

# The City Record

Official Publication of the City of Cleveland

March the Sixth, Nineteen Hundred and Ninety-Six

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odellia 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	13726 Elsetta Avenue	44135
21	David McGuiRK	17101 Amber Drive	44111

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

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

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

**DEPT. OF FINANCE - Kathryn Burrer Hyer, Director, Room 104; Carlean Alford, Manager, Internal Audit**  
DIVISIONS - Accounts - A. Schneider, Commissioner, Room 19  
City Treasury - Mary Christine Jackman, Treasurer, Room 122  
Assessments and Licenses - John Hunt, Commissioner, Room 122  
Purchases and Supplies - William A. Moon, Commissioner, Convention Center, Clubroom B  
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, Acting Controller, Room 18  
Information Systems Services - Martin Carmody, Acting Commissioner, 1404 E. 9th St.

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

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

**DEPT. OF PUBLIC SERVICE - Henry Guzman, 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, Rm. 518  
Motor Vehicle Maintenance, Donald L. Haskins, Commissioner, Harvard Yards  
Architecture - Kenneth Nobilio, Commissioner, Room 517

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

**DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, 1825 Lakeside Avenue.**  
DIVISIONS - Police - John J. Collins, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street  
Fire - William E. Lee, Chief, 1645 Superior Avenue  
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.  
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street  
Emergency Medical Service - Bruce Shade, Commissioner, 2001 Payne Ave.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.; Ben S. Eulinberg, Martin J. Kilbane, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.**

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

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 83

WEDNESDAY, MARCH 6, 1996

No. 4291

## CITY COUNCIL

MONDAY, MARCH 4, 1996

### The City Record

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

### ARTHA WOODS

Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

#### MONDAY—Alternating

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

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

The following Committee is subject to Call of the Chairman:

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio March 4, 1996.

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

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

Also present were Mayor White and Directors Sobol Jordan, Hyer, Konicek, Cunningham, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Axelrod, Thomas, Morrison, Willis and Acting Director Torres.  
Absent: Director Nolan.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Wesley I. Reid, Pastor of Lee Memorial AME Church. Pledge of Allegiance.

#### MOTION

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

#### COMMUNICATIONS

##### File No. 343-96.

From the City of Bedford, Ohio re: Resolution No. 2151-96, opposing the Cleveland Water Department's proposed rate increases. Received.

##### File No. 344-96.

From Cuyahoga County Board of Elections re: Receipt issued for Ordinance No. 43-96, Charter Amendment - Special Election to be held March 19, 1996. Received.

##### File No. 345-96.

From the Department of Public Safety re: Reporting Gift from Fairview General Hospital to Cleveland EMS. Received.

##### File No. 346-96.

From the Department of Public Safety re: Reporting Gift from Lakewood Hospital to Cleveland EMS. Received.

#### FROM THE DEPARTMENT OF LIQUOR CONTROL

##### File No. 392-96.

Re: Transfer of Location Application - 1332386 - Catania Investments, Inc., 1313 West 6th Street. (Ward 13). Received.

##### File No. 393-96.

Re: Transfer of Ownership Application - 4289981 - Jimmy's Old River Road, Inc., 1061 Old River Road and patio. (Ward 13). Received.

##### File No. 394-96.

Re: New Application - 7296878 - Renaissance Hotel Operating Co. dba Renaissance Cleveland Hotel, 23 Public Square. (Ward 13). Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 395-96.** Ernestine Hubbard.

**Res. No. 396-96.** Betty Moon.

**Res. No. 397-96.** Carrie J. Burns.

**Res. No. 398-96.** Michael Crawford.

**Res. No. 399-96.** Mary M. Butler.

**Res. No. 400-96.** Martin P. Donelon.

#### CONGRATULATORY RESOLUTIONS

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

**Res. No. 401-96.** Mr. and Mrs. John Jeffers.

**Res. No. 402-96.** Arnie and Anna Lou Zielinski.

**Res. No. 403-96.** David Nolan.

**Res. No. 404-96.** Officer Jeanette Kyle.

#### RESOLUTIONS OF RECOGNITION

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

**Res. No. 405-96.** Rev. Harold Weaver.

**Res. No. 406-96.** Helen Cecilia Fletcher.

**Res. No. 407-96.** Meg Patrick.

**Res. No. 408-96.** Mrs. Willie Alice Lee.

#### RESOLUTION OF WELCOME

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

**Res. No. 409-96.** Wilberforce University Choir.

**FIRST READING EMERGENCY  
ORDINANCES REFERRED**

**Ord. No. 347-96.**

**By Councilmen Coats and Rokakis  
(by departmental request).**

**An emergency ordinance authorizing and directing the Director of Public Service to enter into contract without competitive bidding with E.J. Ward, Inc. for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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

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

**Section 1.** That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than E.J. Ward, Inc. Therefore, the Director of Public Service is hereby authorized and directed to make a written proposal dated February 12, 1996, for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for a one year period, to be purchased by the Commissioner of Motor Vehicle Maintenance, Department of Public Service.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 70 SF 300, Request No. 21033.

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

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

**Ord. No. 348-96.**

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

**An emergency ordinance preferring certain representations for purposes of the Trust Indenture from the City of Cleveland to the Cleveland Trust Company, as trustee and authorizing the Director of Port Control to apply to the bond trustee for land release.**

Whereas, in Ordinance No. 1887-95, passed by the Council on November 20, 1995, the Council authorized the Commissioner of Purchases and Supplies to sell City-owned land no longer needed for public use located at Westport and West 180th Street to Chelm Management Company; 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 City acknowledges, states, and affirms, pursuant to Article IX of the Trust Indenture from the City of Cleveland to the Cleveland Trust Company, as trustee, dated November 1, 1976, as amended, that the City desires and requests that a certain portion of its

land heretofore subject to the Trust Indenture be released and removed from all obligations under said Trust Indenture; that the portions of the land to be released are described as follows:

Proposed Cleveland  
Business Park  
Parcel A - East

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Kroehle Company's Westport Subdivision as recorded in Volume 111, Page 39 of Cuyahoga County Records. The parcel is further known as being part of Section No. 3 of Original Rockport Township, and bounded and described as follows:

Beginning in the Southeastern right of way line of Rocky River Drive, at its intersection with the Northerly line of said Kroehle Company's Westport Subdivision, said intersection point being the principal place of beginning;

Thence South 88° 55' 19" East along said Northerly line of the Kroehle Company's Westport Subdivision, 73.74 feet to an iron pipe on the Northwestern line of State Highway No. 713 (100 feet wide);

Thence South 10° 20' 02" West along said Northwestern line of State Highway No. 713, 126.69 feet to a point on the North right of way line of Westport Avenue (54 feet wide) as recorded in Kroehle Company's Westport Subdivision;

Thence North 88° 52' 09" West along said Northerly right of way line of Westport Avenue, 94.05 feet to a point of curvature therein;

Thence along the arc of a curve deflecting to the right, having a radius of 10.00 feet whose chord bears North 31° 47' 58" West, 16.79 feet and an arc distance of 19.92 feet to a point of tangency on the Southeastern right of way line of said Rocky River Drive;

Thence North 25° 16' 14" East along said Southeastern right of way line, 121.53 feet to a point and the place of beginning, containing within said boundaries 11,398 square feet (0.2617 Acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

Proposed Cleveland  
Business Park  
Parcel B - East

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Kroehle Company's Westport Subdivision as recorded in Volume 111, Page 39 of Cuyahoga County Records. The parcel is further known as being part of Section No. 3 of Original Rockport Township, and bounded and described as follows:

Beginning on the Easterly line of State Highway No. 713 at its intersection of the Northerly line of said Kroehle Company's Westport Subdivision;

Thence South 88° 55' 19" East along said Northerly line 1,087.12 feet to its point of intersection with the Westerly right of way line of West 180th Street (50 feet wide);

Thence South 01° 00' 35" West along said Westerly right of way line of West 180th Street, 126.16 feet to a point on the North right of way line of Westport Avenue (54 feet wide);

Thence North 88° 52' 09" West along said Northerly right of way

line of Westport Avenue, 1,107.67 feet to a point on the Easterly right of way line of State Highway No. 713;

Thence North 10° 20' 02" East along said Easterly right of way line of State Highway No. 713, 126.78 feet to a point and place of beginning, containing within said boundaries 137,888 square feet (3.1655 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

Proposed Cleveland  
Business Park  
Parcel C - East

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Kroehle Company's Westport Subdivision as recorded in Volume 111, Page 39 of Cuyahoga County Records. The parcel is further known as being part of Section No. 3 of Original Rockport Township, and bounded and described as follows:

Beginning on the Easterly right of way line of West 180th Street (50 feet wide) at its intersection with the Northerly line of Kroehle Company's Westport Subdivision aforesaid;

Thence South 88° 55' 19" East along said Northerly line 458.81 feet to its point of intersection with the Westerly right of way line of Harwell Road;

Thence South 01° 04' 41" West along said Westerly right of way line of Harwell Road, 31.60 feet to an angle point therein;

Thence South 13° 01' 59" West along said Westerly right of way line of Harwell Road, 97.11 feet to a point on the Northerly right of way line of Westport Avenue (54 feet wide);

Thence North 88° 52' 09" West along said Northerly right of way line of Westport Avenue, 438.54 feet to a point on the Easterly right of way line of West 180th Street (50 feet wide);

Thence North 01° 00' 35" East along said Easterly right of way line of West 180th Street, 126.20 feet to a point and the place of beginning, containing 57,035 square feet (1.3093 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

Proposed Cleveland  
Business Park  
Parcel D - East

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Kroehle Company's Westport Subdivision as recorded in Volume 111, Page 39 of Cuyahoga County Records, and other parcels of land. The parcel is further known as being part of Section No. 3 of Original Rockport Township, and bounded and described as follows:

Beginning in the Southeastern right of way line of Rocky River Drive, at the Northwestern corner of Parcel 1A of land conveyed to Phillip Enterprises, Inc., by deed Dated April 12, 1994 and recorded in Volume 94-04805, Page 16 of Cuyahoga County Records;

Thence North 25° 16' 14" East along said Southeastern right of way line, 77.86 feet to an iron pin found at a point of curvature therein;

Thence along the arc of a circle deflecting to the right, having a radius of 1,110.02 feet whose chord bears North 28° 01' 07" East, 106.44 feet and an arc distance of 106.48 feet to a point of reverse curvature therein;

Thence along the arc of a circle deflecting to the left, having a radius of 1,110.02 feet whose chord bears North 28° 01' 07" East, 106.44 feet and an arc distance of 106.48 feet to a point of tangency therein;

Thence North 25° 16' 14" East, 92.46 feet to an iron pin found at an angle point therein;

Thence South 88° 28' 10" East, 5.48 feet to an iron pin found at an angle point therein;

