

The City Record

Official Publication of the City of Cleveland

December the Twenty-Fifth, Nineteen Hundred and Ninety-Six

Mayor	
Michael R. White	
President of Council	
Jay Westbrook	
Clerk of Council	
Artha Woods	
Ward	Name
1	Charles L. Patton, Jr.
2	Robert J. White
3	Odelia V. Robinson
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	William W. Patmon
9	Craig E. Willis
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Gary M. Paulenske
14	Helen K. Smith
15	James Rokakis
16	Patrick J. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Dale Miller
21	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	Dale Miller	4300 West 143rd Street	44135
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, Donald L. Haskins, Commissioner, Harvard
Yards
Architecture - Kenneth Nobile, Commissioner, Room 517

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

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WEDNESDAY, DECEMBER 25, 1996

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CITY COUNCIL

MONDAY, DECEMBER 23, 1996

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

2:00 P.M.—**Finance Committee:** Rokakis, Chairman; Westbrook, Vice Chairman; Coats, Johnson, Lewis, Patmon, 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:** Miller, Chairman; Paulenske, Vice Chairman; Patmon, Rokakis, White, Willis.

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

December 18, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 18, 1996, at 11:00 a.m., with Mayor White presiding.

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

Absent: Director Cunningham.
Others: William Moon, Commissioner, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity, Eric Waldron, Department of Port Control.

On motion, the following resolutions were adopted.

Resolution No. 906-96.

By Director Carmody.
Resolved by the Board of Control of the City of Cleveland that the bid of Wang Laboratories, Inc. for the following: Computer Hardware and Software Maintenance (All Items) for the Division of Cleveland Municipal Court, Department of Finance, received on the 7th day of November, 1996, pursuant to the authority of Ordinance No. 1095-95, passed July 19, 1995, which on the basis of order quantity would amount to \$154,804.44 (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into contract for such items.

Yeas: Mayor White, Acting Director Terry, Directors Carmody, Kon-

icek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Lynch.

Nays: None.
Absent: None.

Resolution No. 907-96.

By Director Guzman.

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

Whereas, pursuant to Resolution No. 728-96, adopted by this Board of Control on October 16, 1996, the City entered into a second modification to said Contract No. 38511 modifying and increasing the scope of services to include additional engineering services; and

Whereas, the City desires to modify further the scope of services to include the additional engineering services for the design of traffic signals on Lee Road; and

Whereas, the Engineer has proposed by its letter dated November 5, 1996, to provide the additional engineering services mentioned above for an additional amount not to exceed \$45,000.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Service hereby is authorized to enter into a third modification to Contract No. 38511 with John E. Foster and Associates, Inc., in accordance with the Engineer's letters dated November 4, 1996 for the additional engineering services necessary for the design of traffic signals on Lee Road. The compensation for such additional services shall not exceed a total of \$45,000.00, thereby increasing the total fee under the agreement from \$208,055.46 to \$253,055.46. The modification authorized hereby shall be prepared by the Director of Law and shall include such provisions as such Director deems necessary to benefit and protect the public interest.

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

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

Nays: None.
Absent: None.

Resolution No. 908-96.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Refuse Equipment and Truck Services, Inc. for the following: Aluminum Dump Trailer (All Items) for the Division of Waste Collection, Department of Public Service, received on the 15th day of November, 1996, pursuant to the authority of Ordinance No. 1438-96, passed September 16, 1996, which on the basis of order quantity would amount to \$12,868.00, (2% 10 Days), is hereby approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into contract for such items.

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

Nays: None.
Absent: None.

Resolution No. 909-96.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland that the bid of Refuse Equipment and Truck Services, Inc. for the following: Hydraulic Side Dump Trailer w/Steel Bins (All Items) (Model RT 233 curb runner hydraulic side dump recycling trailer) for the Division of Waste Collection, Department of Public Service, received on the 15th day of November, 1996, pursuant to the authority of Ordinance No. 1437-96, passed September 16, 1996, which on the basis of order quantity would amount to \$18,005.00, (2% 10 Days), is hereby approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into contract for such items.

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

Nays: None.
Absent: None.

Resolution No. 910-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Manhole Systems, Inc. for an estimated quantity of Manhole Risers (All Items) for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 14th day of November, 1996, pursuant to the authority of Ordinance No. 1104-96, passed August 14, 1996, which on the basis of the estimated quantity would amount to approximately Twenty four thousand seven hundred and no/100 Dollars, (\$24,700.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 095896 which shall be certified against such contract in the sum of One

thousand two hundred forty five and no/100 Dollars, (\$1,245.00).

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

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

Nays: None.
Absent: None.

Resolution No. 911-96.

By Director Staib.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Section 141.37 of the Codified Ordinances of Cleveland, Ohio, 1976, Dr. K. Kandaswamy is hereby selected upon the nomination of the Director of Public Health, after inquiry and investigation, as the person best qualified to be employed by contract for the purpose of providing professional services required to qualify the clinical laboratory at Thomas F. McCafferty Health Center to meet and maintain the Clinical Laboratory Improvement Amendments of 1988 (CLIA '88) Certification requirements, for a period not to exceed one (1) year.

Be it further resolved that the Director of Public Health hereby is authorized to enter into a written contract with Dr. K. Kandaswamy for him to perform these services in the position of Consultant Laboratory Director, provided that the compensation to be paid shall not exceed \$9,600, which contract shall be prepared by the Director of Law and shall contain such other provisions as Director deems necessary to protect and benefit it the public interest.

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

Nays: None.
Absent: None.

Resolution No. 912-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Maltese Fire Equipment Company, Inc. for an estimated quantity of Turnout Clothing, Item 9 for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on the 14th day of November, 1996, pursuant to Section 135.06 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Seventy-five thousand, six hundred fifty and no/100 Dollars, (\$75,650.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 093958
Turnout Clothing
80 Item #9 - Leather Bunker Boots, as specified,
which shall be certified against

such contract in the sum of Fourteen thousand, two hundred forty and 00/100 Dollars, (\$14,240.00).

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

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

Nays: None.
Absent: Mayor White.

Resolution No. 913-96.

By Director Spellman.

Whereas, pursuant to the authority of Ordinance No. 1190-96, passed October 28, 1996 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to sell certain City owned property, no longer needed for public use, described therein and located at 1607-11 East 21st Street, aka Permanent Parcel Number 102-25-019, to Daniel R. Gray; and

Whereas, said Ordinance No. 1190-96 provided that the consideration to be paid for the property shall be at a price not less than fair market value as determined by the Board of Control; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1190-96, passed by the Council of the City of Cleveland on October 28, 1996, the Commissioner of Purchases and Supplies is hereby directed to sell certain City owned property, no longer needed for public use, described therein and located at 1607-11 East 21st Street, aka Permanent Parcel Number 102-25-019, to Daniel R. Gray. The consideration to be paid for said property is hereby fixed at Thirty-six Thousand Dollars (\$36,000.00), which amount is determined to be not less than fair market value.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property.

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

Nays: None.
Absent: None.

Resolution No. 914-96.

By Director Spellman.

Whereas, pursuant to the authority of Ordinance Nos. 2270-85, 642-A-86, 2340-86, 2736-90, 1169-91 and 1826-92, passed by the Council of the City of Cleveland on October 21, 1985, May 23, 1986, October 6, 1986, December 17, 1990, June 17, 1991 and October 19, 1992, respectively, and Resolution Nos. 269-93, 104-94, 323-94, 619-94, 377-95, 437-96 and 813-96, adopted by this Board of Control on April 21, 1993, February 23, 1994, May 11, 1994, August 17, 1994, May 24, 1995, June 26, 1996 and November 6, 1996, respectively, the City, through its Director of Parks, Recreation and Properties entered into City Contract No. 46212 with Richard Fleischman Architects, Inc., ("Architect") for architectural services for the

renovation, rehabilitation and remodeling of City Hall and the Cleveland Convention Center and first, second, third, fourth, fifth and sixth modifications thereto; and

Whereas, the City has determined to increase the scope of work to include the architectural services necessary to revise drawings for the Personnel and Civil Service Offices and to bid this work as a separate package from the Mayor's Office Rehabilitation; and

Whereas, the City finds Architect's proposal acceptable and desires to enter into a seventh modification to City Contract No. 46212 on the basis of the City's determinations and Architect's proposal letter; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Parks, Recreation and Properties is hereby authorized to enter into a seventh Modification to City Contract No. 46212 with Richard Fleischman Architects, Inc., on the basis of Architect's letter dated October 7, 1996, to perform the architectural services necessary to revise drawings for the Personnel and Civil Service Offices and to bid this work as a separate package from the Mayor's Office Rehabilitation, for an increase in fees of Seventeen Thousand Five Hundred and No/100 Dollars (\$17,500.00), and an increase in reimbursable expenses of Three Thousand Five Hundred and No/100 Dollars (\$3,500.00) for a total contract cost, including reimbursable expenses, not to exceed Two Hundred Thirty-One Thousand Nine Hundred Ten and No/100 Dollars (\$231,910.00).

Be it further resolved, that all other terms and provisions of City Contract No. 46212 not expressly modified herein shall remain unchanged and in full force and effect.

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

Nays: None.
Absent: None.

Resolution No. 915-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 1444-A-88, passed June 18, 1990, the City of Cleveland has undertaken a Spot Elimination of Blight Program in accordance with the provisions of Chapter 324 of the Codified Ordinances, Cleveland, Ohio 1976, and

Whereas, the City of Cleveland has acquired Permanent Parcel Number 108-29-068, aka 10700 Helena Avenue, under said Spot Elimination of Blight Program; and

Whereas, Ordinance No. 1016-95, passed November 27, 1995, authorized the sale of said parcel to Famicos Foundation at a price to be determined by the Board of Control; and

Whereas, Famicos Foundation has proposed to the City of Cleveland to purchase and redevelop said parcel; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that the consideration for said parcel shall be \$6,200.00, which amount is hereby determined to be not less than fair market value of said parcel for uses in accordance with the Spot Elimination of Blight Program.

Yeas: Mayor White, Acting Director Terry, Directors Carmody, Kon-

icek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Lynch.

Nays: None.
Absent: None.

Resolution No. 916-96.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel Nos. 007-10-092, 007-10-152, 007-10-153, 007-10-105 and 007-10-107 located at 2824, 2814, 2828 Chatham Avenue and 2042, 2058-60 West 28 Street in Ward 14; and

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

Whereas, St. Ignatius High School, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcels; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcels are 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 St. Ignatius High School for the sale and development of Permanent Parcel Nos. 007-10-092, 007-10-152, 007-10-153, 007-10-105 and 007-10-107 located at 2824, 2814, 2828 Chatham Avenue and 2042, 2058-60 West 28 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 parcels shall be \$1.00 each, 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, Acting Director Terry, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Lynch.

Nays: None.
Absent: None.

Resolution No. 917-96.

By Director Hamilton.

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

Whereas, under said Program, the

City has acquired Permanent Parcel No. 007-28-168 located at 4122 Newark Avenue in Ward 14; and

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

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

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Evelyn Krejci for the sale and development of Permanent Parcel No. 007-28-168 located at 4122 Newark 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, Acting Director Terry, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Lynch.

Nays: None.
Absent: None.

Resolution No. 918-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 107-17-088 under said Land Reutilization Program; and

Whereas, Ordinance No. 1706-96 passed November 25, 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, Evelyn Robinson 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. 1706-96 passed November 25, 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 Evelyn Robinson for the sale and development of Permanent Parcel No. 107-17-088, 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, Acting Director Terry, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Lynch.

Nays: None.

Absent: None.

Resolution No. 919-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 104-25-021 under said Land Reutilization Program; and

Whereas, Ordinance No. 1614-96 passed November 25, 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, Enrique Solis and Magaly Heredia 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. 1614-96 passed November 25, 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 Enrique Solis and Magaly Heredia for the sale and development of Permanent Parcel No. 104-25-021, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$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, Acting Director Terry, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Lynch.

Nays: None.

Absent: None.

Resolution No. 920-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 114-01-006 under said Land Reutilization Program; and

Whereas, Ordinance No. 1034-96 passed November 25, 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, East Shore Park Club Company 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. 1034-96 passed November 25, 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 East Shore Park Club Company for the sale and development of Permanent Parcel No. 114-01-006 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, Acting Director Terry, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Lynch.

Nays: None.

Absent: None.

Resolution No. 921-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 016-14-013 under said Land Reutilization Program; and

Whereas, Ordinance No. 1599-96 passed November 25, 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, Joseph J. and Jennie V. Dudash 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. 1599-96 passed November 25, 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 Joseph J. and Jennie V. Dudash for the sale and development of Permanent Parcel No. 016-14-013 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, Acting Director Terry, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Lynch.

Nays: None.

Absent: None.

Resolution No. 922-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 128-02-137 under

said Land Reutilization Program; and

Whereas, Ordinance No. 1593-96 passed November 25, 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, Lawrence Cooper 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. 1593-96 passed November 25, 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 Lawrence Cooper for the sale and development of Permanent Parcel No. 128-02-137 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 \$450.00, 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, Acting Director Terry, Directors Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Acting Director Lynch.

Nays: None.

Absent: None.

Resolution No. 923-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Libby Construction Co., Inc. for an estimated quantity of hauling and disposal of debris at landfills (all items; price per cubic yard \$2.95) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 25th day of September, 1996, pursuant to the authority of Ordinance No. 540-96, passed May 20, 1996, on the basis of the estimated quantity would amount to Fifty Nine Thousand Dollars, (\$59,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 79512

which shall be certified against such contract in the sum of Five Thousand Dollars, (\$5,000.00).

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

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

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

BOARD OF CONTROL

December 24, 1996

The special meeting of the Board of Control convened in the Mayor's office on Tuesday, December 24, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland and Director Lynch.

Absent: None.
Others: William Moon, Commissioner, Purchases and Supplies.

On motion, the following resolutions were adopted.

Resolution No. 924-96.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland that the bid of Application Design Consultants, Inc. for the following: Personal computers, laser printers and software (1, 2 and 3 includes a three (3) yr. warranty) (1st yr. on site) (Item 4 one (1) yr. limited warranty) (Items 5 and 6 one (1) yr. warranty) (Items 7 and 8 one (1) yr. warranty on site) on behalf of Cleveland Municipal Court, Department of Finance, received on the 1st day of November, 1996, pursuant to the authority of Ordinance No. 1095-95, passed July 19, 1995, which on the basis of the order quantity would amount to \$124,420.00, (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into contract for such items.

Yeas: Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 925-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 964-93, passed by the Council of the City of Cleveland on June 14, 1993, Burgess & Niple, Ltd. is hereby selected from a list of firms determined, after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide professional services necessary to provide professional engineering design services for the Southwest Quadrant Water Supply Mains, Proposal No. 1, Parma-Pearl-York Water Supply Main, Section IV, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with Burgess & Niple, Ltd. based upon its proposal dated August 27, 1996, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal upon execution of a contract for an aggregate fee not in excess of \$378,003.00 and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Burgess & Niple, Ltd. for the above-mentioned professional service is hereby approved:

SUBCONTRACTORS	WORK
Ralph C. Tyler	29.90%, MBE
KS Associates	11.83%, MBE
City Blue	1.53%, FBE

Yeas: Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 926-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc. for the following: twenty two (22) cabs and chassis with 8 ft. Bodies (item 1A) for the Division of Water, Department of Public Utilities, received on the 25th day of September, 1996, pursuant to the authority of Ordinance No. 1228-95, passed January 29, 1996, which on the basis of the order quantities would amount to Ninety Eight Thousand Nine Hundred Twenty Dollars, (\$98,920.00), (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 927-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Floyd S. Salser, Jr. and Associates, Inc. dba Mars Company for the following: three (3) meter test benches (all items; includes trade-in on old test equipment and tanks minus \$3,000.00) for the Division of Water, Department of Public Utilities, received on the 15th day of August, 1996, pursuant to the authority of Ordinance No. 313-96, passed May 6, 1996, which on the basis of the order quantity would amount to Sixty Nine Thousand Seven Hundred Forty Four and 96/100 Dollars, (\$69,744.96), (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 928-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Cyngier Systems Management, Inc. for an estimated quantity of Maintenance Repair and/or Replacement of HVAC Systems at various Locations, item nos. 3 and 4, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 1st day of November, 1996, pursuant to the authority of Ordinance No. 424-96, passed May 6, 1996, which on the basis of the estimated quantity would amount to Fifty Thousand and no/100 Dollars, (\$50,000.00), (1% 1 Day), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 103423

which shall be certified against such contract in the sum of Five Thousand Dollars, (\$5,000.00).

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

Yeas: Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 929-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Energy Mechanical for an estimated quantity of Maintenance Repair and/or Replacement of HVAC Systems at various Locations, item nos. 1 and 2, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 1st day of November, 1996, pursuant to the authority of Ordinance No. 424-96, passed May 6, 1996, which on the basis of the estimated quantity would amount to One Hundred Thousand and no/100 Dollars, (\$100,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 103422

which shall be certified against such contract in the sum of Ten Thousand Dollars, (\$10,000.00).

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

Yeas: Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland, Director Lynch.
Nays: None.
Absent: None.

Resolution No. 930-96.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Brewer Garrett Company for an estimated quantity of Maintenance Repair and/or Replacement of HVAC Systems at various Locations, item no. 5 only, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 1st day of November, 1996, pursuant to the authority of Ordinance No. 424-96, passed May 6, 1996, which on the basis of the estimated quantity would amount to One Hundred Sixty Five Thousand One Hundred Twenty and no/100 Dollars, (\$165,120.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 103424 which shall be certified against such contract in the sum of Eighty Two Thousand Five Hundred Sixty and no/100 Dollars, (\$82,560.00).
Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland, Director Lynch.
Nays: None.
Absent: None.

