
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 1715-19 East 81 Street to Gary M. Willis.

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. 106-20-086 and 087-Parcel A, as more fully described in Section 2 below, to Gary M. Willis.

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. 106-20-086, 106-20-087

Parcel "A"

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being all of Sublot 4 and part of Sublot 5 in M.E. and S.K. Davis' Allotment of part of Original One Hundred Acre Lot No. 391, as recorded in Volume 5, page 39 of Cuyahoga County Map Records, and being bounded and described as follows:

Beginning at a iron pin set at the Southwest corner of Sublot 4; thence North 00° 09' 00" West along the Easterly right-of-way of East 81st Street (formerly Park Avenue, 50 feet wide) 90.00 feet to an iron pin set in the West line of Sublot 5; thence North 89° 31' 30" East 150.30 feet to an iron pin set in the East line of Sublot 5; thence South 00° 09' 00" East along the East line of Sublots 5 and 4 90.00 feet to a iron pin set at the Southeast corner of Sublot 4; thence South 89° 31' 30" West along the Northerly line of an unnamed alley (13 feet wide) 150.30 feet to the point of beginning, and containing 13,527 square feet of land, according to a survey by Nicholas Marino, Ohio Registered Surveyor No. 7769, in November 1996, be the same more or less but subject to all legal highways.

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

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

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

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

Passed January 6, 1997.

Effective January 10, 1997.

**COUNCIL COMMITTEE
MEETINGS**

Monday, January 13, 1997

Public Health Committee: 10:00 A.M. — Present: Robinson, Chrm.; Britt, Melena O'Malley, Zone. Excused: Jackson.

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

Tuesday, January 14, 1997

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

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

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