Thence North 25° 16' 14" East continuing along said Southeasterly line of Rocky River Drive 120.88 feet to a point of curvature in the Southerly right of way line of Westport Avenue (54 feet wide) as recorded in the aforesaid Kroehle Company's Westport Subdivision;

Thence along the arc of a circle deflecting to the right in said Southerly right of way line, having a radius of 25 feet whose chord bears North 58° 12' 02" East, 27.18 feet and an arc distance of 28.74 feet to a point of tangency therein;

Thence South 88° 52' 09" East along said Southerly right of way line of Westport Avenue, 82.92 feet to a point on the Westerly line of State Highway No. 713;

Thence South 10° 20' 02" West along said Westerly line of State Highway No. 713, 516.24 feet to the Northeasterly corner of land conveyed to Phillip Enterprises by deed dated March 10, 1994 and recorded in Volume 94-02335, Page 48 of Cuyahoga County Records;

Thence North 79° 43' 37" West along the Northerly line of land so conveyed to Phillip Enterprises, Inc., 247.14 feet to the Southeasterly line of Rocky River Drive and the place of beginning, containing within said boundaries 86,883 square feet (1.9946 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

Proposed Cleveland  
Business Park  
Parcel E - East

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Westport Subdivision No. 2 as recorded in Volume 161, Page 25 of Cuyahoga County Records and part of the Kroehle Company's Westport Subdivision as recorded in Volume 111, Page 39 of Cuyahoga County Records. The parcel is further known as being part of Section No. 3 of Original Rockport Township, and bounded and described as follows:

Beginning in the Southerly right of way line of Westport Avenue (54 feet wide) at its intersection with the Easterly right of way line of State Highway No. 713;

Thence South 88° 52' 09" East along said Southerly right of way line of Westport Avenue, 480.79 feet to a point on the Westerly right of way line of West 181st Street (50 feet wide);

Thence South 01° 06' 58" West along said Westerly right of way line of West 181st Street, 226.05 feet to a point of curvature therein;

Thence along the arc of a circle deflecting to the right, having a radius of 25.00 feet whose chord

bears South 46° 07' 59" West, 35.37 feet and an arc distance of 39.28 feet to a point of tangency on the Northerly right of way line of Sally Avenue (50 feet wide);

Thence North 88° 50' 59" West along said Northerly right of way line of Sally Avenue 445.92 feet to a point of curvature therein;

Thence along the arc of a circle deflecting to the right, having a radius of 25.00 feet whose chord bears North 45° 22' 24" West, 34.40 feet and an arc distance of 37.94 feet to a point of tangency;

Thence North 01° 53' 48" West, 101.47 feet to a point on the Easterly right of way line of State Highway No. 713;

Thence North 10° 20' 02" East along said Easterly right of way line of State Highway No. 713, 127.53 feet to a point and the place of beginning, containing within said boundaries 123,843 square feet (2.8430 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

Proposed Cleveland  
Business Park  
Parcel F - East

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Westport Subdivision No. 2 as recorded in Volume 161, Page 25 of Cuyahoga County Records and part of the Kroehle Company's Westport Subdivision as recorded in Volume 111, Page 39 of Cuyahoga County Records, and other parcels of land. The parcel is further known as being part of Section No. 3 of Original Rockport Township, and bounded and described as follows:

Beginning in the Southerly right of way line of Westport Avenue (54 feet wide) at its intersection with the Easterly right of way line of West 181st Street (50 feet wide);

Thence South 88° 52' 09" East along said Southerly right of way line of Westport Avenue, 1,088.60 feet to a point on the Westerly limited access (L/A) line of the Airport Freeway;

Thence South 01° 09' 50" West along said L/A line, 41.62 feet to an angle point therein;

Thence South 29° 03' 49" West along said L/A line, 95.83 feet to an iron pipe at an angle point therein;

Thence North 88° 57' 46" West along said L/A line, 19.04 feet to an iron pin found at an angle point therein;

Thence South 42° 12' 47" West along said L/A line, 300.40 feet to an iron pipe found at an angle point therein;

Thence South 63° 23' 38" West along said L/A line, 155.23 feet to an angle point therein;

Thence South 68° 05' 15" West along said L/A line, 362.17 feet to an iron pin found at an angle point therein;

Thence South 71° 42' 46" West along said L/A line, 113.39 feet to an iron pin found at an angle point therein;

Thence South 74° 47' 50" West along said L/A line, 952.66 feet to an iron pin found at its point of intersection with the Easterly line of State Highway No. 713;

Thence Northerly along the curved Easterly line of said State Highway No. 713, being the arc of a circle deflecting to the right, having a radius of 261.48 feet whose chord bears North 03° 18' 42" East,

63.61 feet and an arc distance of 63.77 feet to a point of tangency therein, said point referenced by an iron pin found 0.02 feet South and 0.03 feet East;

Thence North 10° 17' 52" East continuing along said Easterly line of State Highway No. 713, 205.10 feet to the Northeasterly corner of a parcel of land conveyed to Phillip Enterprises, Inc., by deed dated March 10, 1994 and recorded in Volume 94-02335, Page 48 of Cuyahoga County Records;

Thence North 10° 20' 02" East along the Easterly line of said State Highway No. 713, 309.44 feet to a point on the Southerly right of way line of Sally Avenue (50 feet wide);

Thence South 88° 50' 59" East along said Southerly right of way line of Sally Avenue, 1,195.02 feet to a point of curvature therein;

Thence along the arc of a circle deflecting to the right, having a radius of 35.00 feet whose chord bears South 66° 18' 00" East, 26.84 feet and an arc distance of 27.55 feet to a point of compound curvature;

Thence along the arc of a circle deflecting to the left in the Cul-de-Sac of Sally Avenue, having a radius of 50 feet whose chord bears North 01° 09' 01" East, 70.59 feet and an arc distance of 235.79 feet to a point of compound curvature in the Northerly right of way line of Sally Avenue;

Thence along the arc of a circle deflecting to the right in said Northerly right of way line of Sally Avenue, having a radius of 35.00 feet whose chord bears South 68° 36' 03" West, 26.84 feet and an arc distance of 27.55 feet to a point of tangency;

Thence North 88° 50' 59" West along said Northerly right of way line of Sally Avenue, 589.99 feet to a point of curvature therein;

Thence along the arc of a circle deflecting to the right having a radius of 25.00 feet whose chord bears North 43° 52' 01" West, 35.34 feet and an arc length of 39.25 feet to a point of tangency on the Easterly right of way line of West 181st Street (50 feet wide);

Thence North 01° 06' 58" East along said Easterly right of way line of West 181st Street, 226.09 feet to a point and the place of beginning, containing 748,325 square feet (17.1792 acres) of land, be the same more or less, but subject to all legal highways. Bearings used are based on an assumed meridian and are used to indicate angles only.

That the purpose of said release is for the public purpose of economic development; and that certain public improvements will be constructed on the land to be released, including public roads and public utilities.

**Section 2.** That the Director of Port Control is authorized to apply to the Cleveland Trust Company, as trustee, for release of the land described in Section 1 pursuant to that Trust Indenture dated November 1, 1976, as amended.

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

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

**Ord. No. 349-96.**

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

**An emergency ordinance proffering certain representations for purposes of the Trust Indenture from the City of Cleveland to the Cleveland Trust Company, as trustee and authorizing the Director of Port Control to apply to the bond trustee for land release.**

Whereas, in Ordinance No. 1416-95, passed by the Council on December 18, 1995, the Council authorized the Commissioner of Purchases and Supplies to sell City-owned land no longer needed for public use located in the vicinity of Grayton Road north of Interstate 480 to Amsdell Companies, or their designees; 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 City acknowledges, states, and affirms, pursuant to Article IX of the Trust Indenture from the City of Cleveland to the Cleveland Trust Company, as trustee, dated November 1, 1976, as amended, that the City desires and requests that a certain portion of its land heretofore subject to the Trust Indenture be released and removed from all obligations under said Trust Indenture; that the portions of the land to be released are described as follows:

**HILLSIDE SUBDIVISION**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Rockport Township Section No. 4 and bounded and described as follows:

Beginning on the Easterly line of land conveyed to Dorothy Page by deed filed for record September 18, 1953 and recorded in Volume 7866, Page 281 of Cuyahoga County Records at the Northwestern corner of land conveyed to Crown Construction Corporation by deed dated June 30, 1954 and recorded in Volume 8066, Page 532 of Cuyahoga County Records;

Thence North 0° 11' 28" East along the Easterly line of land so conveyed to Dorothy Page and along the Easterly line of land conveyed to The Horvitz Company by deed dated May 14, 1943 and recorded in Volume 5609, Page 326 of Cuyahoga County Records and the Easterly line of land conveyed to the Board of Park Commissioners of the Cleveland Metropolitan Park District by deed dated April 29, 1925 and recorded in Volume 3282, Page 587 of Cuyahoga County Records a distance of 1178.94 feet to the Southwesterly corner of land conveyed to the Board of Park Commissioners of the Cleveland Metropolitan Park District by deed dated December 14, 1925 and recorded in Volume 3380, Page 503 of Cuyahoga County Records;

Thence Northeasterly along the Southeastery line of land so conveyed the following courses and distances, North 43° 46' 25" East 47.77

feet, North 51° 16' 10" East 138.70 feet, North 71° 46' 39" East 173.35 feet to the Westerly line of land conveyed to the Board of Park Commissioners of the Metropolitan Park District by deed dated November 10, 1925 and recorded in Volume 3378, Page 597 of Cuyahoga County Records;

Thence South 0° 20' 31" East along the Westerly line of land so conveyed 75.56 feet to the Southwesterly corner thereof;

Thence Easterly along the Southerly line of said land the following courses and distances North 74° 14' 12" East 70.85 feet, North 78° 41' 11" East 164.73 feet, South 84° 07' 25" East 73.23 feet to the Westerly line of land conveyed to Maude R. Koch et al by deed filed for record of March 10, 1954 and recorded in Volume 8023, Page 192 of Cuyahoga County Records;

Thence South 1° 35' 26" West along the Westerly line of land so conveyed 1274.80 feet to the Northeasterly corner of land conveyed to the City of Cleveland by deed dated March 18, 1940 and recorded in Volume 5060, Page 180 of Cuyahoga County Records;

Thence South 82° 37' 28" West along the Northeasterly line of land so conveyed to the City of Cleveland and along the Northeasterly line of land conveyed to Crown Construction Corporation as aforesaid 268.57 feet to an angle therein;

Thence South 87° 24' 02" West along the Northerly line of land so conveyed to Crown Construction Corporation 311.44 feet to the place of beginning and being further known as Sublots 1 to 84, both inclusive in Hillside Subdivision of part of Original Rockport Township Section No. 4 as shown by the recorded plat in Volume 195 of Maps, Page 56 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

**PPN: 029-06-002**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Rockport Township Section No. 4 and bounded and described as follows:

Beginning at an iron pin on the centerline of Grayton Road S.W. at its intersection with the Southerly line of land conveyed to Charles F. McVoy by deed recorded in Volume 4381, Page 113 of Cuyahoga County Deed Records;

Thence North 22° 30' 58" East measured along said centerline of Grayton Road S.W., 146 feet to an angle;

Thence North 3° 53' 22" West continuing along said centerline 102 feet;

Thence South 56° 6' 38" West 30 feet to the principal place of beginning;

Thence continuing South 86° 6' 38" West 100 feet;

Thence North 0° 58' 40" West 454.24 feet to the center line of Hillside Road proposed;

Thence North 82° 46' 36" East measured along said center line of Hillside Road proposed 120 feet to a stone monument in the Easterly line of land conveyed as aforesaid to Charles F. McVoy;

Thence South 1° 22' 2" East measured along said Easterly line 103.24 feet to its intersection with the Northwesterly line of said Grayton Road S.W.;

Thence South 55° 44' 58" West

measured along said Northwesterly line 5.38 feet to an angle;

Thence South 3° 46' 31" West along the Westerly line of said Grayton Road S.W. 252.53 feet to an angle;

Thence continuing along said Westerly line of Grayton Road S.W., South 3° 53' 22" East 104.49 feet to the principal place of beginning, containing 1.119 acres of land, be the same more or less, but subject to all legal highways.