Resolution No. 931-96.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Ross Equipment Corporation for the following: one (1) electric scissor lift (all items; optional equipment 110V AC outlet on platform with ground fault interrupt) for the Division of Water, Department of Public Utilities, received on the 23rd day of October, 1996, pursuant to the authority of Ordinance No. 712-96, passed May 20, 1996, which on the basis of the order quantity would amount to Eleven Thousand Six Hundred Eighty Two and 50/100 Dollars, (\$11,682.50), (2%, Net 31 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director

Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland, Director Lynch.
Nays: None.
Absent: None.

Resolution No. 932-96.

By Director Spellman.
Whereas, pursuant to the authority of Ordinance No. 2495-84, passed November 5, 1984, and Board of Control Resolution No. 709-84, adopted November 14, 1984, the City of Cleveland (the "City") entered into a lease with Northern Ohio Cellular Telephone Company d.b.a. Cellular One, on November 21, 1984, for the lease of a certain parcel of land at Camp Forbes, then known as Camp Cleveland, for a term of ten (10) years with two renewal options for five (5) years each, at a rental of Five Hundred Dollars (\$500.00) per month; and
Whereas, Cellular One exercised its option to renew the lease for a five (5) year term on February 15, 1994; and

Whereas, Cellular One has recently been consolidated with other subsidiaries of New Par, the parent partnership, as part of the latter's internal restructuring; and
Whereas, by letter dated August 26, 1996, Cellular One requested the consent of the City to the assignment of all of its rights and interest in the aforementioned lease to New Par; now, therefore,
Be it resolved by the Board of Control of the City of Cleveland that the request of Cellular One for consent of the City to the assignment of the aforementioned lease is hereby granted.

Be it further resolved that the Director of Parks, Recreation, and Properties is hereby authorized to execute all documents and do all things necessary and appropriate to effect the requested consent to the assignment. A copy of the consent and the assignment shall be filed in the Office of the Commissioner of Accounts.

Yeas: Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland, Director Lynch.
Nays: None.
Absent: None.

Resolution No. 933-96.

By Director Cunningham.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of Choice/Donley's for the public improvement of construction of a new parking garage at Cleveland Hopkins International Airport including alternates 1A, 6, 7, 8, 9, 10, 11, 13, 15, 17, 19, 20, and deduct alternate 23, including a contingency allowance, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on November 22, 1996, pursuant to the authority of Ordinance No. 1107-96, passed August 14, 1996, for a gross price for the improvement in the aggregate amount of Forty-five million seven hundred eighty-four thousand and no/100 (\$45,784,000.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into contract for said improvement with said bidder.

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

the following subcontractors by Choice/Donley's for the construction of a new parking garage at Cleveland Hopkins International Airport Department of Port Control is hereby approved:

SUBCONTRACTORS WORK/SUPPLY

Bradley Construction 13715 Kinsman	C-I-P Concrete Highway \$4,650,000 (MBE-10.15%)
Builders Glass 830 E. 222nd Street	Glass & Glassing \$500,000 (MBE-1.09%)
Colejon Spohn 1775 E. 45th Street	Mechanical \$1,000,000 (MBE-2.18%)
Granger Trucking 8001 Old Granger Road	Trucking \$500,000 (MBE-1.09%)
Mull Iron 10 Mull Drive	Structural Steel Misc. \$4,250,000 (MBE-9.28%)
Perk Construction Co. 55 Industry	Excavation \$1,000,000 (MBE-2.18%)
Gilcrest Electric 570 Ternes Avenue	Electrical \$700,000 (MBE-1.52%)
IEA	Electrical 250,000 (MBE-.54%)
Choice Construction 30675 Solon Road	Building Construction \$2,500,000 (FBE-5.45%)
Western Waterproofing 4765 E. 131st Street	Waterproofing \$850,000 (FBE-1.85%)
Burkshire Construction 2024 W. Schaaf Road	Carpentry/ Sitework \$300,000 (FBE-.65%)
Leader Electric 4300 Superior Avenue	Electric Material Supplier \$250,000 (FBE-.54%)
Ohio Diversified 20226 Detroit Road	Demo Asphalt \$700,000 (FBE-1.52%)
Mac Mechanical 1361 Chardon Road	Sprinkler Work \$347,000 (FBE-.75%)

Yeas: Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Director Guzman, Acting Director Henderson, Director Denihan, Acting Director Silva, Directors Hamilton, Nolan, Acting Director Haviland, Director 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 6, 1997

9:30 A.M.

Calendar No. 96-236: 13024 Bellaire Rd., S.W.

Alonza R. Price, owner, to erect a 16' x 6' 3" addition by enclosing the open porch to the front and to erect a 10' x 22' one story frame carport addition to the side of the 29' x 26' one story one family dwelling house on a 40' x 117' irregular shaped lot located in a One Family District at 13024 Bellaire Rd.; said porch enclosure addition to be contrary to the setback encroachment and enclosure limitation provisions of Sections 357.06 and 357.13 and the carport to be located 4' 6" from the dwelling to the east at 13020 Bellaire Rd. instead of 10' therefrom as required by Sections 337.23 and 357.09 of the Codified Ordinances.

Calendar No. 96-240: 2978 W. 25 St. Gary Grace, owner, and Ruben Laracunte, tenant, to use as an auto repair garage (body shop) and for retail auto parts sales the 45' x 92' one story masonry building on a 45' x 125' (average) irregular shaped lot located in a Semi-Industry District at 2978 W. 25 St.; said repair garage use being less than 100' from the Residence District to the west contrary to the require-

ments of Section 345.03 and said premises not conforming to the landscape requirements along the west property line as required by Sections 352.08 and 352.09 of the Codified Ordinances.

Calendar No. 96-241: 1594 E. 47 St.

Michael Hocevar, owner, to erect a 12' x 20' two story "L" shaped frame addition for a living room and bedroom to the south side of the 12' x 30' two story "L" shaped frame one family dwelling house on the rear of the 30' x 147' lot located in a Multi-Family District at 1594 E. 47 St., with a two story frame two family dwelling, known as 1592, located on the front; said addition to reduce the south side yard to 6' for aggregate sideyards of 6' contrary to the 10' requirement of Section 357.09 and the existing dwelling having a 0' rear yard and the addition to have a 6' rear yard instead of the 20' minimum of Section 357.08 and the existing dwelling having a 0' north side yard instead of the minimum 3' and being located less than 10' feet from the dwelling house to the north contrary to the limitations of Section 357.09 and said addition to increase the total floor area for the residence buildings to 82% of the lot area instead of 50% as limited by Section 355.04 and said addition to constitute an expansion contrary to the limitations of Section 359.01 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 23, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, December 16, 1996, the following appeals were heard by the Board, and decided on Monday, December 23, 1996.

The following appeals were **Granted:**

Calendar No. 96-127: 1519 Lakeview Road, N.E.

Lemaud Williams, owner, to use for food processing preparation (catering).

Calendar No. 96-207: 5701 Harvard Ave., S.E.

Randal Grzybowski, owner, to convert to food processing the used car sales office building. (Conditional Grant)

Calendar No. 96-227: 934 E. 105th Street

Apostolic Faith Church Inc., c/o Rev. Garry Washington, appealed, under authority of Section 76-6 of the Charter of the City of Cleveland and Sections 329.01(e) and 329.02(d) from the refusal to approve a lot consolidation and lot split. (Conditional Grant)

The following appeals were **Withdrawn:**

Calendar No. 96-219: 4829 Superior Avenue, N.E.

Calendar No. 96-232: 425-503 Prospect Ave., S.E.

Calendar No. 96-233: 3741-43 W. 36th St.

The following appeal was **Postponed:**
Calendar No. 96-231: 7205-09 Madison Ave. N.W., to January 20, 1997.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, JANUARY 9, 1997

One (1) Police Armored Security Vehicle, for the Division of Police, Department of Public Safety, as

authorized by Ordinance No. 918-96, passed by the Council of the City of Cleveland, June 18, 1996.

December 18 and December 25, 1996

FRIDAY, JANUARY 10, 1997

Groton Park and Martin Luther King, Jr. Park Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1284-96, passed by the Council of the City of Cleveland, October 14, 1996.

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.

December 18 and December 25, 1996

THURSDAY, JANUARY 16, 1997

Rehabilitation of Cornell Road, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1330-96 and 1433-96, passed by the Council of the City of Cleveland, October 28, 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.

December 18 and December 25, 1996

**ADOPTED RESOLUTIONS
AND ORDINANCES**

**Res. No. 1260-95,
By Councilman Smith (by request).**

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

Whereas, this Council is satisfied that there is good cause for vacating a portion of West 26th Street, as hereinafter described, and

Whereas, this resolution constitutes an emergency measure in that the same provides 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 WEST 26TH STREET (50.00 feet wide) extending Northerly from the Northerly line of Lorain Avenue (66.00 feet wide), 100.00 feet.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Adopted December 16, 1996.
Effective December 24, 1996, without the signature of the Mayor.

**Res. No. 1472-96,
By Councilman Rokakis (by request).**

An emergency resolution declaring the intention to vacate a portion of Clybourne Court S.W.

Whereas, this Council is satisfied that there is good cause for vacating a portion of Clybourne Court 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 CLYBOURNE COURT S.W. (10.00 feet wide), extending from the Westerly line of West 38th Street (45.00 feet wide), Westerly, to the Easterly line of West 42nd Street (40.00 feet wide).

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

Adopted December 16, 1996.
Effective December 24, 1996.

**Res. No. 1757-96,
By Councilman Jackson (by request).**

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

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

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

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

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

Being all that portion of CENTRAL AVENUE S.E. (66.00 feet wide), extending Easterly from the Southerly prolongation of the Easterly line of East 19th Street (66.00 feet wide) to its intersection with the Westerly Limited Access Line of the Inner Belt Freeway.

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

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

Adopted December 16, 1996.
Effective December 24, 1996.

**Res. No. 1801-96,
By Councilman Jackson (by request).**

An emergency resolution declaring the intention to vacate a portion of East 39th Place.

Whereas, this Council is satisfied that there is good cause for vacating a portion of East 39th Place, 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:

EAST 39TH PLACE (12.00 feet wide), extending Northerly from the Northerly line of Cedar Avenue S.E. (66.00 feet wide), to the Southerly line of Carnegie Avenue S.E. (86.00 feet wide).

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

Adopted December 16, 1996.
Effective December 24, 1996.

**Res. No. 1847-96,
By Councilman Zone (by request).
An emergency resolution declaring the intention to vacate a portion of West 118th Street.**

Whereas, this Council is satisfied that there is good cause for vacating a portion of West 118th Street, 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:

WEST 118TH STREET (40.00 feet wide), extending Northerly from the Northerly line of Arden Avenue (50.00 feet wide), to the Southerly Limited Access Line of the I-90 Freeway.

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

Adopted December 16, 1996.
Effective December 24, 1996.

Res. No. 2129-96.

By Councilman Rokakis (by departmental request).

An emergency resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies certifying them to the County Auditor.

Whereas, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget, for the fiscal year commencing January 1, 1997; and

Whereas, the Budget Commission of Cuyahoga County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part thereof is without and what part within the 10-Mill limitation; 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 the amounts and rates as determined by the Budget Commission in its certification be and the same are hereby accepted.

Section 2. That there be and is hereby levied on the tax duplicate of the City of Cleveland the rate of each tax necessary to be levied within and without the 10-Mill limitation, as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

	County Auditor's	
	Estimate of Tax Rate	
Amount to be Derived From Levies	To Be Levied	
Outside 10-Mill Limitation Column II	Inside 10-Mill Limit Column V	Outside 10-Mill Limit Column VI
GENERAL FUND		7.75
BOND RETIREMENT FUND	4.35	
POLICE PENSION FUND		0.30
FIRE PENSION FUND	0.05	0.25
TOTAL	4.40	8.30

Section 3. That the Clerk of Council be and she hereby is directed to certify a copy of this resolution to the County Auditor of said County.

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

Adopted December 16, 1996.

Effective December 18, 1996.

Res. No. 2130-96. By Councilman Rokakis (by departmental request).

An emergency resolution requesting the County Auditor to make tax advances during the year 1997, pursuant to Section 321.34, Ohio Revised Code.

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

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

Section 1. That the County Auditor be and he hereby is requested to draw, and the County Treasurer to pay on such draft to the Treasury of the City of Cleveland such money as may be in the County Treasury from time to time during the year 1997 to the account of the City of Cleveland and lawfully applicable to the purpose of the current fiscal year in which such request is made, such payments to be made from time to time as the Director of Finance or the Mayor of the City of Cleveland may request.

Section 2. That the Clerk of Council be and she hereby is directed to transmit a certified copy of this res-

olution to the Auditor of 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 December 16, 1996.

Effective December 18, 1996.

Res. No. 2158-96. By Councilmen Melena, Jackson, Rybka and Rokakis (by departmental request).

An emergency resolution declaring the necessity and intention to appropriate property for redevelopment and/or rehabilitation of the blighted premises located at 1284 West 87th Street, Cleveland, Ohio.

Whereas, the Council of the City of Cleveland, by Ordinance No. 1444-A-88, passed June 18, 1990, approved and adopted Chapter 324 of the Codified Ordinances of Cleveland, Ohio,

1976, relating to the elimination of spot blight; and

Whereas, pursuant to the authority of Chapter 324 of the Codified Ordinances of Cleveland, Ohio, 1976, the Council of the City of Cleveland approved and passed Ordinance No. 2314-93, passed June 13, 1994, wherein Council found and determined that Permanent Parcel No. 001-09-036 located at 1284 West 87th Street, Cleveland, Ohio are blighted premises and that the acquisition and redevelopment and/or rehabilitation of the blighted premises is necessary in order to eliminate the blight and prevent its recurrence; 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 for the public purpose of eliminating blight and preventing the recurrence of blight in the neighborhood surrounding the blighted premises located at 1284 West 87th Street through acquisition and redevelopment and/or rehabilitation, it is necessary to appropriate in fee simple the blighted premises, and the Council does hereby declare

its intent to appropriate such fee simple interest in and to the following described blighted premises:

1284 West 87th Street

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 24 in E.F. Davis and Henry Grombacher's Allotment of a part of Original Brooklyn Township Lots Nos. 11 and 12, as shown by the recorded plat in Volume 14 of Maps, Page 47 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 87th Street (formerly Mecca Street), and extending back 96.36 feet on the Northerly line, 96.37 feet on the Southerly line, and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Finance is hereby authorized and directed to cause written notice of the adoption of this resolution to be given to the owners, persons in possession or having an interest of record in the above-described blighted premises, and such notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

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 December 16, 1996.
Effective December 24, 1996.

Res. No. 2228-96.

By Councilman Westbrook.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 9401-03 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 D1, D2, D3 and D3A Liquor Permit from Permit No. 4174368, J.A.M. Cafe Inc., 9401-03 Denison Avenue, first floor and basement, Cleveland, Ohio 44102, to Permit No. 0396697, Bak Mentor Inc., dba Bonkers Tavern, 9401-03 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 transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 4174368, J.A.M. Cafe Inc., 9401-03 Denison Avenue, first floor and basement, Cleveland, Ohio 44102, to Permit No. 0396697, Bak Mentor Inc., dba Bonkers Tavern, 9401-03 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 December 16, 1996.
Effective December 24, 1996.

Res. No. 2229-96.

By Councilmen Miller, Westbrook, Patton, Polensek, Rybka, Paulenske, Coats and Lewis.

An emergency resolution calling upon May Department Stores, operating locally as Kaufmann's Department Stores, to take specific actions to ensure contractor compliance with its own vendor conduct standards for its private label program.

Whereas, May Department Stores ("Mays") is one of the most profitable retailers of apparel in the United States and operates locally as Kaufmann's Department Stores; and

Whereas, Mays operates a highly profitable private label program in which Mays contracts with outside manufacturers to produce clothing for name brands sold only at its own stores, such as Claybrooke, Amanda Smith, Lord & Taylor, Karen Scott, and Valerie Stevens brands; and

Whereas, substantial evidence exists that significant portions of the clothing sold under Mays private labels is produced under sweatshop conditions both in the United States and abroad; and

Whereas, Norton McNaughton, a manufacturer of women's apparel,

which sold 38% of its products to Mays in 1994, has contracted with shops which were found to have locked fire exits and major overtime and minimum wage violations; and,

Whereas, workers at Y.P.S. International and Picasso Fashion, which produce apparel for Mays, testified to extensive violations of overtime and child labor laws and that they are subject to physical abuse and sexual harassment; and

Whereas, the vast majority of workers producing apparel under substandard labor conditions in the United States are minorities and recent immigrants; and

Whereas, Mays also extensively imports apparel from countries such as Indonesia, Honduras, and Canada, where workers receive wages as low as \$.26 per hour and are required to work inhumanely long hours under poor working conditions; and

Whereas, although Mays has a written policy of labor standards for its suppliers, Mays does not monitor compliance sufficiently to insure that products sold at its stores were not produced in violation of fair and humane labor standards; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that this Council is greatly concerned and strongly deplores the fact that there is a strong basis to believe that a significant amount of apparel being sold by Mays in Cleveland was produced under conditions of worker exploitation contrary to standards of fair humane labor practices; now, therefore,

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

Section 1. That this Council calls upon Mays to take the following actions to ensure contractor compliance with its own vendor conduct standards for its private label programs:

(1) Communicate its Code of Conduct to workers at its contract facilities in their own language, provide for monitoring of the code by independent labor and human rights organizations, and ensure that freedom of speech and association are guaranteed to its contractors' employees;

(2) Use its large quality assurance network to monitor and enforce compliance with its Vendor Code of Conduct;

(3) Work with suppliers to encourage improved working conditions rather than firing workers or shutting down facilities; and

(4) Use its size and market power to work with other retailers to lift minimum standards for apparel workers at home and abroad.

Section 2. That this Council urges all Clevelanders to employ best efforts to avoid the purchase of apparel produced under substandard labor conditions, such as by giving preference to products both made in the United States of America and carrying a union label.

Section 3. That this Council also urges Mayor Michael R. White and his administration to work with Mays to promote implementation of the actions recommended in this resolution.

Section 4. That the Clerk of Council is directed to transmit copies of this resolution to David Farrell, CEO of May Department Stores, Ted Passig, Regional Administrator of

Stores and to John Ryan, Executive Director-Elect of the Greater Cleveland AFL-CIO Federation.

Section 5. 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 December 16, 1996.

Effective December 24, 1996, with-out the signature of the Mayor.

Res. No. 2227-96.
By Councilman Lewis.
An emergency resolution urging the Board of Education of Memphis, Tennessee not to demolish the Florida Street School.

Whereas, the Florida Street School assisted scores of children to obtain

a basic foundation of character and academics which has helped them through the years with their careers; and

Whereas, the Board of Education of Memphis, Tennessee is considering whether to demolish the Florida Street School; and

Whereas, one of the alumni of the Florida Street School and a current member of Cleveland City Council, Fannie M. Lewis, nee Scott, entered the first grade at Florida Street School sixty-five (65) years ago; and

Whereas, the alumni of the School have a proposal to utilize the school as an academy to train young men; and

Whereas, this Council urges the Board of Education of Memphis, Tennessee to meet with the alumni of Florida Street School to consider alternatives to demolishing the facility; and

Whereas, this resolution constitutes an emergency measure provid-

ing 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 this Council urges the Board of Education of Memphis, Tennessee not to demolish the Florida Street School.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to Board of Education of Memphis, Tennessee.

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 December 16, 1996.

Effective December 24, 1996.

Ord. No. 475-95.

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

An emergency ordinance authorizing the Director of Public Service to issue a permit to The United States Postal Service located at the Cleveland District Main Office, 2200 Orange Avenue, Cleveland, Ohio to encroach into the right-of-way of Orange Avenue between East 22nd Street and Woodland Avenue Underpass with approximately eight (8) small banners.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with consent of the Director of Public Service, to The United States Postal Service located at the Cleveland, Ohio; District Main Office; 2200 Orange Avenue; Cleveland, Ohio 44101-9991; its successors and assigns, for the construction, use and maintenance of approximately eight (8) small banners, which banners will be attached to Cleveland Public Power Utility Poles (by separate permit), and said banners will commemorate historic Postal Service Events, and encroach into the public right-of-way of Orange Avenue between East 22nd Street and Woodland Avenue Underpass at the locations more fully described as follows:

BANNER LOCATIONS ATTACHED TO C.C.P POLES BY NUMBER AND TYPE

Address	Pole Number	Pole Type	Attachment
Orange Avenue	BO-18-53/54	Metal	Banners
between East	BO-18-51/52	Metal	Banners
22nd Street	BO-18-49/50	Wood	Banners
and Woodland	BO-18-47/48	Wood	Banners
Avenue	BO-18-45/46	Metal	Banners
Underpass	BO-18-43/44	Metal	Banners
	BO-18-41/42	Wood	Banners
	BO-18-39/40	Wood	Banners

Section 2. That said banners shall be placed in the public right-of-way at the locations as aforesaid, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 272-96.

By Councilman Patmon.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 667.05 relating to discrimination and to amend Section 667.99, as amended by Ordinance No. 1333-64, passed May 17, 1965, relating to the penalty therefor.

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

therefore,

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 667.05 thereof to read as follows:

Section 667.05 Unlawful Discrimination in Employment

(a) No person shall refuse to employ or to bar or to discharge from employment any person

because of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status of such person.

(b) No person shall refuse to promote or grant any condition or privilege of employment because of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status of such person.

(c) As used in this section, "person" means an individual, corporation, business trust, estate, trust, partnership, labor organization and association.

(d) As used in this section, "labor organization" means any organization which exists and is constructed for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms and conditions of employment, or of other mutual aid or protection in connection with employment.

Section 2. That Section 667.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-64, passed May 17, 1965, is hereby amended to read as follows:

Section 667.99 Penalty

(a) Whoever violates any of the provisions of Section 667.05 shall be guilty of a misdemeanor of the first degree and shall be fined not less than one thousand dollars (\$1,000.00), or sentenced to not less than three (3) months imprisonment, or both. The minimum fine and imprisonment to be imposed by a court for a violation of Section 667.5 is mandatory and may not be suspended in whole or in part.

(b) Whoever violates any other provision of this chapter shall be fined not more than one thousand dollars (\$1,000.00) and imprisoned for not more than thirty days.

Section 3. That existing Section 667.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-64, passed May 17, 1965, is hereby repealed.

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

Passed December 16, 1996.
Effective December 24, 1996.

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

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

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

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

Section 1. That the following Codified Ordinances of Cleveland, Ohio, 1976:

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

Section 405.06, as amended by Ordinance No. 286-91, passed March 4, 1991, are hereby amended to read, respectively, as follows:

Section 405.04 Storage Fee at Vehicle Pound

Whenever any vehicle, except a bicycle, is stored in a vehicle pound for any reason, the person reclaim-

ing the vehicle shall be charged a storage fee of eight (\$8.00) dollars for the first three days or fraction thereof, and thereafter shall be charged four dollars (\$4.00) for each day or fraction of a day. No fee for storage shall be charged then the vehicle is the property of the victim of a crime and said vehicle is being held by the Division of Police for processing.

Section 405.06 Impounding and Towing Fees

(a) In addition to the storage fee provided for in Section 405.06, the following fees shall be assessed against the owner or other person claiming an impounded vehicle:

(1) An impound fee of thirty dollars (\$30.00), except that the impound fee shall be reduced to ten dollars (\$10.00) for a person reclaiming a recovered stolen vehicle.

(2) A towing fee of sixty dollars (\$60.00), except that the towing fee shall be reduced to fifty dollars (\$50.00) for a person reclaiming a recovered stolen vehicle, and shall be increased to seventy dollars (\$70.00) for a person reclaiming a vehicle impounded incident to an arrest.

The towing charge shall be increased by ten dollars (\$10.00) if a dolly or flatbed are used or if a tire or tires are changed, except that there shall be no such additional charge in the case of a recovered stolen vehicle.

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

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

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

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

Section 3. The rates established by this ordinance shall be reviewed by this Council two years following the passage of this ordinance.

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

Passed December 16, 1996.

Awaiting approval or disapproval of the Mayor.

**Ord. No. 1608-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).**

An emergency ordinance determining the method of making the public improvement of constructing a booster pumping station at Broadview Road; authorizing the Director of Public Utilities to employ professional design engineering services to design the public improvement; authorizing the Director of Public Utilities to enter into contract for the making of such improvement; and authorizing the purchase of

labor and materials necessary for this improvement.

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

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

Section 1. That, it is hereby determined to make the public improvement of constructing a booster pumping station at Broadview Road, including the installation of associated water mains and connectors (the "Improvement"), for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

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

Section 4. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor, materials and equipment necessary to implement the Improvement, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

Section 5. That the costs of the Improvement, services herein contemplated shall be paid from Fund Nos. 52 SF 217, 52 SF 219 and 52 SF 223, Request No. 20962.

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 December 16, 1996.
Effective December 24, 1996.

Ord. No. 1609-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of replacing the Invermere Avenue sewer, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of replacing the Invermere Avenue sewer, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23005.

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1610-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance to amend the title and Section 1 of Ordinance No. 248-96, passed May 6, 1996, relating to the public improvement of rehabilitating the exterior surfaces of water towers, and authorizing the Director of Public Utilities to enter into contract therefor.

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

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

Section 1. That the title and Section 1 of Ordinance No. 248-96, passed May 6, 1996, are hereby amended to read, respectively, as follows:

An emergency ordinance determining the method of making the public improvement of rehabilitating the exterior surfaces of five water towers, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating the exterior surfaces of the Ledge Tower in Northfield, the 1.0 million gallon Keller Tower, 1.0 million gallon Strongsville Tower, and the 3.0 million gallon tower and the 0.5 million gallon tower at Blossom, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the existing title and Section 1 of Ordinance No. 248-96, passed May 6, 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 December 16, 1996.
Effective December 24, 1996.

Ord. No. 1611-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of constructing the Kinsman-Green Water Supply Main in the Village of Highland Hills and the City of Beachwood; authorizing the Director of Public Utilities to enter into contracts for the making of such improvement; authorizing the acquisition of various rights and interests in real property; authorizing the relocation or modification of fixtures or features on said property; and authorizing professional service contracts for the Division of Water, Department of Public Utilities.

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

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

Section 1. That, it is hereby determined to make the public improvement of constructing the Kinsman-Green Water Supply Main in the Village of Highland Hills and the City of Beachwood (the "Improvement"), for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

the subject of a separate contract upon a unit basis.

Section 3. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase, lease or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property necessary for the public improvement authorized by Section 1 of this ordinance.

Section 4. That the Director of Public Utilities is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interests in real property and to employ and pay all fees for title companies, surveyors, escrow agents, appraisers, environmental consultants, field service consultants and other consultants necessary for the acquisition or use of the rights or interests in real property authorized by Section 3 of this ordinance.

Section 5. That the Director of Public Utilities is hereby authorized to enter into agreements with the holders of said rights or interests in real property to relocate or otherwise modify existing fixtures or features of said property to permit the construction of the public improvement authorized by Section 1 of this ordinance.

Section 6. That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

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

Section 7. That the Director of Public Utilities is hereby authorized and directed to apply and pay for such permits, licenses, or other authorizations required by any regulatory entity or other public authority to perform the work authorized by this ordinance.

Section 8. That the Director of Public Utilities is hereby authorized and directed to enter into agreements with the State of Ohio, various municipalities, county governmental agencies and other public authorities as necessary for the making of the public improvement described in Section 1 of this ordinance.

Section 9. That the costs of the Improvement and the professional services herein contemplated shall be paid from Fund Nos. 52 SF 217, 52 SF 219 and 52 SF 223, Request No. 20963.

Section 10. That this ordinance is hereby declared to be an emergency

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1612-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of rehabilitating Parma Reservoir; authorizing the Director of Public Utilities to employ professional design engineering services to design the public improvement; and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, it is hereby determined to make the public improvement of rehabilitating Parma Reservoir (the "Improvement"), for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

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

Section 4. That the costs of the Improvement and the professional services herein contemplated shall be paid from Fund Nos. 52 SF 219 and 52 SF 223, Request No. 20961.

Section 5. That this ordinance is

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1613-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of cleaning and cement mortar lining trunk water mains, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of cleaning and cement mortar lining trunk water mains, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 52 SF 223, Request No. 20964.

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

Passed December 16, 1996.
Effective December 23, 1996.

Ord. No. 1620-96.
By Councilman Jackson.
An ordinance to change the Use, Area, and Height Districts of lands on the northerly side of Central Avenue, S.E. between E. 33 Street and E. 40 Street and the south side of Central Avenue, S.E. between E. 37 Street and E. 40 Street. (Map Change No. 1916, Sheet No. 5)

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

Section 1. That the Use, Area, and Height Districts of lands bounded and described as follows, Beginning at the intersection of the center line of Central Avenue, S.E. and the center line of East 33 Street;

thence northerly along said center line of East 33 Street to its intersection with the westerly extension of the southerly line of Sublot No. 38 in the John Blair Allotment as recorded in Volume 2, Page 8 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said southerly line of said Sublot No. 38 and continuing easterly along the southerly line of Sublot No. 5 in the Horace P. Weddell Allotment as recorded in Volume 2, Page 30 of the Cuyahoga County Map Records and along its easterly extension to the center line of East 35 Street; thence continuing easterly along the westerly extension of and southerly line of Sublot No. 36 in said Horace P. Weddell Allotment to its intersection with the southerly line of Sublot No. 48 in said Horace P. Weddell Allotment and along its easterly extension to the center line of East 36 Street; thence southerly along said center line of East 36 Street to its intersection with the westerly extension of the northerly line of Sublot No. 82 in said Horace P. Weddell Allotment; thence easterly along said westerly extension and along said northerly line of said Sublot No. 82 to its intersection with the easterly line thereof thence southerly along said easterly line of said Sublot No. 82 and along its southerly extension to its intersection with the westerly line of Sublot No. 90 in said Horace P. Weddell Allotment; thence southerly along said westerly line of said Sublot No. 90 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 90 and along its easterly extension to the center line of East 37 Street; thence southerly along said center line of East 37 Street to its intersection with the westerly extension of the northerly line of Sublot No. 3 in the Taylor and J. M. Hoyt Subdivision as recorded in Volume 2, Page 34 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 3 to its intersection with the westerly line of Sublot No. 17 in the William N. Williams Corrected Allotment as recorded in Volume 3, Page 6 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 17 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 17 and along its easterly extension to the center line of East 38 Street; thence southerly along said center line of East 38 Street to its intersection with the westerly extension of a line located thirty six and six tenths (36.6) feet north of the southerly line of Sublot No. 24 in said William N. Williams Corrected Allotment; thence easterly along said westerly extension and along said line which is parallel to and thirty six and six tenths (36.6) feet north of said southerly line of said Sublot No. 24 to its intersection with the westerly line of Sublot No. 59 in said William N. Williams Corrected Allotment; thence southerly along said westerly line of said Sublot No. 59 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 59 and along its easterly extension to the center line of East 39 Street; thence southerly along said center line of East 39 Street to its intersection with the westerly extension of the southerly

line of Sublot No. 69 in said William N. Williams Corrected Allotment; thence easterly along said westerly extension and along said southerly line of said Sublot No. 69 to its intersection with the easterly line thereof; thence northerly along said easterly line of said Sublot No. 69 and along its northerly prolongation to its intersection with the northerly line of Sublot No. 100 in said William N. Williams Corrected Allotment; thence easterly along said northerly line of said Sublot No. 100 and along its easterly extension to the center line of East 40 Street; thence southerly along said center line of East 40 Street to the center line of Central Avenue, S.E.; thence southwesterly along said center line of East 40 Street to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 268 in the Leonard Case Subdivision as recorded in Volume 8, Page 36 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 268 and along its northwesterly extension to the center line of East 39 Street; thence northeasterly along said center line of East 39 Street to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 112 in the Charles H. Norton Re Subdivision as recorded in Volume 3, Page 24 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said northeasterly line of said Sublot No. 112 to its intersection with a line located one hundred twenty five (125) feet one (1) inch southeast of the southeasterly line of East 38 Street; thence southwesterly along said line which is parallel to and one hundred twenty five (125) feet and (1) inch southeast of said southeasterly line of East 38 Street to its intersection with the southwesterly line of Sublot No. 107 in said Charles H. Norton Re Subdivision; thence northwesterly along said southwesterly line of said Sublot No. 107 and along its northwesterly extension to the center line of East 38 Street; thence southwesterly along said center line of East 38 Street to the center line of Thurgood Avenue, S.E.; thence northwesterly along said center line of Thurgood Avenue, S.E. to the center line of East 37 Street; thence northeasterly along said center line of East 37 Street to the center line of Central Avenue, S.E.; thence northwesterly along said center line of Central Avenue, S.E. to the place of beginning,

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

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1916, Sheet No. 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed December 16, 1996.
Effective January 25, 1997.

**Ord. No. 1621-96.
By Councilman Patmon.
An ordinance establishing the
Glenville Business Revitalization
District. (Map Change No. 1914,
Sheet Nos. 4, 8, & 9)**

Whereas, the Board of Trustees of the Glenville Development Corporation has submitted a written request dated January 20, 1996 to the City Planning Commission for designation of a Business Revitalization District in accordance with the procedures outlined in Chapter 303 of the Codified Ordinances of the City of Cleveland; and

Whereas, such request is accompanied with a map identifying the boundaries of the proposed District; and

Whereas, the City Planning Commission has determined that the proposed District notwithstanding meeting the distance requirement meets the criteria for designation set forth in Section 303.04 of Chapter 303 of the Codified Ordinances of the City of Cleveland, Ohio 1988:

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

Section 1. That the following area, further defined and outlined on the map hereto attached, be and the same is hereby designated the Glenville Business Revitalization District

Beginning at the intersection of the center line of East 103 Street and the westerly extension of the northerly line of Sublot No. 19 in the John Crowell Subdivision as recorded in Volume 4, Page 31 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 19 to its intersection with the westerly line of Sublot No. 36 in the P. Miller EST. C.P.R. Allotment as recorded in Volume 115, Page 307 of the Cuyahoga County Map Records; thence northerly along said westerly line of said Sublot No. 36 and continuing northerly along the westerly line of Sublot No. 32 in the Curtiss Ambler Realty Company Allotment as recorded in Volume 26, Page 30 of the Cuyahoga County Map Records; thence northerly along said westerly line of said Sublot No. 32 and along its northerly extension to the center line of Marlowe Avenue, N.E.; thence easterly along said center line of Marlowe Avenue, N.E. to its intersection with the southerly extension of the westerly line of Sublot No. 24 in said Curtiss Ambler Allotment; thence northerly along said southerly extension and along said westerly line of said Sublot No. 24 to its intersection with the northerly line thereof; thence easterly along said northerly line of said Sublot No. 24 to its intersection with the easterly line of Sublot No. 19 in said Curtiss Ambler Allotment; thence northerly along said easterly line of said Sublot No. 19 and along its northerly extension to the center line of Colonial Avenue, N.E.; thence easterly along said center line of Colonial Avenue, N.E. to its intersection with the southerly extension of the easterly line of Sublot No. 3 in said Curtiss Ambler Allotment; thence northerly along said southerly extension and along said easterly line of said Sublot No. 3 to its intersection with the northerly line of Sublot No. 1 in said Curtiss Ambler Allotment; thence easterly along said northerly line of said Sublot No. 1 to its intersection with the easterly line of Sublot No. 14 in the Barrett Avenue Subdivision as recorded in Volume 58, Page 37 of

the Cuyahoga County Map Records; thence northerly along said easterly line of said Sublot No. 14 and along its northerly extension to the center line of Barrett Avenue, N.E.; thence continuing northerly along the southerly extension of the easterly line and along said easterly line of Sublot No. 7 in said Barrett Avenue Subdivision to its intersection with the northerly line of Sublot No. 8 in said Barrett Avenue Subdivision; thence easterly along said northerly line of said Sublot No. 8 and along its easterly extension to the center line of East 105 Street; thence southerly along said center line of East 105 Street to its intersection with the westerly extension of the northerly line of Sublot No. 16 in the George C. Shumway Allotment as recorded in Volume 4, Page 35 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said northerly line of said Sublot No. 16 and along its easterly prolongation to the center line of East 106 Street; thence northerly along said center line of East 106 Street to its intersection with the westerly extension of a line located approximately six hundred sixty seven and ninety six hundredths (667.96) feet south of the southerly line of Glenville Avenue, N.E.; thence easterly along said westerly extension and along said line which is parallel to and six hundred sixty seven and ninety six hundredths (667.96) feet south of said southerly line of Glenville Avenue, N.E. to its intersection with the westerly line of Sublot No. 94 in the William Ambler Subdivision as recorded in Volume 38, Page 23 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 94 and continuing southerly along the westerly lines of Sublots Nos. 95, 96, 97, 98, and 99 in said William Ambler Subdivision to its intersection with a line located thirty five (35) feet south of the southerly line of said Sublot No. 98; thence easterly along said line which is parallel to and thirty five (35) feet south of said southerly line of said Sublot No. 98 and along its easterly extension to the center line of East 107 Street; thence southerly along said center line of East 107 Street to the center line of St. Clair Avenue, N.E.; thence southwesterly along said center line of St. Clair Avenue, N.E. to the center line of East 107 Street; thence southerly along said center line of East 107 Street to its intersection with the easterly extension of the northerly line of Sublot No. 3 in the Linn and Issel Subdivision as recorded in Volume 38, Page 16 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said northerly line of said Sublot No. 3 to its intersection with the westerly line thereof; thence southerly along said westerly line of said Sublot No. 3 and continuing southerly along the westerly lines of Sublots Nos. 4, 5, and 6 in said Linn and Issel Subdivision to its intersection with the southerly line thereof; thence westerly along the westerly prolongation of said southerly line of said Sublot No. 6 to its intersection with a line located approximately two hundred fifty (250) feet southeast of the southeasterly line of St. Clair Avenue, N.E.; thence southwesterly along said line which is parallel to and approximately two hundred fifty (250) feet southeast of said southeasterly line of St. Clair