**PPN: 029-05-004**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Rockport Township Section No. 4 and bounded and described as follows:

Beginning on the Northerly line of land conveyed to Albert Dunham by deed dated March 11, 1871, and recorded in Volume 188, Page 486a of Cuyahoga County records, at the Southwesterly corner of land conveyed to Crown Construction Corporation by deed dated October 27, 1954 and recorded in Volume 8232, Page 622 of Cuyahoga County Records;

Thence Northerly along the Westerly line of land so conveyed to Crown Construction Corporation, 150 feet to the Northwesterly corner thereof;

Thence Easterly along the Northerly line of land so conveyed, 25 feet to the Westerly line of land conveyed to Crown Construction Corporation by deed dated June 30, 1954 and recorded in Volume 8066, Page 532 of Cuyahoga County Records;

Thence Northerly along the Westerly line of land conveyed to Crown Construction Corporation, as last aforesaid, about 331.21 feet to the Southwesterly corner of land conveyed to Dorothy P. Hutchinson by deed dated October 21, 1954 and recorded in Volume 8234, Page 302 of Cuyahoga County Records;

Thence Easterly along the Southerly line of land so conveyed, 25 feet to the Southeastery corner thereof;

Thence Northerly along the Easterly line of land so conveyed, 170.61 feet to the Southerly line of land conveyed to Sarah E. Cronk by deed dated December 21, 1873, and recorded in Volume 228, Page 6 of Cuyahoga County Records;

Thence Westerly along the Southerly line of land so conveyed and along the Northerly line of land conveyed to Dorothy Hutchinson by deed dated October 22, 1954 and recorded in Volume 8213, Page 281 of Cuyahoga County Records, which is also along the center line of Hillside Road, Proposed, 20 feet wide, 110 feet;

Thence Southerly and parallel with the Westerly line of land conveyed to Crown Construction Corporation by deed recorded in Volume 8066, Page 532 of Cuyahoga County Records; as aforesaid, 640.74 feet to the Northerly line of land conveyed to Albert Dunham as first aforesaid;

Thence Easterly along the Northerly line of land so conveyed to Albert Dunham, 59.31 feet to the place of beginning, be the same more or less, but subject to all legal highways.

That the purpose of said release is for the public purpose of economic development; and that certain public improvements will be con-

structed on the land to be released, including public roads and public utilities.

**Section 2.** That the Director of Port Control is authorized to apply to the Cleveland Trust Company, as trustee, for release of the land described in Section 1 pursuant to that Trust Indenture dated November 1, 1976, as amended.

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

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

**Ord. No. 350-96.**

**By Councilmen Miller and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the purchase by requirement contract of work uniforms for the various divisions of the Department of Port Control, 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 Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of work uniforms 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 Department of Port Control. 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 20829)

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

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

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

**Ord. No. 351-96.**

**By Councilmen Miller and Rokakis (by departmental request).  
An emergency ordinance determining the method of making the public improvement of repairing or rehabilitating roofs for the various divisions of the Department of Port Control and authorizing the Director of Port Control to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of repairing or rehabilitating roofs for the various divisions of the Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund Nos. 60 SF 101, 60 SF 102, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 210, 60 SF 001, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which included the above improvement, Request No. 20830.

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

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

**Ord. No. 352-96.**

**By Councilmen Miller and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Port Control to apply for and accept a grant from the United States of America acting**

**through the Federal Aviation Administration for reconstruction of the West Concourse apron at Cleveland Hopkins 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 apply for and accept a grant for reconstruction of the West Concourse apron at Cleveland Hopkins International Airport from the United States of America acting through the Federal Aviation Administration ("FAA") to conduct projects under the Airport and Airway Improvement Act Program of 1982, as amended. That said Director is further authorized to file all papers and execute all documents necessary to apply for, accept and receive funds under said grant; that the City shall follow all applicable federal regulations, including the DBE Program required by the FAA; and that the grant funds be and are appropriated for the purposes set forth in the applications for said grant, or any amendments thereto, provided that no funds may be expended unless the project or purpose has first been specifically authorized by an ordinance of City Council.

**Section 2.** That such grant shall be in the total approximate amount of Two Million Seven Thousand One Hundred Twenty Two Dollars (\$2,007,122.00) and that the City of Cleveland shall be obligated to provide cash match funds in an amount not to exceed Six Hundred Sixty-Nine Thousand Forty Dollars (\$669,040.00), which amount may be increased by the same percentage as the United States of America may increase the grant amount. Such amounts shall be paid from Fund Nos. 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 110, 60 SF 112, 60 SF 115, 60 SF 116, 60 SF 117, and future revenue bonds, federal grant money and PFC authorization.

**Section 3.** That the Clerk of Council is hereby authorized and directed to prepare three certified copies of this ordinance to be furnished to the Federal Aviation Administration with the executed grant agreement.

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

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

**Ord. No. 353-96.**

**By Councilmen Patmon and Rokakis (by departmental request).  
An emergency ordinance to amend Section 1 of Ordinance No. 937-95, relating to various amendments to contracts for Training Services For The Disadvantaged and Employment and Training Assistance For Dislocated Workers.**

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. 937-95, passed June 19, 1995, is hereby amended to read as follows:

Section 1. That, in order to provide for uninterrupted services to eligible participants, the Director of Personnel and Human Resources is hereby authorized as follows:

1. to enter into a First Amendment to agreement with ITT Federal Services Corp./ITT Employment and Training Systems, Inc., City Contract No. 48126 to appropriate an additional \$234,000.00 for Central Intake and Case Management Services;

2. to enter into a First Amendment to agreement with Towards Employment, Inc., City Contract No. 48127 to appropriate an additional \$198,420.00 for delivery of Central Supportive Services;

3. to enter into a **Second** Amendment to agreement with the United Labor Agency, City Contract No. 47910 to appropriate an additional \$222,000.00 for Basic Readjustment and Retraining Services; and

4. to enter into a First Amendment to agreement with Cuyahoga Community College, to appropriate an additional \$18,335.00 for Basic and Remedial Education Services and GED Preparation Training.

**Section 2.** That existing Section 1 of Ordinance No. 937-95, passed June 19, 1995, is hereby repealed.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**Ord. No. 354-96.**

**By Councilmen Patmon and Rokakis (by departmental request). An emergency ordinance to amend the title, the first whereas clause and Section 3 of Ordinance No. 1702-95, passed November 20, 1995, relating to accepting an additional grant to extend the Youth Fair Chance National Program and for the Quantum Opportunities Project; and to enter into a second amendment to Contract No. 47909 with Youth Opportunities Unlimited.**

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, the first whereas clause and Section 3 of Ordinance No. 1702-95, passed November 20, 1995, is hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept an additional grant to extend the Youth Fair Chance National Program and for an additional Quantum Opportunities Project under Title IV Part H of the Job Training Partnership Act from the U.S. Department of Labor

and to enter into a Second Amendment to City Contract No. 47909 with Youth Opportunities Unlimited to expend such additional funds.

Whereas, pursuant to Ordinance No. 1459-94, passed September 12, 1994, the Director of Personnel and Human Resources ("Director") accepted and received funds under a grant from the Youth Fair Chance National Program, JTPA Title IV Part H, in the amount of \$2,461,936.00 entered into an agreement with Youth Opportunities Unlimited, City Contract No. 47909 ("Agreement") in the amount of \$2,461,936.00; and

Section 3. That the Director of Personnel and Human Resources is further authorized to enter into a Second Amendment to City Contract No. 47909, with Youth Opportunities Unlimited in the amount of \$805,000.00, for extension of the YFC program and the addition of a Quantum Opportunities Project.

**Section 2.** That the existing title, the first whereas clause and Section 3 of Ordinance No. 1702-95, passed November 20, 1995, is hereby repealed.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**Ord. No. 355-96.**

**By Councilmen Patmon and Rokakis (by departmental request). An emergency ordinance authorizing the Director of Personnel and Human Resources to employ one or more professional consultants to provide administrative services for the City's COBRA 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 Personnel and Human Resources is hereby authorized and directed to employ by contract one or more consultants or one or more firms of 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 administer the City's COBRA program to maintain the City's compliance with Public Law 99-272, Title X.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Personnel and Human Resources from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Personnel and Human Resources for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein

authorized shall be prepared by the Director of Law, approved by the Director of Personnel and Human Resources, and certified by the Director of Finance.

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund No. 01-04-02-0324, Request No. 20223.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**Ord. No. 356-96.**

**By Councilmen Patmon and Rokakis (by departmental request). An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into various contracts for Training Services For The Disadvantaged under the Job Training Partnership Act.**

Whereas, the Job Training Partnership Act of 1982, Public Law 97-300, as amended by the Job Training Reform Amendments of 1992, Public Law 102-367 ("JTPA"), is a New Federalism program, the purpose of which to "... establish programs to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased educational and occupational skills, and decreased welfare dependency, thereby improving the quality of the workforce and enhancing the productivity and competitiveness of the Nation"; and

Whereas, the United States Department of Labor has allotted JTPA funds to the Ohio Bureau of Employment Services ("OBES") which in turn has issued allocations under JTPA Titles II and III to the City of Cleveland, which has developed its annual job training and substate plan modification with OBES for Program Year 95, for the period July 1, 1995 to June 30, 1996; and Ordinance No. 768-95, passed June 12, 1995 by the Council of the City of Cleveland authorizes the Director of Personnel and Human Resources to accept such allocations;

Whereas, the Director of Personnel and Human Resources to enter into several contracts with various service deliverers; 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 Personnel and Human Resources is hereby authorized to enter into contracts with the following service deliverers in amounts not to exceed those listed below for training pursuant to Nontraditional Employment for Women under The Adult Training Program, Title II Part A 77% and State Education Coordination



and Grants, Title II Parts A and C 8%:

**for Occupational Skills Training:**

Cuyahoga Community College \$100,000.00

Hard Hatted Women \$100,000.00

**Section 2.** That the cost of the contracts in Section shall not exceed Two Hundred Thousand Dollars (\$200,000.00), and will be paid from Fund Nos. 15 SF 051 and 15 SF 056.

**Section 3.** That the Director of Personnel and Human Resources is hereby authorized to enter into contracts with the Greater Cleveland Neighborhood Centers Association under The Youth Training Program, Title II Page C 82% for training under the Youth Employment Competency System.

**Section 4.** That the cost of the contracts in Section 3 shall not exceed One Hundred Forty Thousand Dollars (\$140,000.00), and will be paid from Fund No. 15 SF 035.

**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.

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**Ord. No. 357-96.**  
**By Councilmen Patmon and Rokakis (by departmental request).**  
**An emergency ordinance to amend Section 2 of Ordinance No. 2290-95, passed December 18, 1995, relating to contracts for Training Services For The Disadvantaged and Employment and Training Assistance for Dislocated Workers under the Job Training Partnership Act.**

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

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

**Section 1.** That Section 2 of Ordinance No. 2290-95, passed December 18, 1995, is hereby amended to read as follows:

**Section 2.** That the cost of the contract in Section 1 shall not exceed **Seven Hundred Fifty-Five Thousand Dollars (\$755,000.00), and shall be paid from Fund Nos. 15 SF 051, 15 SF 052, 15 SF 056, 15 SF 055 and 15 SF 053.**

**Section 2.** That existing Section 2 of Ordinance No. 2290-95, passed December 18, 1995, is hereby repealed.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**Ord. No. 358-96**  
**By Councilmen Patmon and Rokakis (by departmental request).**  
**An emergency ordinance to amend the title, the second whereas clause and Sections 1 and 2 of Ordinance No. 936-95, passed June 12, 1995, relating to an agreement between the City and Youth Opportunities Unlimited.**

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, the second whereas clause and Sections 1 and 2 of Ordinance No. 936-95, passed June 12, 1995, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into a First Amendment to Agreement No. **47909** between the City and Youth Opportunities Unlimited to reduce the amount of the agreement and to allocate funds for personnel and related expenses.

Whereas, pursuant to said ordinance, the Director entered into an agreement with Youth Opportunities Unlimited, City Contract No. **47909**, in the amount of \$2,461,936.00; and

**Section 1.** That the Director of Personnel and Human Resources is hereby authorized to enter into a First Amendment to Agreement between the City and Youth Opportunities Unlimited, City Contract No. **47909** reducing the amount of the agreement to \$2,411,936.000. All other terms and conditions of Contract No. **47909** shall be and remain as in the original agreement.

**Section 2.** That the amount of \$50,000.00 from the JTPA Title IV, Part H grant, Fund No. 15 SF 047, remaining after the reduction to Contract No. **47909**, shall be allocated for personnel and related expenses.

**Section 2.** That the existing title, the second whereas clause and Sections 1 and 2 of Ordinance No. 936-95, passed June 12, 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.

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**Ord. No. 359-96.**  
**By Councilmen Patmon and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a grant from the Ohio Department of Development to implement a High Unemployment Program and to authorize appropriations to provide for administration of such program.**

Whereas, the Ohio Department of Development has made funds available for a High Unemployment Program ("HUP") through its Ohio Industrial Training Program, and intends to award a grant to the City of Cleveland for this purpose; 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 Personnel and Human Resources is hereby authorized to accept a grant from the Ohio Department of Development to implement a High Unemployment Program ("HUP") and for the delivery of allowable program services to eligible individuals, and to credit said grant to Fund No. 15 SF 059, in the amount of \$96,800.00. That the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to accept and receive the funds under said grant.

**Section 2.** That the following sums in Section 1 herein are hereby appropriated as follows to provide for administration of the HUP program:

Personnel and Related Expenses . . . . .	\$ 4,840.00
Other Expenses . . . . .	+ 91,960.00
<b>TOTAL . . . . .</b>	<b>\$ 96,800.00</b>

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**Ord. No. 360-96.**  
**By Councilmen Patmon and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into a contract with the Commission on Catholic Community Action.**

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

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

**Section 1.** That the Director of Personnel and Human Resources is hereby authorized to enter into a contract with the Commission on Catholic Community Action in the amount of One Hundred Ninety-Three Thousand Six Hundred Dollars (\$193,600.00). That said contract amount represents the required matching funds from the Adult Training Program, JTPA Title II Part A 77%, in the sum of One Hundred One Thousand Six Hundred Forty Dollars (\$101,640.00).

**Section 2.** That the cost of said contract will be paid from Fund Nos. 15 SF 051 and 15 SF 059.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**Ord. No. 361-96.****By Councilmen Patmon and Rokakis (by departmental request).****An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into various contracts for the delivery of the Summer Youth Employment and Training Program, under the Job Training Partnership Act, after verification of fund availability from the State of Ohio.**

Whereas, the Job Training Partnership Act of 1982, Public Law 97-300, as amended by the Job Training Reform Amendments of 1992, Public Law 102-367 ("JTPA"), is a New Federalism program, the purpose of which to "... establish programs to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased educational and occupational skills, and decreased welfare dependency, thereby improving the quality of the workforce and enhancing the productivity and competitiveness of the Nation"; and

Whereas, the purpose of the Summer Youth Employment and Training Program ("SYTEP") is "(1) to enhance the basic educational skills of youth; (2) to encourage school completion . . . (3) to provide eligible youth with exposure to the world of work; and (4) to enhance the citizenship of youth"; and

Whereas, the City of Cleveland has been designated by the Governor of the Ohio as Ohio Service Delivery Area ("SDA") No. 20 and the City of Cleveland serves as the Grant Recipient and Administrative entity for purposes of JTPA; and

Whereas, the SDA No. 20 Administrative Entity has reallocated other JTPA Program funds including the Youth Training Program allocations in order to operate a Summer Youth Employment and Training Program in Calendar Year 1996; and

Whereas, the Director of Personnel and Human Resources desires to enter into several contracts with various service deliverers; 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 Personnel and Human Resources, after formal verification of fund availability from the Ohio Bureau of Employment Service ("OBES"), is hereby authorized to enter into contracts with the following service deliverers for the delivery of the Youth Training Program, Title II Part C 82% and the Summer Youth Employment and Training Program, Title II Part B:

**(A) for Central Services:**

Board of Education of the Cleveland School District	\$1,714,205.00
Youth Opportunities Unlimited	150,000.00

**(B) for Academic Enrichment Activities**

Board of Education of the Cleveland School District	164,000.00
Board of Education of the Cleveland School District	114,000.00
City of Cleveland Community Relations Board	13,250.00
City of Cleveland Department of Parks, Recreation and Properties Division of Recreation	11,428.00
Cleveland Public Theatre	45,000.00
The Phillis Wheatley Association	100,000.00
Urban League of Greater Cleveland	23,060.00

**Section 2.** That, if any Supplemental Allocations are allocated to the City and are accepted pursuant to an enabling ordinance, the Director of Personnel and Human Resources is authorized to modify the amounts to be paid to the service providers identified in Section 1 as necessary to effectively operate the program. The Director is authorized to amend any contracts authorized by Section 1 in order to modify these amounts upon formal verification of fund availability.

**Section 3.** That the cost of the contracts in Section 1 shall not exceed Two Million Four Hundred Fifty-Nine Thousand Nine Hundred Forty-Three Dollars (\$2,459,943.00), and will be paid from Fund Nos. 15 SF 035, 15 SF 045, 15 SF 055 and 15 SF 054.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**Ord. No. 362-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair or replace fire hydrants, 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 requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials needed to repair or replace fire hydrants 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 Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. 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 20940)

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

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

**Ord. No. 363-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to clean and test insulators, bushings and lightning arrestors, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

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

requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials needed to clean and test insulators, bushings and lightning arrestors in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. 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 21496)

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

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

**Ord. No. 364-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed for interior and exterior motor vehicle body repair, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials needed for interior and exterior motor vehicle body repair in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any com-

bination 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 21497)

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

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

**Ord. No. 365-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to inspect, test at high voltage levels and repair bucket and derrick trucks, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials needed to inspect, test at high voltage levels and repair bucket and derrick trucks in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. 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 21497)

tion against such contract duly certified by the Director of Finance. (RL 21495)

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

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

**Ord. No. 366-96.**

**By Councilmen Patton and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of various billing forms and envelopes, 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 Director of Public Utilities 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 billing forms and envelopes 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 Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. 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 21498)

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

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

**Ord. No. 367-96.**

**By Councilman Paulenske (by request).**

**An emergency ordinance authorizing the Director of Public Regency House Limited Partnership**

**to encroach into the public right-of-way of East 9th St. and Superior Ave. for canopies, awnings, and building overhangs for the construction of the Hampden Inn.**

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 Regency House Limited Partnership, its successors and assigns, for the construction, use and maintenance of a four-foot building overhang at East 9th Street; canopies at Superior Avenue and East 9th Street entrances; awnings on the south and east sides of the proposed Hampden Inn building at 1460 East 9th Street; and tie-backs on the south and east sides of the aforesaid Hampden Inn building; which will encroach into the public right-of-way on East 9th Street and Superior Avenue, at the locations more fully described herein as follows:

**ENCROACHMENT FOR 4-FOOT OVERHANG OF BUILDING AT EAST 9TH STREET**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 72 and further bounded and described as follows:

Beginning at the intersection of the westerly line of East 9th Street (99 feet wide) and northerly line of Superior Avenue (132 feet wide); thence North 39°-42'-40" West, 128.67 feet, along the said westerly line of East 9th Street to a point; thence North 50°-17'-20" East, 4.00 feet to a point; thence South 39°-42'-40" East, 128.67 feet to a point; thence South 50°-17'-20" West, 4.00 feet to the place of beginning be the same more or less but subject to all legal highways.