Avenue, N.E. and along its southwesterly extension to the center line of East 106 Street; thence northwesterly along said center line of East 106 Street to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 5 in the Frederick G. Hanks Subdivision as recorded in Volume 48, Page 6 of the Cuyahoga County Map Records; thence southwesterly along said northeasterly extension and along said northwesterly line of said Sublot No. 5 to its intersection with the southwesterly line thereof thence southeasterly along said southwesterly line of said Sublot No. 5 to its intersection with the northwesterly line of Sublot No. 353 in the Cleveland Realty Company Subdivision as recorded in Volume 24, Page 17 of the Cuyahoga County Map Records; thence southwesterly along said northwesterly line of said Sublot No. 353 and along its southwesterly extension to the center line of Parkwood Drive, N.E.; thence continuing southwesterly along the northeasterly extension of the northwesterly line of Sublot No. 344 in said Cleveland Realty Company Subdivision and along said northwesterly line of said Sublot No. 344 to its intersection with the northeasterly line of Sublot No. 335 in said Cleveland Realty Company Subdivision; thence southeasterly along said northeasterly line of said Sublot No. 335 to its intersection with the easterly line thereof; thence southerly along said easterly line of said Sublot No. 335 and along its southerly extension to the center line of Helena Avenue, N.E.; thence westerly along said center line of Helena Avenue, N.E. to its intersection with the northerly extension of a line located one hundred forty four (144) feet east of the easterly line of East 105 Street; thence southerly along said line which is parallel to and one hundred forty four (144) feet east of said easterly line of East 105 Street and along its southerly prolongation to the center line of Kimberley Avenue, N.E.; thence westerly along said center line of Kimberley Avenue, N.E. to the center line of East 105 Street; thence southerly along said center line of East 105 Street to its intersection with the easterly extension of the northerly line of Sublot No. 6 in the Charles P. Born and Margaret E. Born Subdivision as recorded in Volume 16, Page 14 of the Cuyahoga County Map Records; thence westerly along said easterly extension and along said northerly line of said Sublot No. 6 to its intersection with the northerly line of Sublot No. 7 in said Charles P. Born and Margaret E. Born Subdivision; thence westerly along said northerly line of said Sublot No. 7 to its intersection with the easterly line of Sublot No. 19 in the John Crowell Subdivision as recorded in Volume 4, Page 21 of the Cuyahoga County Map Records; thence northerly along said easterly line of said Sublot No. 19 and continuing northerly along the easterly lines of Sublots Nos. 18, 17, 16, 15, 14, 13, and 12 in said John Crowell Subdivision to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 12 and along its westerly extension to the center line of East 103 Street; thence southerly along said center line of East 103 Street to its intersection with the easterly extension of the southerly line of Sublot No. 27 in said John Crowell Subdivision; thence westerly

ly along said easterly extension and along said southerly line of said Sublot No. 27 to its intersection with the westerly line thereof; thence northerly along said westerly line of said Sublot No. 27 and continuing northerly along the westerly line of said Sublot No. 28 in said John Crowell Subdivision to its intersection with the northerly line of Sublot No. 4 in the Mrs. Charles P. Born Allotment as recorded in Volume 23, Page 23 of the Cuyahoga County Map Records; thence westerly along said northerly line of said Sublot No. 4 and along its westerly extension to the center line of East 102 Street; thence northerly along said center line of East 102 Street crossing St. Clair Avenue, N.E. to its intersection with the westerly extension of a line located approximately one hundred fifteen and thirty one hundredths (115.31) feet south of the southerly line of Sublot No. 8 in the A. L. Draper Allotment as recorded in Volume 22, Page 18 of the Cuyahoga County Map Records; thence easterly along said westerly extension and along said line which is parallel to and approximately one hundred fifteen and thirty one hundredths (115.31) feet south of said southerly line of said Sublot No. 8 for a distance of approximately one hundred three and three tenths (103.3) feet east of the easterly line of East 102 Street; thence northerly from said point to a point located one hundred six and ninety three hundredths (106.93) feet east of said easterly line of East 102 Street and approximately seventy five and fifty four hundredths (75.54) feet south of said southerly line of said Sublot No. 8; thence westerly along said line which is parallel to and approximately seventy five and fifty four hundredths (75.54) feet south of said southerly line of said Sublot No. 8 to its intersection with a line located approximately eighty and ninety one hundredths (80.91) feet east of said easterly line of East 102 Street; thence northerly for a distance of seventy five and fifty four hundredths (75.54) feet to its intersection with said southerly line of said Sublot No. 8; thence easterly along said southerly line of said Sublot No. 8 to its intersection with the westerly line of Sublot No. 4 in said John Crowell Subdivision; thence northerly along said westerly line of said Sublot No. 4 to its intersection with the northerly line thereof; thence easterly along said northerly line of said Sublot No. 4 and along its easterly extension to the center line of East 103 Street; thence northerly along said center line of East 103 Street to the place of beginning.

Section 2. That the designation of the area set forth in Section 1 hereof as the Glenville Business Revitalization District and shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That the following area, further defined and outlined in the map hereto attached, be and the same is hereby designated the Glenville Business Revitalization District.

Beginning at the intersection of the center line of East 108 Street and the center line of Rockhurst Avenue, N.E.; thence southwesterly along said center line of Rockhurst Avenue, N.E. to its intersection with

the northerly extension of the westerly line of Sublot No. 181 in the Sarah Phillips Allotment as recorded in Volume 19, Page 23 of the Cuyahoga County Map Records; thence southerly along said northerly extension and along said westerly line of said Sublot No. 181 and continuing southerly along the westerly lines of Sublots Nos. 180 and 177 in said Sarah Phillips Allotment and along its southerly extension to the center line of Churchill Avenue, N.E.; thence westerly along said center line of Churchill Avenue, N.E. to its intersection with the northerly extension of the easterly line of Sublot No. 5 in said Sarah Phillips Allotment; thence southerly along said northerly extension and along said easterly line of said Sublot No. 5 to its intersection with the southerly line thereof; thence westerly along said southerly line of said Sublot No. 5 to its intersection with the westerly line of Sublot No. 144 in the J. H. Wade et al Re Subdivision as recorded in Volume 33, Page 18 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 144, and along its southerly extension to the center line of Orville Avenue, N.E.; thence westerly along said center line of Orville Avenue, N.E. to its intersection with the northerly extension of a line located one hundred (100) feet east of the easterly line of East 105 Street; thence southerly along said northerly extension and along said line which is parallel to and one hundred (100) feet east of said easterly line of East 105 Street to its intersection with the northerly line of Sublot No. 81 in said J. H. Wade et al Re Subdivision; thence easterly along said northerly line of said Sublot No. 81 to its intersection with a line located one hundred ninety (190) feet east of said easterly line of East 105 Street; thence southerly along said line which is parallel to and one hundred ninety (190) feet east of said easterly line of East 105 Street and along its southerly extension to the center line of Lee Avenue, N.E.; thence westerly along said center line of Lee Avenue, N.E. to its intersection with the northerly extension of a line located forty seven (47) feet west of the easterly line of Sublot No. 1 in said J.H. Wade et al Re Subdivision; thence southerly along said northerly extension and along said line which is parallel to and forty seven (47) feet west of said easterly line of said Sublot No. 1 and along its southerly extension to the center line of Ashbury Avenue, N.E.; thence northwesterly along said center line of Ashbury Avenue, N.E. continuing across East 105 Street to the center line of East 103 Street; thence northerly and northwesterly along said center line of East 103 Street to the center line of Churchill Avenue, N.E.; thence northeasterly along said center line of Churchill Avenue, N.E. to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 26 in the Morley & Morison Subdivision as recorded in Volume 25, Page 26 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said northeasterly line of said Sublot No. 26 and along its northwesterly extension to the center line of Rockhurst Avenue, N.E.; thence southwesterly along said center line of Rockhurst Avenue, N.E. to the center line of East 103 Street; thence southerly along said center line of East 103

Street to its intersection with the easterly extension of the southerly line of Sublot No. 8 in said Morley and Morison Subdivision; thence westerly along said easterly extension and along said southerly line of said Sublot No. 8 and along its westerly extension to the center line of East Boulevard; thence northwesterly and northeasterly along said center line of East Boulevard to the center line of Superior Avenue, N.E.; thence southwestwardly along said center line of Superior Avenue, N.E. to its intersection with its southeasterly extension of the southwestwardly line of a parcel of land known as C.C. Baldwin Cooper Allotment as recorded in Volume 17, Page 7 of the Cuyahoga Map Records (said southwestwardly line of said parcel of land being located approximately one hundred thirty six and nineteen hundredths (136.19) feet southwest of the southwestwardly line of East 102 Street); thence northwesterly along said southeasterly extension and along said southwestwardly line of said parcel of land to its intersection with a line located one hundred twenty (120) feet northwest of the northwesterly line of Superior Avenue, N.E.; thence northeasterly along said line which is parallel to and one hundred twenty (120) feet northwest of said northwesterly line of Superior Avenue, N.E. continuing across East 102 Street to its intersection with the southerly line of Sublot No. 4 in the M. H. Solloway Subdivision as recorded in Volume 16, Page 6 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 4 to its intersection with the westerly line of Sublot No. 50 in the Morley and Morison Subdivision as recorded in Volume 26, Page 24 of the Cuyahoga County Map Records; thence southerly along said westerly line of said Sublot No. 15 to its intersection with the southerly line thereof; thence easterly along said southerly line of said Sublot No. 50 and along its easterly extension to the center line of East 103 Street; thence northerly along said center line of East 103 Street to its intersection with the westerly extension of the northerly line of Sublot No. 59 in said Morley and Morison Subdivision; thence easterly along said westerly extension and along said northerly line of said Sublot No. 59 to its intersection with the easterly line of Sublot No. 60 in said Morley and Morison Subdivision; thence northerly along said easterly line of said Sublot No. 60 and continuing northerly along the easterly lines of Sublots Nos. 61, 62, 63, 64, 65, 66, and 67 in said Morley and Morison Subdivision to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 67 to its intersection with a line located approximately one hundred twenty (120) feet west of the westerly line of East 105 Street; thence northerly along said line which is parallel to and one hundred twenty (120) feet west of said westerly line of East 105 Street to its intersection with the southerly line of Sublot No. 4 in the William Phillips Allotment as recorded in Volume 18, Page 8 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 4 to its intersection with a line located approximately one hundred nine and fifty six hundredths (109.56) feet west of the westerly line of East 105 Street; thence northerly along said line

which is parallel to and approximately one hundred nine and fifty six hundredths (109.56) feet west of said westerly line of East 105 Street and along its northerly extension to the center line of Olivet Avenue, N.E.; thence easterly along said center line of Olivet Avenue, N.E. to the center line of East 105 Street; thence northerly along said center line of East 105 Street to the center line of Olivet Avenue, N.E.; thence northeasterly along said center line of Olivet Avenue, N.E. to its intersection with the northeasterly extension of the northwesterly line of Sublot No. 140 in the Boulevard Park Allotment as recorded in Volume 19, Page 26 of the Cuyahoga Map Records; thence southwestwardly along said northeasterly extension and along said northwesterly line of said Sublot No. 140 and along its southwestwardly extension to the center line of Olivet Court, N.E.; thence southwestwardly along said center line of Olivet Court, N.E. to the center line of East 106 Place, N.E.; thence northeasterly along said center line of East 106 Place, N.E. to the center line of Hathaway Avenue, N.E.; thence southwestwardly along said center line of Hathaway Avenue, N.E. to its intersection with the northwesterly extension of the northeasterly line of Sublot No. 47 in the Curtiss Ambler and Johnson Allotment as recorded in Volume 16, Page 10 of the Cuyahoga County Map Records; thence southeasterly along said northwesterly extension and along said northeasterly line of said Sublot No. 47 and continuing southeasterly along the northeasterly lines of Sublots Nos. 46 and 45 in said Curtiss Ambler and Johnson Allotment and along its southeasterly extension to the center line of Tecumseh Court, N.E.; thence northeasterly along said center line of Tecumseh Court, N.E. to the center line of East 108 Street; thence southeasterly along said center line of East 108 Street continuing southeasterly across Superior Avenue, N.E. and continuing southeasterly along said center line of East 108 Street to the place of beginning.

Section 4. That the designation of the area set forth in Section 3 hereof as the Glenville Business Revitalization District shall be noted on the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed December 16, 1996.
Effective January 25, 1997.

Ord. No. 1705-96.
By Councilmen Coats, Johnson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the southeast corner of East 124th Street and St. Clair Avenue to Giltz & Associates, or their designee.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located at the southeast corner of East 124th Street and St. Clair Avenue; 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:

Parcel No. 1

603 East 124th Street
PPN: 110-06-010, 011, 012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being parts of Sublots Nos. 11, 12, 13 and 14 and all of Sublot No. 15 in the Burrow's and Putt's Subdivision of part of Original East Cleveland Lot No. 364, as recorded in Volume 16, Page 29 of Cuyahoga County Map Records and part of Sublot No. 1 in The G.M. Hicks Glenville Addition of part of Original East Cleveland Lot No. 365, as recorded in Volume 20, Page 23 of Cuyahoga County Map Records and bounded and described as follows:

Beginning at the intersection of the Easterly line of East 124th Street (40 feet wide) and the Southerly line of St. Clair Avenue N.E. (80 feet wide);

Thence due South along said Easterly line of East 124th Street, 79.00 feet to the Southerly line of land conveyed to Sam Hershman, by deed dated June 23, 1964 and recorded in Volume 11157, Page 667 of Cuyahoga County Deed Records, which point is the principal place of beginning;

Thence South 89° 37' 34" East along said Southerly line of land conveyed to Sam Hershman 96.69 feet to the Northerly line of land conveyed to the City of Cleveland, by deed dated January 23, 1959 and recorded in Volume 9473, Page 660 of Cuyahoga County Deed Records;

Thence South 81° 08' 00" East along said Northerly line 49.91 feet to a point;

Thence due South 55.72 feet to a point;

Thence North 89° 37' 34" West 26.60 feet to a point;

Thence due South 76.71 feet to its intersection with the Westerly prolongation of the Northerly line of Sublot No. 5 in said above G.M. Hicks Glenville Addition;

Thence North 89° 54' 34" East along said Westerly prolongation of the Northerly line of Sublot No. 5; 5.51 feet to the Easterly line of said Sublot No. 14;

Thence due South along said Easterly line of Sublot No. 14 and the Easterly line of said Sublot No. 15, 63.25 feet to the Southerly line of said Sublot No. 15;

Thence North 89° 37' 34" West, along said Southerly line of Sublot No. 15, 125.00 feet to the aforesaid Easterly line of East 124th Street;

Thence due North along said Easterly line of East 124th Street 158.01 feet to the principal place of beginning and containing about 26,000 square feet of land.

Parcel No. 2

608 East 125th Street
PPN: 110-06-038

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot No. 5 in G.M. Hicks Glenville Addition, of part of Original East

Cleveland Lot No. 365, as recorded in Volume 20, Page 23 of Cuyahoga County Map Records said Sublot having a frontage of 40.00 feet on the Westerly side of East 125th Street (60 feet wide) and extending back between parallel lines of equal depth 126.00 feet and containing 5,040 square feet of land.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Giltz & Associates, or their designee, at a price not less than fair market value as determined by the Board of Control.

Section 3. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the board of control or director of law protecting the parties as their respective interests require. The deed shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs, a reversionary clause providing that the property will revert to the City if the development of the parcels does not go forward within a period of time to be specified by the Board of Control, and a provision allowing the City to seek repayment from the grantee of any monies expended by the City for demolition related to the development of these parcels if the said development does not go forward.

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1708-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Port Control to enter into a License Agreement with the United States Department of Commerce for the installation, operation and maintenance of Automated Surface Observing System equipment at Cleveland Hopkins International Airport and Burke Lakefront Airport.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into a License Agreement with the United States Department of Commerce granting use of premises and facilities at Cleveland Hopkins International Airport and Burke Lakefront Airport for the installation, operation, maintenance, repair, and replacement of Automated Surface Observing Systems equipment. Said Agreement shall be for a term of fifteen (15) years commencing upon execution by the Director. No rent shall be paid by the Depart-

ment of Commerce for the term. All structures, fixtures or equipment placed by the Department of Commerce on the premises shall be and remain the exclusive property of the Department of Commerce.