**ENCROACHMENT FOR CANOPY AT SUPERIOR AVENUE ENTRANCE**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot No. 72, and further bounded and described as follows:

Beginning at the intersection of the westerly line of East 9th Street (99 feet wide), and northerly line of Superior Avenue (132 feet wide); thence South 50°-00'-00" West, 15.00 feet, along the northerly line of Superior Avenue to the principal place of beginning; thence continuing South 50°-00'-00" West, 19.00 feet to a point; thence South 39°-42'-40" East, 5.83 feet to a point; thence North 50°-17'-20" East, 19.00 feet to a point; thence North 39°-42'-40" West, 5.92 feet to the principal place of beginning be the same more or less, but subject to all legal highways.

**ENCROACHMENT FOR CANOPY AT EAST 9TH STREET ENTRANCE**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 72 and further bounded and described as follows:

Beginning at the intersection of the westerly line of East 9th Street (99 feet wide), and northerly line of Superior Avenue (132 feet wide); thence North 39°-42'-40" West, 52.00 feet along the said westerly line of East 9th Street to a point and the principal place of beginning; thence continuing North 39°-42'-40" West, 26.00 feet along the said westerly line of East 9th Street to a point; thence North 50°-17'-20" East, 12.00 feet to a point; thence South 39°-42'-40" East, 26.00 feet to a point; thence South 50°-17'-20" West, 12.00 feet to the principal place of beginning be the same more or less but subject to all legal highways.

**ENCROACHMENT FOR AWNINGS ON SOUTH AND EAST SIDES OF BUILDING**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 72 and further bounded and described as follows:

Beginning at the intersection of the westerly line of East 9th Street (99 feet wide), and northerly line of Superior Avenue (132 feet wide); thence South 50°-00'-00" West, 53.78 feet, along the northerly line of Superior Avenue to the southwest corner of Sublot No. 28 in J. A. Rockwell and others Subdivision of part of Original Two Acre Lot No. 72, as shown by the recorded plat in Volume 2 of Maps, Page 58 of Cuyahoga County Records; thence South 39°-42'-40" East, 5.73 feet to a point; thence North 50°-17'-20" East, 58.78 feet to a point; thence North 39°-42'-40" West, 134.67 feet to a point; thence South 50°-17'-20" West, 6.00 feet to the westerly line of said East 9th Street; thence South 39°-42'-40" East, 128.67 feet, along the said westerly line of said East 9th Street, to the place of beginning be the same more or less but subject to all legal highways.

**ENCROACHMENT FOR TIE-BACKS ON SOUTH AND EAST SIDES OF BUILDING**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot No. 72 and further bounded and described as follows:

Beginning at the intersection of the westerly line of East 9th Street (99 feet wide), and northerly line of Superior Avenue (132 feet wide); thence South 50°-00'-00" West, 52.78 feet, along the northerly line of Superior Avenue to the southwest corner of Sublot No. 28 in J.A. Rockwell and others' Subdivision of part of Original Two Acre Lot No. 72, as shown by the recorded plat in Volume 2 of Maps, Page 58 of Cuyahoga County Records; thence South 40°-00'-00" East, 50.00 feet to a point; thence North 50°-00'-00" East, 97.53 feet to a point; thence North 39°-42'-40" West, 178.44 feet to a point; thence South 50°-17'-20" West, 45.00 feet to the westerly line of said East 9th Street; thence South 39°-42'-40" East, 128.67 feet, along the said westerly line of East 9th Street, to the place of beginning be the same more or less but subject to all legal highways.

**Section 2.** That said canopies, awnings, and building overhangs, will be constructed within the public right-of-way of East 9th Street and Superior Avenue at the locations aforesaid in Section 1, 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.

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

**Ord. No. 368-96.**

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

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

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 Cleveland-Cuyahoga County Port Authority, or their designee, to provide economic development assistance for the acquisition and relocation of J.C. Hub, located at East 36th Street and Chester Avenue, Cleveland, Ohio.

**Section 2.** That the terms of said loan shall be determined by the Director of Economic Development in accordance with applicable Federal regulations, State and local law, and said director is authorized to amend said terms, from time to time, as he deems necessary to remain consistent with said laws and regulations.

**Section 3.** That the costs of said contract shall not exceed Nine Hundred Thousand Dollars (\$900,000.00), and shall be paid from Fund No. 10 SF 501, Request No. 22405.

**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. 15 SF 503.

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

and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

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

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

**Ord. No. 369-96.**

**By Councilmen Paulenske, 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 2088 West 10 Street to Patricia A. Kowalski.**

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. 004-09-023, as more fully described in Section 2 below, to Patricia A. Kowalski.

**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. 004-09-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 122 feet of the Southerly 40 feet of Sublot No. 53 in William Slade Jr.'s Subdivision, as shown by the recorded plat in Volume 1 of Maps, Page 23 of Cuyahoga County Records and being 40 feet front on the Westerly side of West 10th Street, and extending back of equal width 122 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

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

**Ord. No. 370-96.**

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

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

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 135.47 thereof, to read as follows:

**Section 135.47 Jail Population Reduction Project**

The Director of Public Safety is authorized to enter into contract with the Board of Commissioners of Cuyahoga County for reimbursement of the costs of a Cleveland police officer to participate in the Jail Population Reduction Project.

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

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

**Ord. No. 371-96.**  
**By Councilmen Polensek and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Public Utilities Commission of Ohio for the 1995-96 HAZMAT Training 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 \$12,360.00, from the Public Utilities Commission of Ohio, to conduct the 1995-96 HAZMAT Training 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. 371-96-A, made a

part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**Ord. No. 372-95.**  
**By Councilman Rokakis (by departmental request).**  
**An emergency ordinance to amend Sections 5, 8, 10, 15, 20, 23 and 48 of Ordinance No. 2114-95, passed November 27, 1995, relating to compensation for various classifications.**

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

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

**Section 1.** That Sections 5, 8, 10, 15, 20, 23 and 48 of Ordinance No. 2114-95, passed November 27, 1995, are hereby amended to read, respectively, as follows:

**Section 5. Secretary of Civil Service Commission, Secretaries to Director, and Executive Assistants to the Mayor.**

That the salary of the Secretary of the Civil Service Commission, the salary of the Secretary to each Director of a Department, and the salaries of four Executive Assistants to the Mayor shall be fixed by the Mayor in accordance with the following schedule:

	<b>Minimum</b>	<b>Maximum</b>
1. Four Executive Assistants to the Mayor.....	\$35,410.47	\$85,183.26
2. Special Assistant to the Mayor.....	\$20,410.00	\$54,345.33
3. Secretary to Directors of Departments.....	\$36,590.39	<b>\$77,959.26</b>
4. Secretary of the Civil Service Commission.....	\$25,011.85	\$49,058.84

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

	<b>Minimum</b>	<b>Maximum</b>
1. Accountant I.....	\$ 6.36 per hour	\$13.83 per hour
2. Accountant II.....	\$ 7.06 per hour	\$15.17 per hour
3. Accountant III.....	\$ 7.96 per hour	\$16.82 per hour
4. Accountant Clerk I.....	\$ 4.81 per hour	\$11.20 per hour
5. Accountant Clerk II.....	\$ 5.46 per hour	\$12.11 per hour
6. Activities Therapist.....	\$ 9.15 per hour	\$10.65 per hour
7. Aids Support Services Coordinator .....	\$10.49 per hour	\$11.91 per hour
8. Air Pollution Control, Engineer I .....	\$ 8.43 per hour	\$17.79 per hour
9. Air Pollution Control, Engineer II .....	\$ 8.96 per hour	\$18.74 per hour
10. Air Pollution Control, Engineer III .....	\$ 9.50 per hour	\$19.75 per hour
11. Air Pollution Engineer .....	\$12.04 per hour	\$13.88 per hour
12. Air Pollution Inspector I.....	\$ 9.48 per hour	\$14.30 per hour
13. Air Pollution Inspector II .....	\$ 7.53 per hour	\$15.96 per hour
14. Air Pollution Technician I .....	\$ 7.12 per hour	\$15.17 per hour
15. Air Pollution Technician II .....	\$ 7.53 per hour	\$15.96 per hour
16. Air Pollution Technician III .....	\$ 8.43 per hour	\$17.79 per hour
17. Airport Information Representative .....	<b>\$ 8.31</b> per hour	\$11.62 per hour
18. Airport Operations Agent I .....	<b>\$11.74</b> per hour	\$14.37 per hour
19. Airport Operations Agent II .....	<b>\$14.74</b> per hour	\$16.91 per hour
20. Airport Safety Man .....	<b>\$24,502.40</b>	\$30,585.56
21. Architect .....	\$ 9.73 per hour	\$20.91 per hour
22. Assistant Buyer .....	\$ 6.71 per hour	\$14.51 per hour
23. Assistant City Planner .....	\$ 7.12 per hour	\$15.17 per hour
24. Assistant Civil Engineer .....	\$ 7.12 per hour	\$15.17 per hour
25. Assistant Electrical Engineer .....	\$ 7.12 per hour	\$15.17 per hour
26. Assistant Mechanical Engineer .....	\$ 7.12 per hour	\$15.17 per hour
27. Assistant Plan Examiner .....	\$ 7.53 per hour	\$15.96 per hour
28. Associate Programmer .....	\$ 7.55 per hour	\$16.26 per hour
29. Bacteriologist .....	\$ 7.96 per hour	\$16.82 per hour
30. Bill Collector .....	<b>\$ 8.31</b> per hour	\$11.62 per hour
31. Building Inspector .....	<b>\$11.82</b> per hour	\$15.43 per hour
32. Camera Room Operator .....	\$ 6.04 per hour	\$13.20 per hour
33. Caseworker I .....	\$ 5.73 per hour	\$12.62 per hour
34. Caseworker II .....	\$ 6.36 per hour	\$13.83 per hour
35. Cashier/Starter .....	\$ 6.36 per hour	\$13.83 per hour
36. Chemist .....	\$ 8.90 per hour	\$18.13 per hour

	<b>Minimum</b>	<b>Maximum</b>
37. Chief Miscellaneous Investigator .....	\$ 7.53 per hour	\$15.96 per hour
38. Citizens Information Representative .....	\$ 6.04 per hour	\$13.20 per hour
39. Civil Engineer .....	\$ 9.50 per hour	\$20.91 per hour
40. Claims Examiner .....	\$ 7.53 per hour	\$15.96 per hour
41. Clerk Typist .....	\$ 7.62 per hour	\$ 8.66 per hour
42. Clinical Laboratory Assistant .....	\$ 6.36 per hour	\$13.20 per hour
43. Clinical Laboratory Technician I .....	\$ 7.12 per hour	\$15.17 per hour
44. Clinical Laboratory Technician II .....	\$ 7.37 per hour	\$16.26 per hour
45. Cocaine Treatment Counselor I .....	\$ 8.56 per hour	\$12.55 per hour
46. Cocaine Intake Specialist .....	\$ 9.95 per hour	\$11.30 per hour
47. Community Development Code Enforcement Inspector I .....	\$14.08 per hour	\$16.83 per hour
48. Community Development Code Enforcement Inspector II .....	\$14.89 per hour	\$17.79 per hour
49. Community Development Code Enforcement Inspector III .....	\$15.70 per hour	\$18.74 per hour
50. Community Development Code Enforcement Inspector/Heating I .....	\$14.08 per hour	\$16.83 per hour
51. Community Development Code Enforcement Inspector/Heating II .....	\$14.89 per hour	\$17.79 per hour
52. Community Development Code Enforcement Inspector/Heating III .....	\$15.70 per hour	\$18.74 per hour
53. Community Development Code Enforcement Inspector/Refrigeration I .....	\$14.08 per hour	\$16.83 per hour
54. Community Development Code Enforcement Inspector/Refrigeration II .....	\$14.89 per hour	\$17.79 per hour
55. Community Development Code Enforcement Inspector/Refrigeration III .....	\$15.70 per hour	\$18.74 per hour
56. Community Development Code Enforcement Inspector/Trainee .....	\$ 9.97 per hour	\$13.57 per hour
57. Community Development Planner .....	\$ 9.87 per hour	\$20.12 per hour
58. Community Health Aide .....	\$ 4.81 per hour	\$11.20 per hour
59. Community Relations Representative I .....	\$ 6.04 per hour	\$13.20 per hour
60. Community Relations Representative II .....	\$ 7.53 per hour	\$15.96 per hour
61. Community Relations Representative III .....	\$ 9.51 per hour	\$19.75 per hour
62. Composing Equipment Operator .....	\$ 6.71 per hour	\$14.51 per hour
63. Computer Monitor Assistant .....	\$ 8.43 per hour	\$ 9.58 per hour
64. Computer Operator .....	\$ 7.53 per hour	\$15.96 per hour
65. Consumer Protection Specialist .....	\$ 5.73 per hour	\$12.67 per hour
66. Cook .....	<b>\$ 9.45</b> per hour	\$10.92 per hour
67. Copy Center Operator .....	\$ 5.67 per hour	\$12.11 per hour
68. Cost Construction Estimator .....	\$ 8.34 per hour	\$15.53 per hour
69. Customer Service Representative .....	<b>\$ 8.31</b> per hour	\$11.62 per hour
70. Data Control Clerk .....	\$ 5.24 per hour	\$11.63 per hour
71. Data Conversion Operator .....	<b>\$ 8.23</b> per hour	\$10.52 per hour
72. Dental Assistant .....	\$ 4.71 per hour	\$10.98 per hour
73. Development Officer .....	\$ 8.96 per hour	\$18.73 per hour
74. Dietician .....	\$ 9.08 per hour	\$13.82 per hour
75. Drug and Alcohol Counselor .....	\$ 9.05 per hour	\$10.28 per hour
76. Electrical Engineer .....	\$ 9.50 per hour	\$20.91 per hour
77. Electronic Engineer .....	\$ 9.45 per hour	\$21.29 per hour
78. Elevator Inspector .....	<b>\$11.81</b> per hour	\$16.83 per hour
79. Environmental Technician .....	<b>\$10.59</b> per hour	\$12.63 per hour
80. Family Planning Clerk .....	\$ 7.22 per hour	\$ 9.69 per hour
81. Financial Analyst .....	\$ 7.12 per hour	\$15.17 per hour
82. Financial Counselor .....	\$ 7.94 per hour	\$15.96 per hour
83. Fuel System Technician .....	\$ 8.96 per hour	\$14.09 per hour
84. General Health Aide .....	\$ 4.81 per hour	\$11.20 per hour
85. General Storekeeper .....	\$ 7.96 per hour	\$16.82 per hour
86. Geriatric Outreach Worker .....	\$ 7.12 per hour	\$15.17 per hour
87. Guard .....	\$ 6.55 per hour	\$11.19 per hour
88. Head Cook .....	\$ 5.46 per hour	\$12.10 per hour
89. Head Storekeeper .....	\$ 7.11 per hour	\$15.18 per hour
90. Health Educator I .....	\$ 6.36 per hour	\$13.83 per hour
91. Health Educator II .....	\$ 7.12 per hour	\$15.17 per hour
92. Heating Inspector .....	<b>\$11.81</b> per hour	\$15.43 per hour
93. HIV Educator .....	\$ 8.17 per hour	\$ 8.83 per hour
94. House Connection Inspector .....	\$10.31 per hour	\$12.90 per hour
95. House of Correction Guard .....	\$10.10 per hour	\$11.90 per hour
96. Housing Inspector .....	<b>\$12.11</b> per hour	\$13.73 per hour
97. Human Resources Contract Specialist .....	\$ 9.73 per hour	\$20.90 per hour
98. Human Resources On-the-Job Training Specialist .....	\$10.21 per hour	\$17.78 per hour
99. Human Resources Planner .....	\$10.74 per hour	\$22.09 per hour
100. Human Resources Special Projects Coordinator .....	\$10.21 per hour	\$17.78 per hour
101. Income Tax Tracer .....	\$ 6.36 per hour	\$13.83 per hour
102. Industrial Hygiene Engineer .....	\$ 9.73 per hour	\$20.90 per hour

	<b>Minimum</b>	<b>Maximum</b>	
103.	Industrial Nuisance Inspector .....	\$ 6.36 per hour	\$13.83 per hour
104.	Information Control Analyst .....	\$ 6.81 per hour	\$14.49 per hour
105.	Inspector of Weights and Measures .....	\$ 5.73 per hour	\$12.62 per hour
106.	Institutional Guard .....	\$ 9.50 per hour	\$11.90 per hour
107.	Instrument Repairman .....	\$ 8.21 per hour	\$13.82 per hour
108.	Instrumentation Technician I .....	<b>\$13.99</b> per hour	\$14.85 per hour
109.	Instrumentation Technician II .....	<b>\$15.61</b> per hour	\$16.36 per hour
110.	Intake Specialist .....	\$ 4.81 per hour	\$11.20 per hour
111.	Job Retraining Assistant .....	\$ 7.12 per hour	\$15.17 per hour
112.	Junior Cashier .....	\$ 5.24 per hour	\$11.62 per hour
113.	Junior Chemist .....	\$ 5.46 per hour	\$12.11 per hour
114.	Junior City Planner .....	\$ 6.36 per hour	\$13.83 per hour
115.	Junior Civil Engineer .....	\$ 6.36 per hour	\$13.83 per hour
116.	Junior Clerk .....	<b>\$ 8.21</b> per hour	\$ 9.69 per hour
117.	Junior Draftsman .....	\$ 5.46 per hour	\$12.11 per hour
118.	Junior Engineering Aide .....	\$ 5.46 per hour	\$12.11 per hour
119.	Laboratory Assistant .....	\$ 6.04 per hour	\$13.20 per hour
120.	Laboratory Helper .....	\$ 4.77 per hour	\$10.44 per hour
121.	Landscape Architect .....	\$ 9.50 per hour	\$19.75 per hour
122.	Lead Pressman .....	\$ 8.93 per hour	\$15.38 per hour
123.	Life Guard .....	\$ 4.25 per hour	\$ 9.06 per hour
124.	Life Guard Captain .....	\$ 7.14 per hour	\$ 9.06 per hour
125.	Mechanical Engineer .....	\$ 9.50 per hour	\$20.91 per hour
126.	Messenger .....	\$ 4.77 per hour	\$10.44 per hour
127.	Meter Reader .....	<b>\$10.63</b> per hour	\$13.56 per hour
128.	Minority Business Consultant .....	\$11.15 per hour	\$23.27 per hour
129.	Miscellaneous Investigator .....	\$ 5.46 per hour	\$12.11 per hour
130.	Monitoring, Auditing and Evaluation Coordinator .....	\$13.65 per hour	\$15.40 per hour
131.	Office Machine Operator .....	<b>\$ 8.21</b> per hour	\$10.16 per hour
132.	Offset Duplicating Machine Operator .....	\$ 5.46 per hour	\$12.11 per hour
133.	On The Job Training Specialist .....	\$12.71 per hour	\$14.88 per hour
134.	Park and Recreation Planner .....	\$ 9.51 per hour	\$19.75 per hour
135.	Parking Attendant .....	\$ 6.31 per hour	\$11.20 per hour
136.	Parking Meter Collector .....	\$ 6.32 per hour	\$11.17 per hour
137.	Parking Meter Serviceman .....	<b>\$11.30</b> per hour	\$11.77 per hour
138.	Permit Processing Specialist .....	\$ 7.00 per hour	\$ 9.38 per hour
139.	Pharmacist .....	\$10.74 per hour	\$22.09 per hour
140.	Pharmacodependent Rehabilitation Counselor I .....	\$ 6.49 per hour	\$10.72 per hour
141.	Pharmacodependent Rehabilitation Counselor II .....	\$ 7.57 per hour	\$12.67 per hour
142.	Photographer .....	\$ 9.08 per hour	\$15.17 per hour
143.	Photographic Laboratory Technician .....	\$ 6.80 per hour	\$13.20 per hour
144.	Photo-Litho Operator .....	\$ 5.48 per hour	\$12.11 per hour
145.	Physical Director .....	\$ 8.33 per hour	\$13.65 per hour
146.	Plan Examiner .....	\$ 7.96 per hour	\$18.06 per hour
147.	Play Director .....	\$ 4.25 per hour	\$ 9.55 per hour
148.	Police Radio Technician .....	<b>\$13.58</b> per hour	\$14.69 per hour
149.	Pressman .....	\$ 7.89 per hour	\$14.89 per hour
150.	Preventive Health Counselor .....	\$13.59 per hour	\$15.44 per hour
151.	Preventive Health Educator .....	\$ 8.89 per hour	\$10.37 per hour
152.	Principal Cashier .....	\$ 7.24 per hour	\$16.26 per hour
153.	Principal Clerk .....	\$10.19 per hour	\$13.83 per hour
154.	Print Shop Helper .....	<b>\$ 8.80</b> per hour	\$10.24 per hour
155.	Private Secretary .....	\$ 6.71 per hour	\$14.51 per hour
156.	Program Analyst .....	\$16.64 per hour	\$21.04 per hour
157.	Programmer .....	\$ 8.96 per hour	\$18.74 per hour
158.	Programmer Analyst .....	\$ 9.73 per hour	\$20.90 per hour
159.	Property Clerk .....	\$11.37 per hour	\$23.29 per hour
160.	Psychiatric Social Worker .....	\$12.48 per hour	\$15.13 per hour
161.	Psychologist I .....	\$10.74 per hour	\$20.13 per hour
162.	Psychologist II .....	\$12.88 per hour	\$23.73 per hour
163.	Public Health Nursing Aide .....	<b>\$ 8.82</b> per hour	\$ 9.67 per hour
164.	Public Health Sanitarian I .....	<b>\$10.59</b> per hour	\$12.92 per hour
165.	Public Health Sanitarian II .....	<b>\$11.89</b> per hour	\$14.47 per hour
166.	Public Health Sanitarian III .....	<b>\$12.84</b> per hour	\$15.09 per hour
167.	Public Information Officer .....	\$ 7.38 per hour	\$15.96 per hour
168.	Quality Assurance Analyst .....	\$ 8.96 per hour	\$18.73 per hour
169.	Radio Dispatcher .....	<b>\$14.38</b> per hour	\$14.74 per hour
170.	Radio Technician .....	<b>\$13.58</b> per hour	\$14.69 per hour
171.	Receptionist .....	\$ 6.06 per hour	\$10.68 per hour
172.	Records Manager .....	\$ 9.84 per hour	\$11.19 per hour
173.	Recreation Aide .....	\$ 4.25 per hour	\$ 7.46 per hour
174.	Recreation Instructor .....	\$ 4.81 per hour	\$11.20 per hour
175.	Recreation Instructor I .....	\$ 5.24 per hour	\$11.93 per hour
176.	Recreation Instructor II .....	\$ 5.46 per hour	\$12.41 per hour
177.	Recreation Instructor III .....	\$ 6.83 per hour	\$13.12 per hour
178.	Recreation Program Supervisor .....	\$ 6.83 per hour	\$12.18 per hour