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1712-96.
By Councilman Lewis.
An ordinance to change the Use, Area, and Height Districts of lands on the westerly side of East 76 Place to approximately 212 feet west, and south of Superior Avenue. (Map Change No. 1918, Sheet No. 4)

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

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

Beginning at the intersection of the northeasterly extension of the northwesterly line of Sublot No. 70 in the James Decker Subdivision as recorded in Volume 20, Page 10 of the Cuyahoga County Map Records and the center line of East 76 Place; thence southeasterly along said center line of East 76 Place to its intersection with a line located one hundred fifty one (151) feet, eight (8) inches northwest of the northwesterly line of Star Avenue, N.E.; thence westerly along said line which is parallel to and one hundred fifty one (151) feet, eight (8) inches northwest of said northwesterly line of Star Avenue, N.E. to its intersection with the southwesterly line of Sublot No. 73 in said James Decker Subdivision; thence northwesterly along said southwesterly line of said Sublot No. 73 and continuing northwesterly along the southwesterly line of Sublot No. 72 in said James Decker Subdivision to its intersection with a line located approximately one hundred eighty one (181) feet southeast of the southeasterly line of Superior Avenue, N.E.; thence southwesterly from said point for a distance of approximately one hundred twenty nine and twenty hundredths (129.20) feet to a point located approximately one hundred seventy five (175) feet southeast of said southeasterly line of Superior Avenue, N.E. (being located at the southwesterly line of Sublot No. 9 in the Morganstern Est. Non Recorded Subdivision); thence northwesterly from said point along said southwesterly line of said Sublot No. 9 to its intersection with a line located approximately one hundred nineteen (119) feet southeast of said southeasterly line of Superior Avenue, N.E.; thence northeasterly along said line which is parallel to and approximately one hundred nineteen (119) feet southeast of said southeasterly line of Superior Avenue, N.E. to its intersection with the southwesterly line of Sublot No. 11 in said Morganstern Est. Non Recorded Subdivision; thence southeasterly along said southwesterly line of said Sublot No. 11 to its intersection with a line located approximately one hundred twenty six (126) feet southeast of

said southeasterly line of Superior Avenue, N.E.; thence northeasterly along said line which is parallel to and approximately one hundred twenty six (126) feet southeast of said southeasterly line of Superior Avenue, N.E. to its intersection with the southwesterly line of said Sublot No. 70; thence northwesterly along said southwesterly line of said Sublot No. 70 to its intersection with said northwesterly line of said Sublot No. 70; thence northeasterly along said northwesterly line of said Sublot No. 70 and along its northeasterly extension to the place of beginning,

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

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1918, Sheet No. 4 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed December 16, 1996.
Effective January 25, 1997.

Ord. No. 1751-96.
By Councilmen Johnson, Rybka and Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 708-96, passed July 17, 1996, relating to the execution of an easement granting to the Northeast Ohio Regional Sewer District certain easement rights to property located at East 55th Street and Brookside Park, and declaring said easement rights no longer needed for public use.

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

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

Section 1. That Section 1 of Ordinance No. 708-96, passed July 17, 1996, is hereby amended to read as follows:

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 an easement interest in the following described property is no longer needed for public use:

LEGAL DESCRIPTION
OF A PERMANENT
SEWER EASEMENT ON
PROPERTY OWNED BY
CITY OF CLEVELAND
SLUDGE FORCE MAIN
EASEMENT NO. 143C2-2
EAST 55TH STREET
BETWEEN BLANCHE
AND LINTON AVENUES

PPN: 131-24-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original 100 acre Lot Number 320 and also part of Sub Lot Number 149 in Heisel, Hamm, Wagner and Wageman's Subdivision as recorded

in Volume 6 of Maps, Page 3 of Cuyahoga County Records and bounded and described as follows:

Beginning at a stone monument found at the intersection of the centerlines of East 55th Street (50 feet wide) and Blanche Avenue (40 feet wide);

Thence South 89° 14' 20" West 11.88 feet along the centerline of Blanche Avenue to an angle point;

Thence South 54° 24' 35" West 26.11 feet along said centerline to a point on the Northerly extension of the Westerly line of East 55th Street;

Thence South 18° 47' 27" East 37.19 feet along said extension to its intersection with the Southerly line of said Blanche Avenue;

Thence continue South 18° 47' 27" East 149.69 feet along the Westerly line of East 55th Street (80 feet wide) and its Southerly extension to the principal place of beginning on the Northwesterly line of Grantor's property;

Thence North 68° 51' 45" East 5.90 feet along Grantor's Northwesterly property line to a point on the Westerly line of East 55th Street (44 feet wide);

Thence South 26° 00' 58" East 38.08 feet along said Westerly line to a point on Grantor's Southerly property line;

Thence South 89° 14' 20" West 21.76 feet along Grantor's Southerly line to a point;

Thence North 18° 47' 27" West 30.39 feet to a point on Grantor's Northwesterly property line;

Thence North 68° 51' 45" East 10.01 feet along Grantor's Northwesterly line to the principal place of beginning, containing 616.18 square feet, more less, but subject to all highways and easements of record.

Grantor claims title by deed recorded December 22, 1921 in Volume 2556, page 391 of Cuyahoga County Records.

**LEGAL DESCRIPTION
OF A PERMANENT EASEMENT
ON PROPERTY OWNED BY
CITY OF CLEVELAND
NEORSD PROPERTY NO. BCI-3-3P
BROOKSIDE PARK DRIVE
EAST OF FULTON
PARKWAY ROAD**

adjacent to PPN: 014-23-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot No. 44 and further bounded and described as follows:

Beginning at a point on the Easterly line of Fulton Parkway Road SW (100 feet wide), which point is 55.04 feet from the centerline of said Fulton Parkway Road and said point also being the most Southwesterly corner of a Parcel No. 1 of land conveyed to the Board of Park Commissioners of the Cleveland Metropolitan Park District by deed dated March 26, 1970 and recorded in Volume 12598, Page 525 of the Cuyahoga County Deed Records;

Thence, North 89° 13' 03" East along the Southerly property line of said Parcel No. 1, 73.64 feet to the principal place of beginning;

Thence, North 89° 13' 03" East continuing along said Southerly property line of Parcel No. 1, 31.50 feet to a point therein;

Thence, South 18° 31' 02" East, 62.99 feet to a point in the Northerly property line of a Parcel No. 2 of land conveyed to the Board of Park

Commissioners of the Cleveland Metropolitan Park District by deed dated March 26, 1970 and recorded in Volume 12598, Page 525 of the Cuyahoga County Deed Records;

Thence, South 89° 13' 03" West along said Northerly property line of Parcel No. 2, 31.50 feet to a point therein;

Thence, North 18° 31' 02" West, 62.99 feet to the principal place of beginning and containing 1,890 square feet of land be the same more or less, but subject to all legal highways.

Bearings used are based on Cleveland Regional Geodetic Surveys Coordinate System.

Section 2. That existing Section 1 of Ordinance No. 708-96, passed July 17, 1996, is hereby repealed.

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 1795-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10708-12 St. Clair Avenue to Glenville Development Corp.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 108-28-007, as more fully described in Section 2 below, to Glenville Development Corp.

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

P.P. No. 108-28-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 26 and 27 in the Linn and Issell Subdivision of part of Original One Hundred Acre Lot No. 362, as shown by the recorded plat of said Subdivision in Volume 38 of Maps, Page 16 of Cuyahoga County Records and bounded and described

as follows: Beginning in the Southerly line of St. Clair Avenue, N.E. and the Northeast corner of said Sublot No. 27; thence South along the East line of said Sublot No. 27, 120 feet; thence Westerly parallel with said South line of St. Clair Avenue, N.E., 41.23 feet; thence Northerly parallel with the East line of said Sublot No. 26 and 5/10 feet distant Westerly at right angles therefrom, 120 feet; to the Southerly line of St. Clair Avenue, N.E.; thence Easterly along said Southerly line of St. Clair Avenue, N.E., 41.23 feet to the place of beginning, as appears by said plat.

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.

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 1796-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of cleaning and cement mortar lining distribution water mains, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of cleaning and cement mortar lining distribution water mains, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities is hereby authorized

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20965.

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 1837-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1778 Crawford to Harry and Mary Sykes.

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. 119-03-031, as more fully described in Section 2 below, to Harry and Mary Sykes.

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. 119-03-031

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. 399 and also part of Sublot No. 10 in the Oliver Hough Heirs' allotment of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 3 of Maps, Page 21 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Northwesterly line of Crawford Road N.E. (60 feet wide) at its point of intersection

with the Southerly line of Brookline Avenue, N.E. (30 feet wide); thence Westerly along said Southerly line of Brookline Avenue, N.E., 220.54 feet; thence Southerly on a line at right angles with said Southerly line of Brookline Avenue, N.E., 60 feet to the Southerly line of said Sublot No. 10; thence Easterly along said Southerly line of said Sublot No. 10, about 86.58 feet to a point in said Southerly line, which is 91.71 feet Westerly from its point of intersection with said Northwesterly line of Crawford Road, N.E.; thence Southeasterly along the Northeastery line of land conveyed by F. B. Fox and wife, to Miles E. Williams by deed recorded in Volume 446, Page 332 of Cuyahoga County Records, 75.05 feet to the Northwesterly line of Crawford Road, N.E.; thence Northeasterly along said Northwesterly line of Crawford Road, N.E.; about 126 feet to the point 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.

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 December 16, 1996.

Effective December 24, 1996.

Ord. No. 1844-96.
By Councilmen White, Johnson, Jackson, Lewis, Rybka and Paulenske (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to WorldCom Network Services, Inc. to install, operate, and maintain an underground long distance telecommunications cable which will encroach into the right-of-way of various streets within the City of Cleveland.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with consent of the Director of Public Service, to WorldCom Network Services, Inc., a Delaware Corporation, One Williams Center, P.O. Box 21348, Tulsa, Oklahoma 74121; its successors and assigns, for the construction, use and maintenance of an underground long distance telecommunications cable, which will encroach into the rights-of-way of various streets within the City of Cleveland at the locations more fully described as follows:

TELECOMMUNICATION CABLE CROSSING STREETS R/W IN CLEVELAND, OHIO

1. East 93rd Street at Broadway
2. Warner Road S.E.-Crossing between 4217-4239
3. Broadway S.E.-Crossing between 8501-8601
4. Harvard S.E. - Crossing between 8200-8500
5. Aetna Road S.E. - Crossing between 8300-8400
6. Union Avenue S.E. - Crossing between 8200-8300
7. Bessemer Avenue S.E. - Crossing between 8400-8300
8. Kinsman Road Viaduct - Crossing between 8400-8600
9. Holton Avenue S.E. - Crossing between 8400-8900
10. East 79th Street - Crossing between 2610-2670
11. Woodland Avenue S.E. - Crossing between 7700-7800
12. Platt Avenue S.E. - Crossing between 7500-7600
13. East 71st Street - Crossing between 2400-2415
14. Quincy Avenue S.E. - Crossing between 7019-7089
15. Central Avenue S.E. - Crossing between 6700-6800
16. Cedar Avenue - Crossing between 6100-6800
17. Carnegie Avenue S.E. - Crossing between 5905-6100
18. Euclid Avenue/SR 20 and East 55th Street Crossing
19. Chester Avenue N.E. /SR 322 - Crossing between 5100-5212
20. Perkins Avenue N.E. - Crossing between 4619-4699
21. Commerce (Hough) Avenue N.E. - Crossing between 4201 -4301
22. East 40th Street - Crossing between 1700-1774
23. Payne Avenue - Crossing between 3935-3955
24. Superior Avenue N.E./SR 6 - Crossing between 3715-3859
25. St. Clair Avenue N.E./SR 283 - Crossing between 3609-3715
26. Hamilton Avenue N.E. - Crossing between 3400-3500
27. East 33rd Street - Crossing between 1304-1240
28. I-90 (Aerial over I-90 in railroad balast) no DOT permit necessary
29. East 26th Street - Crossing between 1221-1150
30. 9th Street East - Crossing 135' North of #1140
31. Highway 2 (DOT)
32. West 3rd Street

Section 2. That said long distance telecommunications cable shall be placed in the public right-of-way at the locations as aforesaid, and shall be constructed in accordance with plans and a specifications approved by the Commissioner of Engineering and Construction.

Section 3. That the permit herein authorized shall be prepared by the Director of Law and shall be issued

only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1928-96.
By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Caterpillar and Gradall equipment parts, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21053)

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1929-96.
By Councilmen Paulenske, Jackson and Rokakis (by departmental request).

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

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

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

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

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

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

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

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

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

Section 7. That the Director of

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

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

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

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

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1930-96.
By Councilmen Paulenske, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for a Section 108 Loan from the United States Department of Housing and Urban Development in order to provide economic assistance to partially finance the redevelopment of the Bardons and Oliver Building and to enter into contract with Water Street Associates, Limited Liability Company, or its designee, to provide economic development assistance for the redevelopment of the Bardons and Oliver Building.

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

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

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

Section 2. That the Director of Community Development is hereby authorized to file all papers and execute all documents necessary to apply for the 108 Loan from HUD, to enter into contract with HUD, to pledge any and all collateral necessary to secure repayment thereof under the 108 Loan agreement (including without limitation future

Community Development Block grant funds), and receive the funds; and that said funds be and they hereby are appropriated for the purposes of providing economic assistance to partially finance the redevelopment of the Bardons and Oliver Building located at 1133 West Ninth Street, as more specifically set forth in the application for said 108 loan.

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

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

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

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

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

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

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

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

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

Passed December 16, 1996.
Effective December 24, 1996.

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

An emergency ordinance authorizing the Director of Community

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

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

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

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

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1931-96-A.

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

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

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

Section 6. That the Director of Community Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing, and servicing of the loan.

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

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

Passed December 16, 1996.
Effective December 24, 1996.

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

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

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 129-25-106 and 128-20-056, as more fully described in Section 2 below, to Buckeye Area Development Corp. or designee.

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

P.P. No. 129-25-106

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

Subject to Zoning Ordinances, if any.

P. P. No. 128-20-056

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

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

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

Section 5. That the conveyance authorized hereby shall be made by

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

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1935-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance to amend the title, Section 1 and Section 2 of Ordinance No. 1006-95, passed June 19, 1995, relating to an agreement for the purchase of not to exceed forty eight motor vehicles, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Section 1. That the title, Section 1 and Section 2 of Ordinance No. 1006-95, passed June 19, 1995, are, respectively, hereby amended to read as follows:

An emergency ordinance authorizing and directing the purchase by contract of not to exceed forty eight motor vehicles, for the Division of Cleveland Public Power, Department of Public Utilities.

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed forty-eight (48) motor vehicles, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. The contract or contracts authorized herein shall require that, provided that sufficient competition can be generated to ensure that compliance with the following requirement will not result in an excessive price for the motor vehicles or the acquisition of a disproportionately inferior motor vehicle, all bids will be evaluated to give a preference to motor vehicles which are made in the United States, and, among motor vehicles which are made in the United States, to those made wholly or partially in Ohio. Prior to soliciting bids for the contract or contracts authorized herein, the Commissioner of Purchases and Supplies shall establish guidelines for applying such guidelines in the bid specifications for said contract or contracts.

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

Section 2. That the existing title, Section 1 and existing Section 2 of Ordinance No. 1006-95, passed June 19, 1995, are hereby repealed.

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1937-96.
By Councilmen Paulenske, Jackson, Rybka and Rokakis (by departmental request).

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

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

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

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

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

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

Section 1. That based upon information and data presented to this Council and the information contained in Council File No. 1937-96-A, it is hereby found and determined that the area located at 133 West Ninth Street (Permanent Parcel Nos. 101-08-006 and 101-08-007) is a blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

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

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

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland in accordance with the terms and conditions set forth in the executive

summary contained in the Council File referenced in Section 1 hereinabove.

Section 4. That the Director of Community Development ("Director") shall annually, not later than June 1 of each year during the period of the exemption, report to the Community and Economic Development Committee ("Committee") on the rate of return on equity participation generated by the property authorized herein for exemption (Rate of Return). Where the annual average Rate of Return for the period beginning on the date the exemption becomes effective to December 31 immediately preceding said report is between Nine and One-quarter Percent (9.25%) and Fourteen and One-quarter Percent (14.25%) the Director shall make a recommendation to the Committee regarding reducing or eliminating the exemption.

Section 5. That, in the event the owner of such property authorized herein for exemption desires to transfer fee ownership of the property during the exemption period, the Director shall report same to the Committee with a recommendation regarding reducing or eliminating the exemption.

Section 6. That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 et seq. of the Ohio Revised Code and this ordinance.

Section 7. That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

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

Passed December 16, 1996.
Effective December 24, 1996.

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

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

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

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

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

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

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

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

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

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

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland in accordance with the terms and conditions set forth in the executive summary contained in the Council File referenced in Section 1 hereinabove.

Section 4. That the Director of Community Development ("Director") shall annually, not later than June 1 of each year during the period of the exemption, report to the Community and Economic Development Committee ("Committee") on the rate of return on equity participation generated by the property authorized herein for exemption (Rate of Return). Where the annual average Rate of Return for the period beginning on the date the exemption becomes effective to December 31 immediately preceding said report is between Ten Percent (10.0%) and Fifteen Percent (15.0%) the Director shall make a recommendation to the Committee regarding reducing or eliminating the exemption.

Section 5. That, in the event the owner of such property authorized herein for exemption desires to transfer fee ownership of the property during the exemption period, the Director shall report same to the Committee with a recommendation regarding reducing or eliminating the exemption.