	<b>Minimum</b>	<b>Maximum</b>
179.	Redevelopment Advisor .....	\$ 7.96 per hour \$16.82 per hour
180.	Redevelopment Coordinator .....	\$ 8.38 per hour \$18.74 per hour
181.	Refrigeration Inspector .....	<b>\$11.82</b> per hour \$15.43 per hour
182.	Refugee Outreach Worker .....	\$ 8.40 per hour \$10.43 per hour
183.	Registered Animal Health Technician .....	\$ 7.94 per hour \$11.20 per hour
184.	Rehabilitation Advisor .....	\$ 6.71 per hour \$14.51 per hour
185.	Sanitarian Aide .....	<b>\$ 9.63</b> per hour \$10.86 per hour
186.	Secretary .....	\$ 6.30 per hour \$12.11 per hour
187.	Secretary to Director of Consumer Affairs .....	\$ 9.51 per hour \$19.75 per hour
188.	Senior Assistant Architect .....	\$ 7.96 per hour \$16.82 per hour
189.	Senior Assistant City Planner .....	\$ 7.96 per hour \$16.82 per hour
190.	Senior Assistant Civil Engineer .....	\$ 7.96 per hour \$16.82 per hour
191.	Senior Assistant Electrical Engineer .....	\$ 7.96 per hour \$16.82 per hour
192.	Senior Assistant Mechanical Engineer .....	\$ 7.96 per hour \$16.82 per hour
193.	Senior Assistant Traffic Engineer .....	\$ 7.96 per hour \$16.82 per hour
194.	Senior Bacteriologist .....	\$ 6.71 per hour \$14.51 per hour
195.	Senior Cashier .....	\$ 6.36 per hour \$13.83 per hour
196.	Senior Chemist .....	\$ 7.53 per hour \$15.96 per hour
197.	Senior Clerk .....	<b>\$ 8.53</b> per hour <b>\$11.76</b> per hour
198.	Senior Computer Operator .....	\$ 8.96 per hour \$18.74 per hour
199.	Senior Data Conversion Operator .....	\$ 5.73 per hour \$12.62 per hour
200.	Senior Development Officer .....	\$12.63 per hour \$24.59 per hour
201.	Senior Draftsman .....	\$ 6.36 per hour \$13.83 per hour
202.	Senior Engineering Draftsman and Photographer .....	\$ 7.12 per hour \$15.17 per hour
203.	Senior Information Control Analyst .....	\$ 7.38 per hour \$15.96 per hour
204.	Senior Laboratory Technician .....	\$10.86 per hour \$12.53 per hour
205.	Senior Landscape Architect .....	\$ 9.73 per hour \$20.90 per hour
206.	Senior Site Inspector - Demolition .....	\$ 8.43 per hour \$17.78 per hour
207.	Sewer Service Man .....	<b>\$12.43</b> per hour \$13.19 per hour
208.	Site Inspector .....	\$ 7.53 per hour \$15.96 per hour
209.	Social Worker for Homeless .....	\$13.82 per hour \$15.70 per hour
210.	Starter (Golf) .....	\$ 4.49 per hour \$ 9.27 per hour
211.	S.T.D. Clerk .....	\$ 7.88 per hour \$ 8.96 per hour
212.	Stenographer I .....	<b>\$ 8.11</b> per hour \$10.18 per hour
213.	Stenographer II .....	<b>\$ 8.94</b> per hour \$11.36 per hour
214.	Stenographer III .....	\$ 7.37 per hour \$12.62 per hour
215.	Stock Clerk .....	\$ 5.46 per hour \$12.47 per hour
216.	Storekeeper .....	\$ 6.36 per hour \$14.21 per hour
217.	Street Obstruction Inspector .....	\$ 6.04 per hour \$13.20 per hour
218.	Surveyor .....	\$ 8.96 per hour \$18.74 per hour
219.	Tax Auditor I .....	\$ 7.12 per hour \$15.17 per hour
220.	Tax Auditor II .....	\$ 7.96 per hour \$16.82 per hour
221.	Technical Specialist .....	\$ 7.53 per hour \$15.96 per hour
222.	Technical Specifications Writer .....	\$ 9.08 per hour \$16.83 per hour
223.	Telephone Operator .....	\$ 5.24 per hour \$11.62 per hour
224.	Telephone Supervisor .....	\$ 5.46 per hour \$12.11 per hour
225.	Timekeeper .....	\$ 5.46 per hour \$12.11 per hour
226.	Traffic Engineer .....	\$ 9.50 per hour \$19.75 per hour
227.	Traffic Sign and Marking Technician .....	<b>\$11.35</b> per hour \$12.11 per hour
228.	Typist .....	<b>\$ 8.23</b> per hour \$10.52 per hour
229.	Urban Planning and Development Technician .....	\$ 5.73 per hour \$12.62 per hour
230.	Utility Adjuster .....	<b>\$ 8.83</b> per hour <b>\$13.40</b> per hour
231.	Vector Control Assistant .....	\$ 8.90 per hour \$10.11 per hour
232.	Veteran's Counselor .....	\$ 7.38 per hour \$13.74 per hour
233.	Water Hydraulic Repairman .....	<b>\$12.43</b> per hour \$13.19 per hour
234.	Water Meter Repairman .....	<b>\$12.43</b> per hour \$13.55 per hour
235.	Water Pipe Repairman.....	<b>\$11.25</b> per hour \$13.55 per hour
236.	Water Serviceman .....	\$ 9.05 per hour \$11.25 per hour
237.	Water System Construction Inspector .....	\$10.48 per hour \$16.82 per hour

**Section 10.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1.	Assistant Superintendent of Distribution .....	\$29,828.64 \$32,690.86
2.	Chief Meter Reader .....	26,776.62 29,422.13
3.	Chief Radio Dispatcher-Water .....	30,533.44 33,467.12
4.	Data Conversion Supervisor .....	24,070.17 26,523.53
5.	Engineer of Hydraulic Surveys .....	37,550.06 41,401.80
6.	Meter Reader Supervisor .....	29,215.14 32,806.06
7.	Sewer Construction Unit Leader .....	31,650.11 34,641.66
8.	Sewer Maintenance Unit Leader .....	23,962.24 29,986.71
9.	Sewer Maintenance Unit Leader Operator .....	28,605.94 31,381.34
10.	Supervisor of Radio Service .....	30,553.44 <b>35,386.58</b>
11.	Unit Supervisor .....	26,835.06 <b>33,157.50</b>
12.	Water Hydraulic Unit Leader .....	28,446.57 31,651.96

	<b>Minimum</b>	<b>Maximum</b>
13. Water Hydraulic Supervisor .....	32,237.05	35,717.51
14. Water Meter Department Unit Leader .....	28,446.55	31,651.96
15. Water Meter Department Supervisor .....	32,237.05	35,717.51
16. Water Pipe Repair Unit Leader.....	28,446.57	32,424.22
17. Water Pipe Repair Supervisor .....	32,242.61	36,489.78

**Section 15.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Machinist .....	<b>\$12.96</b> per hour	\$15.42 per hour
2. Machinist Unit Leader .....	\$13.46 per hour	\$17.45 per hour
3. Machinist Helper .....	<b>\$11.32</b> per hour	\$13.03 per hour

**Section 20.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification.

	<b>Minimum</b>	<b>Maximum</b>
1. <b>Emergency Medical Dispatcher (Probationary) .....</b>	<b>\$ 8.50 per hour</b>	<b>\$ 8.50 per hour</b>
2. <b>Emergency Medical Dispatcher .....</b>	<b>\$20,741.97</b>	<b>\$28,553.22</b>
3. Emergency Medical Technician .....	<b>\$22,499.00</b>	<b>\$31,770.99</b>