Section 6. That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by

Section 3735.65 *et seq.*, of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 *et seq.*, of the Ohio Revised Code and this ordinance. That this exemption from real property taxation is contingent upon all applicable requirements of Section 3735.65 *et seq.*, of the Ohio Revised Code and this ordinance having been met.

Section 7. That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 1940-96.

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

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

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

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

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

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

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

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

P.P. No. 143-09-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 124 in the Lee Miles Subdivision, of part of Original Warrensville Township Lot No. 83, as shown by the recorded plat in Volume 102 of Maps, Page 22 of Cuyahoga County Records, and also a part of two vacated alleys immediately adjacent

thereto, said alleys being vacated by Cleveland Ordinance No. 2383-53, dated December 14, 1953 and Ordinance No. 2382-53, dated December 7, 1953, and also the Southerly 14.00 feet of Dynes Avenue, S.E., as vacated by Cleveland Ordinance No. 1409-67 and shown in Volume 201 of Maps, Page 11 of Cuyahoga County Records, which accrues to said Sublot No. 124 and the previous two vacated alleys and together forming a parcel of land being about 80 feet, along the centerline of Dynes Avenue N.E., as so vacated, and extending back about 98.44 feet on the Westerly line, about 71.00 feet on the Easterly line, which is along the center line of said vacated alley, and having a rear line of about 84.57 feet along the center line of said vacated alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 1944-96.

By Councilman Robinson.

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

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

Section 1. That the Use and Area Districts of lands bounded and described as follows, Beginning at the intersection of the center line of Chapelside Avenue, S.E. and the center line of East 131 Street; thence northerly along said center line of East 131 Street to the center line of Southview Avenue, S.E.; thence easterly along said center line of Southview Avenue, S.E. to its intersection with the northerly extension of a line located two hundred eighty

(280) feet east of the easterly line of East 131 Street; thence southerly along said northerly extension and along said line which is parallel to and two hundred eighty (280) feet east of said easterly line of East 131 Street to its intersection with the southerly line of Sublot No. 80 in the Southview (L. J. Sinnott) Allotment as recorded in Volume 61, Page 4 of the Cuyahoga County Map Records; thence easterly along said southerly line of said Sublot No. 80 and continuing easterly along the southerly line of Sublots Nos. 79, 78, 77 and 76 in said Southview (L. J. Sinnott) Allotment to its intersection with the easterly line of Sublot No. 4 in the J. V. Kofron Allotment as recorded in Volume 44, Page 27 of the Cuyahoga County Map Records; thence southerly along said easterly line of said Sublot No. 4 and along its southerly extension to the center line of Chapelside Avenue, S.E.; thence westerly along said center line of Chapelside Avenue, S.E. to the place of beginning, and as outlined in red on the map hereto attached, be and the same are hereby changed to a Multi-Family Use District and a 'C' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1920, Sheet No. 10 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed December 16, 1996.
Effective January 25, 1997.

Ord. No. 1946-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

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

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-16-122, as more fully described in Section 2 below, to Rose Johnson/Hazel Bell.

Section 2. That the real property to be sold pursuant to Section 1 of

this Ordinance is more fully described as follows:

P.P. No. 107-16-122

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

Also subject to zoning ordinances, if any.

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

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

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

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1947-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

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

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

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

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

a municipal department; now, therefore,

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

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

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

P.P. No. 105-29-072

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

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1948-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

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

Whereas, the City of Cleveland

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-05-150, as more fully described in Section 2 below, to Bernice Gibbs.

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

P.P. No. 106-05-150

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

Also subject to zoning ordinances, if any.

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

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

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

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

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 1949-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

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

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-16-155, as more fully described in Section 2 below, to Dorothy M. and Elaine Eggleton.

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

P.P. No. 107-16-155

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

Subject to zoning ordinances, if any.

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

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

Section 5. That the conveyance

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

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 1950-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

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

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

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

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

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

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

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

P.P. No. 119-05-048

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

Also subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months

of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

Passed December 16, 1996.
Effective December 24, 1996.

**Ord. No. 1968-96.
By Councilmen Coats and Rokakis
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of rebuilt transmissions, including installation, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

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

against such contract duly certified by the Director of Finance. (RL 21057)

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

Passed December 16, 1996.
Effective December 24, 1996.

**Ord. No. 1969-96.
By Councilmen Coats and Rokakis
(by departmental request).**

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21056)

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

Passed December 16, 1996.
Effective December 24, 1996.

**Ord. No. 1971-96.
By Councilmen Coats and Rokakis
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and

materials necessary to repair, clean, recore, and replace, if necessary, radiators, heater cores, gas tanks, and air conditioning units in city vehicles and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

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

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

Passed December 16, 1996.
Effective December 24, 1996.

**Ord. No. 1972-96.
By Councilmen Coats and Rokakis
(by departmental request).**

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

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

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

Section 1. That the Director of Public Service is hereby authorized

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21054)

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1976-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to create, furnish and accessorize office space, for the various divisions of the Department of Port Control.

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

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

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

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

Section 3. That the cost of said contract hereby authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 101, 60 SF 102, 60 SF 103, 60 SF

104, 60 SF 105, 60 SF 106 and 60 SF 210, Request No. 22555.

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 1977-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Port Control to enter into an agreement with the Greater Cleveland Convention and Visitors Bureau for installation and maintenance of electronic message boards, a billboard, a visitor information booth and kiosks at Cleveland Hopkins International Airport.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into an agreement with the Greater Cleveland Convention and Visitors Bureau for installation and maintenance of electronic message boards, one billboard, one visitor information booth and kiosks at Cleveland Hopkins International Airport. The term shall commence upon date of execution of the agreement and may be terminated with or without cause by either party upon 30 days written notice.

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

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 2022-96.
By Councilmen Coats and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of Crane carrier cab and chassis parts and labor, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976,

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21061)

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 December 16, 1996.
Effective December 24, 1996.

Ord. No. 2023-96.
By Councilmen Coats and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of Everest dump body salt spreader system parts, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21062)

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 December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2024-96.
By Councilmen Coats and Rokakis
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for vehicle frame repair and alignments, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21063)

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 December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2025-96.
By Councilmen Coats and Rokakis
(by departmental request).**

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21064)

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 December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2027-96.
By Councilmen Coats and Rokakis
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of Galion grader, road planer and roller parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21066)

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 December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2028-96.
By Councilmen Coats and Rokakis
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of various salt spreader and insert plow parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various salt spreader and insert plow parts, including labor if necessary, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21067)

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 December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2029-96.
By Councilmen Coats and Rokakis
(by departmental request).**

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

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

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

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

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

by the Director of Finance. (RL 21068)

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 December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2030-96.
By Councilmen Coats and Rokakis
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of E.Z. pack packer parts, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21069)

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 December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2034-96.
By Councilmen Patton and Rokakis
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by

contract of not to exceed ten pipe locators and cases, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed ten (10) pipe locators and cases, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20968.

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 December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2036-96.
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 Ohio Attorney General Local Law Enforcement Fund of the Cleveland Foundation for the Police-Purchase of Bulletproof Vests Grant.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$61,275.00, from Ohio Attorney General Local Law Enforcement Fund, of the Cleveland Foundation to conduct the Police-Purchase of Bulletproof Vests Grant, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 2036-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 2038-96.
By Councilmen Robinson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1997 Target Cities Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$105,000.00, from the Alcohol and Drug Addiction Services Board of Cuyahoga County, to conduct the 1997 Target Cities Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 2038-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Health shall conduct a study of the outcome of this treatment program. The study shall include an analysis of progress during treatment and shall also involve tracking people that have received treatment for a significant period of time following their discharge from treatment.

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

Passed December 16, 1996.
 Effective December 24, 1996.

Ord. No. 2039-96.
By Councilmen Robinson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Federation for Community Planning for the 1997 Health Services for Residents of Public Housing Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$90,000, from the Federation for Community Planning, to conduct the 1997 Health Services for Residents of Public Housing Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that

said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 2039-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed December 16, 1996.
 Effective December 24, 1996.

Ord. No. 2041-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance to enter into contract for the purchase of labor and materials necessary to perform carpentry work, repair or replace countertops, and make other needed improvements to the offices of the Clerk of the Cleveland Municipal Court.

Whereas, On March 5, 1996, the City of Cleveland and the Board of Commissioners of Cuyahoga County entered into a Settlement Agreement that contemplates that the County will perform painting and carpeting for the Clerk upon approval of the City's Director of Finance; and

Whereas, certain other needed improvements to the offices occupied by the Clerk of the Cleveland Municipal Court are not expressly covered by that Settlement Agreement; and

Whereas, certain of the items of labor and materials needed for the contemplated improvements are solely available through the co-occupant of the building, Cuyahoga County, while others can be purchased by competitive bid; and

Whereas, it is the intent of this Council to grant the Clerk of the Cleveland Municipal Court authority to obtain the necessary labor and materials for these improvements both through direct contract with Cuyahoga County and through competitive purchases made by the City's Division of Purchases and Supplies; 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 certain items of labor and materials needed to make improvements to the offices of the Clerk of the Cleveland Municipal Court cannot be secured from any source other than the co-occupant of the building, Cuyahoga County. Therefore, the Director of Finance is hereby authorized to make a written contract with the Board of Commissioners of Cuyahoga County on the basis written proposals received from the Superintendent of the Justice Center Complex for various items of labor or materials needed for such improvements, including the purchase of carpentry services, drywall, signs, painting supplies and other items of labor or materials necessary to make improvements to the offices in the Justice Center occupied by the Clerk of Courts, to

be purchased by the Commissioner of Purchases and Supplies upon either a gross or unit basis.

Section 2. That in addition to the authority granted in Section 1, the Director of Finance is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for items of labor and materials that are needed to improve the offices of the Clerk of the Cleveland Municipal Court including, without limitation, each or all of the following items: labor and materials necessary to repair or replace countertops, perform carpentry, relocate a wall or walls, and to make other necessary improvements to the offices occupied by the Clerk of the Cleveland Municipal Court, to be purchased by the Commissioner of Purchases and Supplies for either a unit or a gross price, for the Clerk of the Cleveland Municipal Court.

Section 3. That the cost of the contracts authorized by this ordinance shall be paid from Fund Nos. 20 SF 320 and 20 SF 310, Request No. 22634.

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

Passed December 16, 1996.
 Effective December 24, 1996.

Ord. No. 2042-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials needed to remove and install carpeting in the courtrooms, judges' chambers and offices, for the Department of Finance, on behalf of the Cleveland Municipal Court.

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, on behalf of the Cleveland Municipal Court is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials needed to remove and install carpeting in the courtrooms, judges' chambers and offices, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Finance, on behalf of the Cleveland Municipal Court.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 20 SF 331, Request No. 21813.

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 December 16, 1996.
 Effective December 24, 1996.

Ord. No. 2043-96.**By Councilmen Westbrook and Rokakis (by departmental request).****An emergency ordinance authorizing and directing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.**

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

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

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

Claimant	Claim No.	Amount	Division	Fund
Dallas Palmer	10120	\$ 85.00	Water Pollution Control	54 SF 001
Lewis Krehel	10121	1,200.00	Water Pollution Control	54 SF 001
Freddie Stewart	10124	141.60	Water Pollution Control	54 SF 001
Alan Negrelli	10136	2,550.00	Water Pollution Control	54 SF 001
Connie Parsons	10159	419.78	Water Pollution Control	54 SF 001
Hiley D. Rainey	10213	1,500.00	Water Pollution Control	54 SF 001
W. Robert Chambers	9968	500.00	Water	54 SF 001
Bertha Brooks	9874	300.00	Cleveland Public Power	54 SF 001
Essex Howard	10043	71.00	Police	01-60-02-0720
Albert Haas	10090	500.00	Police	01-60-02-0720
Lewis A. Fant	10097	502.90	Police	01-60-02-0720
Brian DeLaney	10102	96.00	Police	01-60-02-0720
Mike Matyjasik	10117	1,856.50	Police	01-60-02-0720
Bennie and Jean Perkins	10119	261.13	Police	01-60-02-0720
Frances Edmunds	10125	200.00	Police	01-60-02-0720
Tim and Shirley Kowalski	10143	500.00	Police	01-60-02-0720
Kimberly Jacobs	10150	220.00	Police	01-60-02-0720
Kevin Nahrstedt	10158	1,000.00	Police	01-60-02-0720
John Thompson	10160	70.00	Police	01-60-02-0720
Phillip Stutzman	10161	319.53	Police	01-60-02-0720
Thomas J. Roche	10191	250.00	Police	01-60-02-0720
Jerome D. Diggs	10205	900.00	Police	01-60-02-0720
Valarie McKnight	10209	80.00	Police	01-60-02-0720
Annetta Holliman	10218	80.00	Police	01-60-02-0720
John Simmerly	10217	500.00	Fire	01-60-03-0720
Donna Sandor	10127	445.27	Emergency Medical Service	01-60-04-0720
Catherine Lynch	9914	126.49	Recreation	01-70-02-0720
Walter and Frances Lynn	10001	250.00	Park Maintenance and Properties	01-70-10-0720
Edward and Gloria Rowell	10123	62.00	Park Maintenance and Properties	01-70-10-0720
Dolores Clay	10173	60.00	Park Maintenance and Properties	01-70-10-0720
Jerry White	10175	439.72	Park Maintenance and Properties	01-70-10-0720
Donald Reddick	10186	151.41	Park Maintenance and Properties	01-70-10-0720
The Illuminating Company	10202	150.00	Park Maintenance and Properties	01-70-10-0720
Ora Kirksey	10203	175.00	Park Maintenance and Properties	01-70-10-0720
Theresa Zelesnik	10171	350.00	Park Maintenance (Urban Forestry)	01-70-10-0720
Alice Weldy	10195	36.75	Park Maintenance (Highland Park)	65 SF 001
Bertha Hunter	10212	30.50	Park Maintenance (Highland Park)	65 SF 001
Mary Nagy	10163	2,300.00	Building and Housing	01-80-05-0720
Kasprzak Furniture Co.	10131	209.00	Streets	10 SF 401
John Zadnik	10178	132.20	Streets	10 SF 401

Claimant	Claim No.	Amount	Division	Fund
Eric and Pamela Morgan	10145	250.00	Waste Collection	01-40-03-0720
Cheryl Chubokas	10156	310.92	Waste Collection	01-40-03-0720
Robert Beard	10183	104.32	Waste Collection	01-40-03-0720
Tanya Rumbold, on behalf of Husain Al-Sherif, a minor	10177	13.99	Cleveland Hopkins Airport	60 SF 001
Samsel Supply Co.	10006	469.14	Water Pollution Control	54 SF 001
		— and —		
		469.15	Engineering and Construction	01-40-02-0720

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

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 2119-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a Rental Agreement with the Cleveland Board of Education for the use of South High School gymnasium for the purpose of providing additional recreation facilities for the public.

Whereas, the City of Cleveland wishes to rent a school gymnasium for the purpose of providing additional recreation facilities for the public; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into an agreement with the Board of Education of the Cleveland City School District for rental by permit or contract of the South High gymnasium for the purpose of providing additional recreation facilities for the public, including without limitation youth basketball and volleyball.

Section 2. That the Rental Agreement shall be for the period beginning December 16, 1996, through March 31, 1997, with an option to renew for an additional renewal period through December 31, 1997, and a second renewal period through December 31, 1998, subject to certification by the Director of Finance. In no event shall the City pay more than \$4,830.00 to the Board for the use of the South High School gymnasium during the rental period from December 16, 1996, through March 31, 1997, and said rental fee shall be paid from Fund 01-07-04-0380, Request No. 21406. Funding for the option periods shall be fixed by the Director of Parks, Recreation and Properties Prior to exercising the options to renew, based upon the actual costs incurred to the Board of Education for the City's use of the gymnasium.

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 December 16, 1996.

Effective December 24, 1996.

Ord. No. 2122-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

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

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

Whereas, the area located at 1847 Crawford Road is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

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

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating said Community Reinvestment Area will encourage development in the area located at 1847 Crawford Road and will furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore,

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

Section 1. That based upon the information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area located at 1847 Crawford Road (Permanent Parcel No. 119-05-056) is a blighted and deteriorated area in which housing facilities or structures of historical

significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

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

Section 3. That the rehabilitation of a nineteen (19) unit apartment complex located at 1847 Crawford Road in the Community Reinvestment Area set forth in Section 1 is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of twelve (12) years for 100% of the assessed taxes for the rehabilitation activities described above.

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

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

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 2125-96.**By Councilman Rokakis (by departmental request).**

An emergency ordinance to make additional appropriation of \$300,000 (Three Hundred Thousand Dollars) of the special revenue fund, \$700,000 (Seven Hundred Thousand Dollars) of the Internal Service Fund, and \$530,000 (Five Hundred Thirty Thousand Dollars) of the Enterprise Fund.

Whereas, there remains an unappropriated balance in the various funds, the sum of One million five hundred thirty thousand dollars (\$1,530,000) which is available for additional appropriation; 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 there is hereby appropriated the additional revenue as set forth in the Amended Official Certificate of Estimated Resources received from the Budget Commission of Cuyahoga County for the year 1996, dated April 30, 1996, previously unappropriated as follows:

SPECIAL REVENUE FUND	300,000	
INTERNAL SERVICE FUND	700,000	
ENTERPRISE FUND	530,000	
TOTAL ALL FUNDS	<u>\$1,530,000</u>	
SPECIAL REVENUE FUND		
Street Construction, Maintenance & Repair		\$ 300,000
I. Personnel and Related Expenses	\$ —	
II. Other Expenses	300,000	
TOTAL SPECIAL REVENUE FUND	\$ 300,000	\$ 300,000
INTERNAL SERVICE FUND		
Division of Motor Vehicle Maintenance		\$ 600,000
I. Personnel and Related Expenses	\$ —	
II. Other Expenses	600,000	
Division of Printing and Reproduction	—	\$ 100,000
II. Other Expenses	100,000	
TOTAL INTERNAL SERVICE FUNDS	\$ 700,000	\$ 700,000
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC UTILITIES		
Utilities Administration		\$ 30,000
I. Personnel and Related Expenses	\$ —	
II. Other Expenses	30,000	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$ 30,000	\$ 30,000
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
Convention Center & Stadium-Convention Ctr		\$ 500,000
I. Personnel and Related Expenses	\$ —	
II. Other Expenses	500,000	
TOTAL DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES	\$ 500,000	\$ 500,000
TOTAL ENTERPRISE FUNDS	\$ 530,000	\$ 530,000
TOTAL ALL FUNDS	\$1,530,000	\$1,530,000

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 2126-96.**By Councilman Rokakis (by departmental request).**

An emergency ordinance to make temporary appropriation for the current payrolls and other ordinary expenses of the City of Cleveland for the period from January 1, 1997 until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 1997.

Whereas, it is desired to postpone the passage of the annual appropriation ordinance until an amended cer-

tificate is received, based on the actual balances as the same may be determined by the Director of Finance and the County Budget Commission: 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. To provide for the current payrolls, sinking fund and other ordinary expenses of the City of Cleveland for the period from January 1, 1997, until the effective date of the Annual Appropriation Ordinance for the fiscal year ending December 31, 1997, there be and there is hereby appropriated for the period from January 1, 1997, to the effective date of the Annual Appropriation Three hundred forty five million one hundred forty seven thousand seven hundred sixty five dollars (\$345,147,765) out of taxes due the City of Cleveland and any other revenues accrued or occurring during said period of time and said funds are respectively appropriated as follows:

GENERAL FUND

LEGISLATIVE BRANCH

COUNCIL AND CLERK OF COUNCIL		\$1,100,089
I. Personnel and Related Expenses	\$700,081	
II. Other Expenses	400,008	
TOTAL LEGISLATIVE BRANCH	\$1,100,089	\$1,100,089

MUNICIPAL COURT

JUDICIAL DIVISION		\$4,441,445
I. Personnel and Related Expenses	\$3,375,940	
II. Other Expenses	1,065,506	
CLERK'S DIVISION		2,626,369
I. Personnel and Related Expenses	1,826,583	
II. Other Expenses	799,785	
HOUSING DIVISION		435,305
I. Personnel and Related Expenses	414,021	
II. Other Expenses	21,284	
TOTAL MUNICIPAL COURT	\$7,503,119	\$7,503,119

EXECUTIVE BRANCH

OFFICE OF THE MAYOR		\$535,011
I. Personnel and Related Expenses	\$450,009	
II. Other Expenses	85,001	
TOTAL EXECUTIVE BRANCH	\$535,011	\$535,011

DEPARTMENT OF PUBLIC SAFETY

PUBLIC SAFETY ADMINISTRATION		\$3,628,261
I. Personnel and Related Expenses	\$3,322,775	
II. Other Expenses	305,486	
DIVISION OF POLICE		50,021,975
I. Personnel and Related Expenses	46,022,244	
II. Other Expenses	3,999,731	
DIVISION OF FIRE		24,422,252
I. Personnel and Related Expenses	22,964,212	
II. Other Expenses	1,458,040	
DIVISION OF EMERGENCY MEDICAL SERVICES		4,748,200
I. Personnel and Related Expenses	4,281,217	
II. Other Expenses	466,983	
DIVISION OF TRAFFIC ENGINEERING		1,415,365
I. Personnel and Related Expenses	879,752	
II. Other Expenses	535,613	
DIVISION OF DOG POUND		275,504
I. Personnel and Related Expenses	179,404	
II. Other Expenses	96,100	
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$84,511,558	\$84,511,558

COMMUNITY RELATIONS BOARD		
COMMUNITY RELATIONS BOARD		\$250,634
I. Personnel and Related Expenses	\$235,063	
II. Other Expenses	15,571	
TOTAL COMMUNITY RELATIONS BOARD	\$250,634	\$250,634
DEPARTMENT OF PUBLIC SERVICE		
PUBLIC SERVICE ADMINISTRATION		\$95,041
I. Personnel and Related Expenses	\$90,030	
II. Other Expenses	5,010	
DIVISION OF ARCHITECTURE		190,151
I. Personnel and Related Expenses	170,073	
II. Other Expenses	20,078	
DIVISION OF WASTE COLLECTION & DISPOSAL		10,501,922
I. Personnel and Related Expenses	6,500,853	
II. Other Expenses	4,001,069	
DIVISION OF ENGINEERING AND CONSTRUCTION		1,700,484
I. Personnel and Related Expenses	1,500,481	
II. Other Expenses	200,003	
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$12,487,597	\$12,487,597
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
PARKS, RECREATION AND PROPERTIES ADMINISTRATION		\$185,816
I. Personnel and Related Expenses	\$166,264	
II. Other Expenses	19,552	
DIVISION OF RESEARCH, PLANNING & DEVELOPMENT		216,058
I. Personnel and Related Expenses	171,551	
II. Other Expenses	44,507	
DIVISION OF RECREATION		2,793,777
I. Personnel and Related Expenses	1,970,598	
II. Other Expenses	823,178	
DIVISION OF PARKING FACILITIES - ON STREET		317,820
I. Personnel and Related Expenses	306,100	
II. Other Expenses	11,720	
DIVISION OF PROPERTY MANAGEMENT		3,352,511
I. Personnel and Related Expenses	2,472,131	
II. Other Expenses	880,380	
DIVISION OF PARK MAINTENANCE & PROPERTIES		3,515,667
I. Personnel and Related Expenses	2,883,328	
II. Other Expenses	632,340	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$10,381,649	\$10,381,649
BOXING AND WRESTLING COMMISSION		
BOXING AND WRESTLING COMMISSION		2,702
I. Personnel and Related Expenses	\$2,579	
II. Other Expenses	123	
TOTAL BOXING AND WRESTLING COMMISSION	\$2,702	2,702
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
DIRECTOR'S OFFICE		31,967
I. Personnel and Related Expenses	\$31,967	
DIVISION OF ADMINISTRATIVE SERVICES		\$30,201
I. Personnel and Related Expenses	\$30,201	
DIVISION OF BUILDING & HOUSING		2,507,575
I. Personnel and Related Expenses	2,105,365	
II. Other Expenses	402,210	

DIVISION OF NEIGHBORHOOD SERVICES		28,624
I. Personnel and Related Expenses	28,624	
DIVISION OF NEIGHBORHOOD DEVELOPMENT		186,200
I. Personnel and Related Expenses	73,673	
II. Other Expenses	112,528	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT	\$2,784,567	\$2,784,567
REGULATORY BOARDS & COMMISSIONS		
LANDMARKS COMMISSION		\$35,972
I. Personnel and Related Expenses	\$27,956	
II. Other Expenses	8,016	
BOARD OF BUILDING STANDARDS & APPEALS		54,552
I. Personnel and Related Expenses	50,113	
II. Other Expenses	4,439	
BOARD OF ZONING APPEALS		83,724
I. Personnel and Related Expenses	77,446	
II. Other Expenses	6,277	
BOARD OF EXAMINERS OF PLUMBERS AND ELECTRICIANS		34,923
I. Personnel and Related Expenses	33,440	
II. Other Expenses	1,482	
FAIR CAMPAIGN FINANCE COMMISSION		6,180
II. Other Expenses	6,180	
TOTAL REGULATORY BOARDS	\$215,350	215,350
DEPARTMENT OF ECONOMIC DEVELOPMENT		
ECONOMIC DEVELOPMENT ADMINISTRATION		\$416,473
I. Personnel and Related Expenses	402,757	
II. Other Expenses	13,716	
OFFICE OF EQUAL OPPORTUNITY		\$247,684
I. Personnel and Related Expenses	\$192,123	
II. Other Expenses	55,561	
CITY PLANNING COMMISSION		\$480,336
I. Personnel and Related Expenses	\$459,784	
II. Other Expenses	20,552	
PORT CONTROL-HARBOR DEVELOPMENT		\$19,604
I. Personnel and Related Expenses	\$19,604	
II. Other Expenses	—	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$1,164,096	\$1,164,096
DEPARTMENT OF PUBLIC HEALTH		
HEALTH ADMINISTRATION		\$120,714
I. Personnel and Related Expenses	\$50,695	
II. Other Expenses	70,019	
DIVISION OF CORRECTION		2,243,078
I. Personnel and Related Expenses	1,622,916	
II. Other Expenses	620,162	
DIVISION OF HEALTH		\$997,675
I. Personnel and Related Expenses	\$727,127	
II. Other Expenses	270,548	
DIVISION OF THE ENVIRONMENT		638,138
I. Personnel and Related Expenses	540,975	
II. Other Expenses	97,163	
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$3,999,604	\$3,999,604

DEPARTMENT OF AGING		
DEPARTMENT OF AGING		\$78,745
I. Personnel and Related Expenses	\$64,934	
II. Other Expenses	13,811	
TOTAL DEPARTMENT OF AGING	\$78,745	\$78,745
SUPPORT FUNCTIONS		
FINANCIAL AND LEGAL ADMINISTRATION		
DEPARTMENT OF FINANCE		
FINANCE ADMINISTRATION		\$107,144
I. Personnel and Related Expenses	\$85,896	
II. Other Expenses	21,248	
DIVISION OF ACCOUNTS		468,686
I. Personnel and Related Expenses	223,069	
II. Other Expenses	245,617	
DIVISION OF ASSESSMENTS & LICENSES		303,990
I. Personnel and Related Expenses	258,858	
II. Other Expenses	45,132	
DIVISION OF TREASURY		124,646
I. Personnel and Related Expenses	104,852	
II. Other Expenses	19,794	
DIVISION OF PURCHASES & SUPPLIES		209,520
I. Personnel and Related Expenses	170,472	
II. Other Expenses	39,048	
BUREAU OF INTERNAL AUDIT		190,997
I. Personnel and Related Expenses	57,152	
II. Other Expenses	133,845	
DIVISION OF FINANCIAL REPORTING AND CONTROL		350,317
I. Personnel and Related Expenses	277,823	
II. Other Expenses	72,494	
TOTAL DEPARTMENT OF FINANCE	\$1,755,300	\$1,755,300
OFFICE OF BUDGET & MANAGEMENT-BUDGET ADMIN.		\$139,620
I. Personnel and Related Expenses	\$128,906	
II. Other Expenses	10,715	
LAW		\$2,352,039
I. Personnel and Related Expenses	\$1,439,394	
II. Other Expenses	912,645	
TOTAL FINANCIAL AND LEGAL ADMINISTRATION	\$4,246,960	\$4,246,960
PERSONNEL ADMINISTRATION		
OFFICE OF PERSONNEL		\$688,474
I. Personnel and Related Expenses	\$388,443	
II. Other Expenses	300,031	
CIVIL SERVICE COMMISSION		375,662
I. Personnel and Related Expenses	238,142	
II. Other Expenses	137,520	
TOTAL PERSONNEL ADMINISTRATION	\$1,064,136	\$1,064,136
NON DEPARTMENTAL		
TRANSFERS TO OTHER FUNDS		\$5,000,000
II. Other Expenses	\$5,000,000	
OTHER ADMINISTRATIVE		6,000,000
II. Other Expenses	6,000,000	
TOTAL NON DEPARTMENTAL	\$11,000,000	\$11,000,000
TOTAL SUPPORT FUNCTIONS	\$16,311,097	\$16,311,097
TOTAL GENERAL FUND	\$141,325,816	\$141,325,816

SPECIAL REVENUE FUND		
RESTRICTED INCOME TAX FUND		\$27,300,000
I. Capital	\$15,500,000	
II. Debt Service	11,800,000	
STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND		12,000,227
I. Personnel and Related Expenses	5,000,059	
II. Other Expenses	7,000,168	
TOTAL SPECIAL REVENUE FUNDS	\$39,300,227	\$39,300,227
INTERNAL SERVICE FUNDS		
INFORMATION SYSTEMS SERVICES-TELECOMMUNICATIONS		\$1,276,820
I. Personnel and Related Expenses	\$124,048	
II. Other Expenses	1,152,772	
INFORMATION SYSTEMS SERVICES		\$2,017,637
I. Personnel and Related Expenses	440,443	
II. Other Expenses	1,577,194	
DIVISION OF MOTOR VEHICLE MAINTENANCE		6,605,215
I. Personnel and Related Expenses	1,600,000	
II. Other Expenses	5,005,215	
DIVISION OF PRINTING AND REPRODUCTION		411,169
I. Personnel and Related Expenses	166,231	
II. Other Expenses	244,938	
CITY STOREROOM AND CENTRAL WAREHOUSE		210,669
I. Personnel and Related Expenses	33,800	
II. Other Expenses	176,870	
TOTAL INTERNAL SERVICE FUNDS	\$10,521,511	\$10,521,511
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC UTILITIES		
UTILITIES ADMINISTRATION		\$871,148
I. Personnel and Related Expenses	\$295,365	
II. Other Expenses	575,783	
DIVISION OF FISCAL CONTROL		490,945
I. Personnel and Related Expenses	450,523	
II. Other Expenses	40,422	
DIVISION OF WATER		62,021,952
I. Personnel and Related Expenses	22,019,423	
II. Other Expenses	40,002,529	
DIVISION OF WATER POLLUTION CONTROL		6,500,340
I. Personnel and Related Expenses	2,600,056	
II. Other Expenses	3,900,284	
DIVISION OF CLEVELAND PUBLIC POWER		38,004,456
I. Personnel and Related Expenses	8,003,849	
II. Other Expenses	30,000,607	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$107,888,841	\$107,888,841
DEPARTMENT OF PORT CONTROL		
AIRPORTS-OPERATIONS		\$26,623,762
I. Personnel and Related Expenses	\$21,300,701	
II. Other Expenses	5,323,061	
AIRPORT DEVELOPMENT FUND		—
II. Other Expenses	—	
TOTAL DEPARTMENT OF PORT CONTROL	\$26,623,762	\$26,623,762

DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES			
DIVISION OF CEMETERIES			
I.	Personnel and Related Expenses	\$465,235	\$590,456
II.	Other Expenses	125,221	
GOLF COURSE FUND			546,492
I.	Personnel and Related Expenses	221,715	
II.	Other Expenses	324,777	
DIVISION OF PARKING FACILITIES-OFF STREET PARKING			5,888,946
I.	Personnel and Related Expenses	239,413	
II.	Other Expenses	5,649,533	
CONVENTION CENTER & STADIUM			2,128,050
I.	Personnel and Related Expenses	871,272	
II.	Other Expenses	1,256,778	
CONVENTION CENTER & STADIUM-MARKET			378,699
I.	Personnel and Related Expenses	130,269	
II.	Other Expenses	248,429	
PROPERTY MANAGEMENT-EAST SIDE MARKET			190,562
I.	Personnel and Related Expenses	67,322	
II.	Other Expenses	123,240	
TOTAL PARKS, RECREATION & PROPERTIES			\$9,723,205
TOTAL ENTERPRISE FUNDS			\$144,235,808
AGENCY FUND			
CENTRAL COLLECTION AGENCY			\$1,571,626
I.	Personnel and Related Expenses	\$1,054,117	
II.	Other Expenses	517,510	
TOTAL AGENCY FUND			\$1,571,626
DEBT SERVICE FUND			
SINKING FUND COMMISSION			\$8,192,776
I.	Personnel and Related Expenses	\$30,965	
II.	Other Expenses	61,811	
III.	Debt Service	8,100,000	
TOTAL DEBT SERVICE FUND			\$8,192,776
TOTAL OTHER FUNDS			\$195,629,172
TOTAL GENERAL FUND			\$141,325,816
TOTAL GENERAL AND OTHER FUNDS			\$345,147,765

Section 2. That expenditures and payments made under and pursuant to the ordinance appropriating such sum or sums of money shall be charged against the Annual Appropriation Ordinance shall become effective, and to the various departments and divisions in payments or whose officers and employees and operating expenses such sum or sums of money hereunder shall then have been made under the authority of this ordinance after the effective date of said Annual Appropriation Ordinance for the fiscal year ending December 31, 1997.

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 December 16, 1996.

Effective December 24, 1996.

Ord. No. 2127-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to transfer the sum of Four Million Four Hundred Ninety Three Thousand One Hundred Twenty Two Dollars (\$4,493,122) within the various divisions of the General Fund, Eight hundred fifty thousand dollars (\$850,000) within the Special Revenue Fund, Two Hundred Thousand Dollars (\$200,000) within the Internal Service Fund, One Million Three Hundred Thousand Dollars within the Enterprise Fund (\$1,300,000) and Two Hundred Fifty Thousand Dollars within the Agency Fund.

Whereas, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; 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 sum of Seven million ninety three thousand one hundred twenty two dollars (\$7,093,122) be the same and hereby transferred as follows:

GENERAL FUND	FROM	TO
MUNICIPAL COURT		
Judicial Division		
I. Personnel and Related Expenses	\$ —	\$ —
II. Other Expenses	—	99,976
Clerks Division		
I. Personnel and Related Expenses	\$ 249,313	\$ —
II. Other Expenses	—	60,000
Housing Division		
I. Personnel and Related Expenses	\$ 73,877	\$ —
II. Other Expenses	—	—
TOTAL MUNICIPAL COURT	\$ 323,190	159,976
DEPARTMENT OF PUBLIC SAFETY		
Public Safety Administration		
I. Personnel and Related Expenses	\$ 649,416	\$ —
II. Other Expenses	—	120,952
Division of Police		
I. Personnel and Related Expenses	\$ —	\$ 312,521
II. Other Expenses	221,818	—
Division of Fire		
I. Personnel and Related Expenses	\$ —	\$ 228,004
II. Other Expenses	—	—
Division of Emergency Medical Services		
I. Personnel and Related Expenses	\$ —	\$ 53,279
II. Other Expenses	—	84,697
Division of Traffic Engineering		
I. Personnel and Related Expenses	\$ 60,891	\$ —
II. Other Expenses	—	23,784
Division of Dog Pound		
I. Personnel and Related Expenses	\$ 24,112	\$ —
II. Other Expenses	—	—
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$ 956,237	823,237
COMMUNITY RELATIONS BOARD		
Community Relations Board		
I. Personnel and Related Expenses	\$ 19,298	\$ —
II. Other Expenses	—	9,020
TOTAL COMMUNITY RELATIONS BOARD	\$ 19,298	9,020
DEPARTMENT OF PUBLIC SERVICE		
Public Safety Administration		
I. Personnel and Related Expenses	\$ 63,000	\$ —
II. Other Expenses	—	—
Division of Architecture		
I. Personnel and Related Expenses	\$ 75,000	\$ —
II. Other Expenses	—	—
Division of Waste Collection and Disposal		
I. Personnel and Related Expenses	\$ 810,000	\$ —
II. Other Expenses	—	374,885

GENERAL FUND	FROM	TO
Division of Engineering and Construction		
I. Personnel and Related Expenses	\$ 200,000	\$ —
II. Other Expenses	—	—
TOTAL DEPARTMENT OF PUBLIC SERVICE	<u>\$1,148,000</u>	<u>\$ 374,885</u>
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
Parks, Recreation, and Properties Admin.		
I. Personnel and Related Expenses	\$ —	\$ 42,073
II. Other Expenses	—	—
Division of Research, Planning, and Dev.		
I. Personnel and Related Expenses	\$ 27,188	\$ —
II. Other Expenses	—	—
Division of Recreation		
I. Personnel and Related Expenses	\$ 220,000	\$ —
II. Other Expenses	—	100,000
Division of Property Management		
I. Personnel and Related Expenses	\$ —	\$ 128,992
II. Other Expenses	—	—
Division of Park Maintenance & Properties		
I. Personnel and Related Expenses	\$ 325,000	\$ —
II. Other Expenses	—	225,000
TOTAL PARKS, RECREATION AND PROPERTIES	<u>\$ 572,188</u>	<u>\$ 496,065</u>
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
Division of Building and Housing		
I. Personnel and Related Expenses	\$ 183,199	\$ —
II. Other Expenses	77,227	—
Division of Neighborhood Development		
I. Personnel and Related Expenses	\$ 169,409	\$ —
II. Other Expenses	—	—
Total Community Development	<u>\$ 429,835</u>	<u>\$ —</u>
DEPARTMENT OF ECONOMIC DEVELOPMENT		
Economic Development		
I. Personnel and Related Expenses	\$ 250,020	\$ —
II. Other Expenses	—	10,441
Office of Equal Opportunity		
I. Personnel and Related Expenses	\$ —	\$ 118,086
II. Other Expenses	—	13,256
City Planning Commission		
I. Personnel and Related Expenses	\$ —	\$ 68,664
II. Other Expenses	—	3,958
Port Control-Harbor Development		
I. Personnel and Related Expenses	\$ —	\$ —
II. Other Expenses	—	—
TOTAL URBAN PLANNING AND DEVELOPMENT	<u>\$ 679,855</u>	<u>\$ 214,405</u>
DEPARTMENT OF PUBLIC HEALTH		
Health Administration		
I. Personnel and Related Expenses	\$ 54,203	\$ —
II. Other Expenses	—	9,000

GENERAL FUND	FROM	TO
Division of Correction		
I. Personnel and Related Expenses	\$ 49,230	\$ —
II. Other Expenses	—	61,230
Division of Health		
I. Personnel and Related Expenses	\$ 100,521	\$ —
II. Other Expenses	—	53,851
Division of Environment		
I. Personnel and Related Expenses	\$ 174,104	\$ —
II. Other Expenses	—	58,308
TOTAL URBAN PLANNING AND DEVELOPMENT	\$ 378,058	\$ 182,389
SUPPORT FUNCTIONS		
FINANCIAL AND LEGAL ADMINISTRATION		
DEPARTMENT OF FINANCE		
Division of Accounts		
I. Personnel and Related Expenses	\$ —	\$ —
II. Other Expenses	—	57,165
Division of Purchases and Supplies		
I. Personnel and Related Expenses	\$ 10,000	\$ —
II. Other Expenses	—	10,000
Division of Financial Reporting & Control		
I. Personnel and Related Expenses	\$ 270,000	\$ —
II. Other Expenses	—	—
TOTAL DEPARTMENT OF FINANCE	\$ 280,000	\$ 67,165
Law		
I. Personnel and Related Expenses	\$ 110,290	\$ —
II. Other Expenses	—	986,380
TOTAL FINANCE AND LEGAL ADMINISTRATION	\$ 390,290	\$1,053,545
PERSONNEL ADMINISTRATION		
Civil Service Commission		
I. Personnel and Related Expenses	\$ 26,006	\$ —
II. Other Expenses	—	125,106
TOTAL DEPARTMENT OF FINANCE	\$ 280,000	\$ 67,165
TOTAL PERSONNEL ADMINISTRATION	\$ 26,006	\$ 125,106
NONDEPARTMENTAL		
County Auditor Deductions		
II. Other Expenses	\$ —	\$ 45,000
TRANSFER TO OTHER FUNDS	\$ —	\$ 67,165
II. Other Expenses	\$ —	\$ 164,157
OTHER ADMINISTRATIVE		
II. Other Expenses	\$ —	\$ 845,337
TOTAL NONDEPARTMENTAL	\$ —	\$1,054,494
TOTAL SUPPORT FUNCTIONS	\$ 416,296	\$2,233,145
TOTAL GENERAL FUND	\$4,493,122	\$4,493,122
SPECIAL REVENUE FUNDS		
Restricted Income Tax		
I. Capital	\$ —	\$ 850,000
II. Debt Service	850,000	—
TOTAL SPECIAL REVENUE FUND	\$ 850,000	\$ 850,000

	FROM	TO
INTERNAL SERVICE FUND		
Division of Motor Vehicle Maintenance		
I. Personnel and Related Expenses	\$ 200,000	\$ —
II. Other Expenses	—	200,000
	—————	—————
TOTAL INTERNAL SERVICE FUND	\$ 200,000	\$ 200,000
ENTERPRISE FUNDS		
Airports - Operations		
I. Personnel and Related Expenses	\$1,200,000	\$ —
II. Other Expenses	—	1,200,000
	—————	—————
TOTAL DEPARTMENT OF PORT CONTROL	\$1,200,000	\$1,200,000
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
Division of Cemeteries		
I. Personnel and Related Expenses	\$ 30,000	\$ —
II. Other Expenses	—	30,000
Golf Course Fund		
I. Personnel and Related Expenses	\$ —	\$ 70,000
II. Other Expenses	70,000	—
	—————	—————
TOTAL DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES	\$ 100,000	\$ 100,000
	—————	—————
TOTAL ENTERPRISE FUNDS	\$1,300,000	\$1,300,000
AGENCY FUND		
Central Collection Agency		
I. Personnel and Related Expenses	\$ 250,000	\$ —
II. Other Expenses	—	250,000
	—————	—————
TOTAL AGENCY FUND	\$ 250,000	\$ 250,000
	—————	—————
TOTAL GENERAL AND OTHER FUNDS	\$7,093,122	\$7,093,122

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

Passed December 16, 1996.

Effective December 24, 1996.

Ord. No. 2128-96.
By Councilmen Rybka, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Kazimierz Chruscik, or his designee, to provide economic development assistance to partially finance the expansion of the Europa Deli on Fleet Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Kazimierz Chruscik, or his designee, to provide economic development assistance to partially finance the expansion of the Europa Deli at 6308 Fleet Avenue, Cleveland, Ohio.

Section 2. That the term of said

loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 2128-96-A.

Section 3. That the costs of said contract shall not exceed Twenty Six Thousand Dollars (\$26,000), and shall be paid from Fund No. 17 SF 008, Request No. 23302.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept

fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended front Fund No. 17 SF 305, Loan Fees Fund.

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

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

Passed December 16, 1996.

Effective December 24, 1996.

**Ord. No. 2145-96.
By Councilmen Coats and Rokakis
(by departmental request).**

An emergency ordinance authorizing and directing the purchase by requirement contract of services for the transportation, processing, and marketing of recyclable materials, for the Division of Waste Collection and Disposal, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of up to four years for the necessary services for the transportation, processing and marketing of recyclables collected through the City's recycling program in the estimated sum of \$650,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than four years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23154)

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 December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2146-96.
By Councilmen Jackson and Rokakis (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Franklin Circle Inn, Ltd., or their designee, to provide economic development assistance to partially finance the acquisition of furniture, fixtures, and equipment needed to develop a bed and breakfast inn located in Ohio City, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with the Franklin Circle Inn, Ltd., or their designee, to provide economic development assistance to partially finance the acquisition of furniture, fixtures, and equipment needed to develop a bed and breakfast inn located in Ohio City, Cleveland, Ohio.

Section 2. That the terms of said loan shall be determined by the Director of Economic Development in accordance with the terms as set forth in the Executive Summary contained in File No. 2146-96-A.

Section 3. That the costs of said contract shall not exceed Fifty Thousand Dollars (\$50,000.00), and shall be paid from Fund No. 17, SF 003, Request No. 22276.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 005.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF305, Loan Fees Fund.

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

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

Passed December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2152-96.
By Councilmen Robinson and Rokakis (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment.

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 apply for and accept grants in the approximate amount of \$554,927 from the U.S. Environmental Protection Agency and \$1,299,624 from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment in

accordance with the purposes set forth in the respective application; that the Director of Public Health is hereby authorized and directed to file all papers and execute all documents necessary to apply for and receive the funds under said grants; and that said funds be appropriated for the purposes set forth in the application for said grants.

Section 2. That the applications for said grant, File No. 2152-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the sum of \$377,413, from Fund No. 01-50-06-0901 in order to receive the grant from the U.S. Environmental Protection Agency.

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 December 16, 1996.
Effective December 24, 1996.

**Ord. No. 2153-96.
By Councilmen Robinson and Rokakis (by departmental request).**

An emergency ordinance to amend the title and Section 2 of Ordinance No. 269-95, passed February 27, 1995; to supplement said ordinance by adding new Sections 4 and 5; and to renumber existing Section 4 to new Section 6, relating to the 1997-99 Lead-based Paint Hazard Control Program.

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

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

Section 1. That the title and Section 2 of Ordinance No. 269-95, passed February 27, 1995, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the U.S. Department of Housing and Urban Development for the 1997-99 Lead-based Paint Hazard Control Program, and authorizing said director to enter into contracts with various community-based organizations and authorizing one or more contracts with Cleveland Housing Network to implement the program.

Section 2. That the application for said Grant, File No. 269-95-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 2. That the existing title and Section 2 of Ordinance No. 269-95, passed February 27, 1995, are hereby repealed.

Section 3. That Ordinance No. 269-95, passed February 27, 1995 is hereby supplemented by adding new Sections 4 and 5 to read, respectively, as follows:

Section 4. That the Director of Public Health is hereby authorized and directed to make written contracts with various community-based organizations for implementation of the 1997-99 Community Lead Exposure Prevention Project (CLEPP), which is part of the Lead-based Paint Hazard Control Program, with

the total sum of all contracts not exceeding \$1,053,132, payable from the fund or funds to which are credited the proceeds of the grant accepted pursuant to Ordinance No. 269-95, passed February 27, 1995.

Section 5. That the Director of Public Health is hereby authorized and directed to make one or more written contracts with the Cleveland Housing Network to implement a joint residential lead abatement project, in an amount not to exceed \$408,000, payable from fund or funds to which are credited the proceeds of the grant accepted pursuant to Ordinance No. 269-95, passed February 27, 1995.

Section 4. That existing Section 4 of Ordinance No. 269-95, passed February 27, 1995, is hereby renumbered to new Section 6.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 2154-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance approving the collective bargaining agreement with The Cleveland Police Patrolmen's Association (CPPA - Uniform).

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with The Cleveland Police Patrolmen's Association (CPPA - Uniform) set forth in File No. 2154-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

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

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 2156-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance approving the collective bargaining agreement with Local 244.

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with Local 244 (seasonal drivers) set forth in File No. 2156-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

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

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 2157-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance approving the collective bargaining agreement with The Cleveland Police Patrolmen's Association (CPPA - Civilian).

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with The Cleveland Police Patrolmen's Association (CPPA - Civilian) set forth in File No. 2157-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

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

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 2221-96.

By Councilman Zone.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 19. (Johnny R. Waddell - West 117th Street and Lorain Avenue).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 19; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 19 at the locations specified: West 117th Street and Lorain Avenue.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

Passed December 16, 1996.

Effective December 24, 1996 without the signature of the Mayor.

Ord. No. 2222-96.

By Councilman Westbrook.

An emergency ordinance authorizing and directing the Clerk of Council to enter into contract without competitive bidding with Warwick Communications, Inc. for the labor and materials necessary to install a sound system in Council Chambers.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Warwick Communications, Inc. Therefore, the Clerk of Council is hereby authorized and directed to make a written contract with said Warwick Communications, Inc. upon the basis of its proposal dated November 5, 1996, for labor and materials necessary to install a sound system in Council Chambers, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for City Council.

Section 2. That the cost of said contract hereby authorized shall not

exceed \$20,000 and shall be paid from the funds appropriated for use by City Council.

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 December 16, 1996.
Effective December 24, 1996.

Ord. No. 2223-96.

By Councilman Smith.

An emergency ordinance authorizing the Director of Law to enter into contract with professional consulting firms for the purpose of providing expert consulting and testimony in a hazardous waste permit case now pending before the Ohio Hazardous Waste Facility Board, for the Department of Law.

Whereas, a new application has been filed to site a hazardous waste processing facility in the City of Cleveland; and

Whereas, the City is a statutory party in a hazardous waste permit case now pending before the Ohio Hazardous Waste Facility Board, to wit: In re North East Chemical Corp., Case No. 95-NF-0670, in which the application is being considered; 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 Law is hereby authorized to enter into contract with such professional consultants as the Director of Law may deem necessary, to provide a comprehensive review of the application and to provide expert consulting and testimony in the above mentioned case as the Director of Law deems necessary, payable from funds appropriated for the use of the Department of Law.

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 2224-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Sections 1, 2, and 3 of Ordinance No. 1709-96, passed September 30, 1996, relating to the lease of space at the Ninth Street Plaza Building from MJM Management Company, or its designee.

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

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

Section 1. That Sections 1, 2, and 3 of Ordinance No. 1709-96, passed

September 30, 1996, are hereby amended to read, respectively, as follows:

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance is authorized to lease from MJM Management Company, or its designee, certain space more fully described as follows: The fourth floor of the Ninth Street Plaza Building, which is approximately 18,750 square feet of space, and a portion of the sixth floor of the Ninth Street Plaza Building, which is approximately 4,000 square feet of space.

Section 2. That the term of the lease shall commence upon August 1, 1996. The lease term for the sixth floor shall end on October 31, 1996. The lease term for the fourth floor shall end on July 31, 1998.

Section 3. That the rent for the sixth floor lease shall be \$16.00 per square foot, plus allocable operating and maintenance expenses. The rent for the fourth floor shall be \$16.00 per square foot from August 1, 1996 through October 31, 1996, plus allocable operating and maintenance costs, and \$14.50 per square foot from November 1, 1996, through July 31, 1998, plus allocable operating and maintenance costs.

Section 2. That existing Sections 1, 2, and 3 of Ordinance No. 1709-96, passed September 30, 1996, are 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 December 16, 1996.
Effective December 24, 1996.

Ord. No. 2225-96.

By Councilman Rokakis (by departmental request).

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

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of pre-sort mail service in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken

if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21522)

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 December 16, 1996.
Effective December 24, 1996.

Ord. No. 2226-96.

By Councilman Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Holy Rosary Church to stretch a banner across Mayfield Road and Murray Hill Road for the period from December 17, 1996 to January 15, 1997, inclusive, publicizing the Holiday Season in the Little Italy area.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Holy Rosary Church to install, maintain and remove a banner across Mayfield Road and Murray Hill Road for the period from December 17, 1996 to January 15, 1997, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed December 16, 1996.
Effective December 24, 1996.

Ord. No. 2233-96.
By Councilman Coats.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Northeast Neighborhood Development Center to stretch a banner across East 123rd Street at St. Clair Avenue for the period from December 17, 1996 to January 17, 1997, inclusive, publicizing Holiday Greetings.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Northeast Neighborhood Development Center to install, maintain and remove a banner across East 123rd Street at St. Clair Avenue for the period from December 17, 1996 to January 17, 1997, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed December 16, 1996.
 Effective December 24, 1996.

Res. No. 2230-96.
By Councilman Coats.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 14102-06 St. Clair Avenue, first floor.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 1918059, Dani Market Inc., dba Dani Market, 14102-06 St. Clair Avenue, first floor, Cleveland, Ohio 44110, to Permit No. 2655243, Fast & Friendly Inc., 14102-06 St. Clair Avenue, first floor, Cleveland, Ohio 44110; and

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

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

Whereas, the place for which the

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 1918059, Dani Market Inc., dba Dani Market, 14102-06 St. Clair Avenue, first floor, Cleveland, Ohio 44110, to Permit No. 2655243, Fast & Friendly Inc., 14102-06 St. Clair Avenue, first floor, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted December 16, 1996.
 Effective December 24, 1996.

Res. No. 2231-96.
By Councilman Paulenske.
An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 5400-04 Broadway 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 D5 Liquor Permit from Permit No. 3304026, Gr. Maurice Enterprises Inc., dba Mayflower Tavern, 5400-04 Broadway Avenue, first floor and basement, Cleveland, Ohio 44127, to Permit No. 9650606, Theoplic Williams, Sr., dba Mayflower Tavern, 5400-04 Broadway Avenue, first floor and basement, Cleveland, Ohio 44127; and

Whereas, the granting of this

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 3304026, Gr. Maurice Enterprises Inc., dba Mayflower Tavern, 5400-04 Broadway Avenue, first floor and basement, Cleveland, Ohio 44127, to Permit No. 9650606, Theoplic Williams, Sr., dba Mayflower Tavern, 5400-04 Broadway Avenue, first floor and basement, Cleveland, Ohio 44127, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted December 16, 1996.
 Effective December 24, 1996.

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NO MEETINGS

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