**Section 23.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Accident and Safety Inspector .....	<b>\$13.28</b> per hour	\$15.28 per hour
2. Airport Field Foreman .....	<b>\$13.19</b> per hour	\$15.19 per hour
3. Arborist I .....	<b>\$11.53</b> per hour	\$13.53 per hour
4. Arborist II .....	<b>\$13.43</b> per hour	\$15.43 per hour
5. Arborist III .....	<b>\$15.20</b> per hour	\$17.20 per hour
6. Assistant Gardener .....	<b>\$ 8.98</b> per hour	\$10.98 per hour
7. Assistant Manager of Parks and Urban Forestry .....	<b>\$14.80</b> per hour	\$16.80 per hour
8. Assistant Superintendent of Waste Collection .....	<b>\$15.20</b> per hour	\$17.20 per hour
9. Cemetery Foreman .....	<b>\$13.19</b> per hour	\$15.19 per hour
10. Cemeteries Maintenance Man I .....	<b>\$10.29</b> per hour	\$12.29 per hour
11. Cemeteries Maintenance Man II .....	<b>\$16.24</b> per hour	\$18.24 per hour
12. Cemetery Supervisor .....	<b>\$15.20</b> per hour	\$17.20 per hour
13. Chief Engineering and Construction Inspector .....	<b>\$16.74</b> per hour	\$18.74 per hour
15. Cold Patch and Cracksealing Foreman .....	<b>\$15.30</b> per hour	\$17.30 per hour
16. Cold Patch and Crack Sealing Worker .....	<b>\$11.35</b> per hour	\$13.35 per hour
17. Crematory and Mausoleum Operator .....	<b>\$11.53</b> per hour	\$13.53 per hour
18. District Paving Repair Foreman .....	<b>\$20.86</b> per hour	\$22.86 per hour
19. Engineering and Construction Inspector .....	<b>\$12.40</b> per hour	\$14.40 per hour
20. Gardener .....	<b>\$ 9.85</b> per hour	\$11.85 per hour
21. General Construction Foreman .....	<b>\$21.08</b> per hour	\$23.08 per hour
22. General Shop Foreman .....	<b>\$15.20</b> per hour	\$17.20 per hour
23. Greenskeeper .....	<b>\$13.73</b> per hour	\$15.73 per hour
24. Ground Maintenance Crew Foreman .....	<b>\$11.14</b> per hour	\$13.14 per hour
25. Ground Maintenance Foreman .....	<b>\$13.20</b> per hour	\$15.20 per hour
26. Ground Maintenance Man .....	<b>\$10.29</b> per hour	\$12.29 per hour
27. Horticulturist .....	<b>\$17.53</b> per hour	\$19.53 per hour
28. Horticulturist Maintenance Foreman .....	<b>\$13.20</b> per hour	\$15.20 per hour
29. Labor Foreman .....	<b>\$13.19</b> per hour	\$15.19 per hour
30. Lead Program Assistant .....	<b>\$11.19</b> per hour	\$13.19 per hour
31. Mechanical Handyman .....	<b>\$10.74</b> per hour	\$12.74 per hour
32. Maintenance Foreman .....	<b>\$12.60</b> per hour	\$14.60 per hour
33. Municipal Service Laborer .....	<b>\$10.29</b> per hour	\$12.29 per hour
34. Parking Coordinator .....	<b>\$13.96</b> per hour	\$15.96 per hour
35. Practical Nurse .....	<b>\$10.23</b> per hour	\$12.23 per hour
36. Radio Operator .....	<b>\$11.85</b> per hour	\$13.85 per hour
37. Real Estate Maintenance Man .....	<b>\$10.92</b> per hour	\$12.92 per hour
38. Set-Up Foreman .....	<b>\$10.98</b> per hour	\$12.98 per hour
39. Shop Foreman .....	<b>\$13.19</b> per hour	\$15.19 per hour
40. Sidewalk Inspector .....	<b>\$11.30</b> per hour	\$13.30 per hour
41. Street Cleaning District Foreman .....	<b>\$13.19</b> per hour	\$15.19 per hour
42. Street Maintenance Foreman .....	<b>\$13.19</b> per hour	\$15.19 per hour
43. Street Maintenance General Foreman .....	<b>\$15.20</b> per hour	\$17.20 per hour
44. Street Permit Supervisor .....	<b>\$10.25</b> per hour	\$12.25 per hour
45. Street Sweeper-Waste Collection .....	<b>\$ 9.99</b> per hour	\$11.99 per hour
46. Tire Shredder .....	<b>\$10.82</b> per hour	\$12.82 per hour
47. Waste Collection Foreman .....	<b>\$13.19</b> per hour	\$15.19 per hour
48. Waste Collection Foreman I .....	<b>\$14.52</b> per hour	\$16.52 per hour
49. Waste Collection Transfer Foreman .....	<b>\$15.09</b> per hour	\$17.09 per hour
50. Waste Collector .....	<b>\$10.29</b> per hour	\$12.29 per hour
51. Waste Collector Cushman Operator .....	<b>\$10.58</b> per hour	\$12.58 per hour

	<b>Minimum</b>	<b>Maximum</b>
<b>52.</b> Watchman .....	<b>\$ 8.57</b> per hour	\$10.57 per hour
<b>53.</b> Watchman Supervisor .....	<b>\$10.87</b> per hour	\$12.87 per hour

**Section 48. Division of Fire; Various Positions.**

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

	<b>Minimum</b>	<b>Maximum</b>
1. Battalion Chief .....	<b>57,630.85</b>	<b>58,130.85</b>
2. Captain .....	<b>49,612.80</b>	<b>50,112.80</b>
3. Lieutenant .....	<b>42,690.69</b>	<b>43,200.69</b>
4. Firefighter		
Journeyman .....	<b>36,741.97</b>	<b>37,241.97</b>
Apprentice - Medic III .....	<b>33,774.43</b>	<b>33,774.43</b>
Apprentice - Medic II .....	<b>33,274.43</b>	<b>33,274.43</b>
Apprentice - Medic I .....	<b>32,274.43</b>	<b>33,274.43</b>
Trainee .....	\$ 8.50 per hour	\$ 8.84 per hour

**Section 2.** That existing Sections 5, 8, 10, 15, 20, 23 and 48 of Ordinance No. 2114-95, passed November 27, 1995, are hereby repealed, effective April 1, 1995.

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

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

**Ord. No. 373-96.  
By Councilmen Zone, 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 12907 Kadel Avenue to Sebastian J. Kanamthanam.**

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 Sup-

plies is hereby authorized to sell Permanent Parcel No. 019-19-064, as more fully described in Section 2 below, to Sebastian J. Kanamthanam.

**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. 019-19-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 73 in The Clark-Manchester Co.'s Homesite Allotment No. 7 of part of Original Rockport Township Section No. 10, as shown by the recorded plat in Volume 67 of Maps, Page 5 of Cuyahoga County Records and being 40 feet front on the Southerly side of Kadel Avenue, S.W. and extends back between parallel lines about 122.45 feet deep on the Easterly line, about 122.525 feet on the Westerly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

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

may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

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

**FIRST READING ORDINANCE REFERRED**

**Ord. No. 374-96.**

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

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

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 511.01 through 511.12 thereof, to read respectively, as follows:

**CHAPTER 511  
HOSPITAL  
TRAILBLAZER SIGNS**

**Section 511.01 Purpose**

The purpose of this chapter is to ensure that signs placed in the public right-of-way to direct motorists to emergency medical facilities are located and designed in a manner which provides information clearly and effi-

ciently, with a minimum of confusion and clutter. Generally, these guidelines are consistent with standards established by the Ohio Department of Transportation.

#### **Section 511.02 Definitions**

(a) A "hospital trailblazer sign" is a sign located within the public right-of-way, directing the public to a qualifying hospital facility.

(b) A "standard" hospital trailblazer sign displays only the "H" symbol and a white directional arrow, as depicted in Section 511.12.

(c) A hospital trailblazer "identification" sign displays the name of each hospital to which the public is directed, as depicted in Section 511.12.

#### **Section 511.03 Qualifying Hospital Facilities**

Qualifying hospital facilities are hospitals that provide emergency medical services to the general public on a 7 day-a-week, 24 hour-a-day basis, with a physician on duty in the emergency department at all times or with a registered nurse on duty in the emergency department and with a physician in the hospital on call. Qualifying hospital facilities are permitted to use hospital trailblazer signs pursuant to this chapter.

#### **Section 511.04 Design of Signs**

(a) **All Signs.** Each hospital trailblazer sign shall consist of a rectangular metal panel 24" in width, displaying a white "H" on a blue background in a 24" square copy area, placed at the top of the sign. The sign shall also display a directional arrow or arrows. All elements of the sign shall be displayed on a single panel, bordered in a white frame. Each sign shall be designed in accordance with the applicable illustration in Section 511.12. Each hospital may be identified with either a Standard sign or an Identification Sign, as described in divisions (b) and (c) of this Section.

(b) **Standard Signs.** The Standard Sign shall be designed according to division (b) of Section 511.02. The sign panel shall be 24" in width and a total of 33" in height, including a 9" high band for display of the directional arrow.

(c) **Identification Signs.** The Identification Sign shall display the name or names of each qualifying hospital permitted to be displayed at the subject location, in accordance with the General Location Standards set forth in Section 511.05. Each hospital name shall be displayed in white letters at least 3" in height, in a copy area which is a maximum of 15" in height. A white directional arrow shall be placed under each hospital name. For signs displaying the names of two or more hospitals, the hospitals shall be listed in descending order with respect to the distance of each hospital, with the closest hospital listed first. The distance of each hospital's emergency entrance shall be displayed in fractions of a mile, in white numerals and letters placed to the left of the directional arrow.

#### **Section 511.05 General Locational Standards**

(a) **Local Area Signs.** The area within one mile of the boundaries of a qualifying hospital facility shall be considered the "local area" for purposes of hospital trailblazer sign placement. Within the "local area," trailblazer signs directing motorists to the subject hospital or hospitals may be placed on arterial roads or collector roads (as classified by the Ohio Department of Transportation) at "decision-making points" where a right or left turn is required, and at the intersection of two or more arterial roads. Separate signs for two or more hospitals shall not be permitted where a single, multiple-hospital sign could be placed.

(b) **Signs on Freeway Routes.** Outside of the 1-mile "local area," hospital trailblazer signs shall be permitted only on roads which provide the most direct route from freeway interchanges most directly serving a qualifying hospital. Such signs may be placed at "decision-making points," where a right or left turn is required for one or more of the listed hospitals, and at the intersection of two or more arterial roads (as classified by Ohio Department of Transportation). Separate signs for two or more hospitals shall not be permitted where a single, multiple-hospital sign could be placed.

(c) **Signs on Freeways.** Hospital trailblazer signs shall be placed on inter-state highways and other freeways, as well as in immediate proximity to freeway exits ramps, as permitted by the Ohio Department of Transportation.

#### **Section 511.06 Specific Placement Standards**

(a) **Distance from Intersection.** A permitted hospital trailblazer sign shall be placed approximately 150-200 feet in advance of an intersection where a left turn is indicated, approximately 100 feet in advance of an intersection where only a right turn is indicated, and less than 100 feet in advance of an intersection where no turn is indicated. Precise locations for particular signs shall be determined by the Commissioner of Traffic Engineering and Parking.

(b) **Attachment.** Hospital trailblazer signs shall be attached to utility poles, where such poles are appropriately located. Only where utility poles or other sign posts are not available shall hospital trailblazer signs be attached to posts installed exclusively for display of the trailblazer sign. Specific placement shall be approved by the Commissioner of Traffic Engineering and Parking and, for signs placed on utility poles, the Commissioner of Cleveland Public Power.

(c) **Vertical and Lateral Clearance.** Each hospital trailblazer sign shall be set back at least two (2) feet from the curb face or as permitted by the Commissioner of Traffic Engineering and Parking. The bottom of each sign shall be approximately 7-10 feet above the level of the adjoining street surface, as approved by the Commissioner of Traffic Engineering and Parking.

#### **Section 511.07 Installation, Ownership and Maintenance**

(a) Manufacture, installation, maintenance, and replacement of hospital trailblazer signs shall be at the sole cost and responsibility of the subject hospital or hospitals or its designated agent or agents. The signs shall remain property of the hospital or hospitals or its agent or agents.

(b) All signs shall be maintained in good condition. Signs in deteriorated or damaged condition, or signs that contain obsolete information shall be repaired, replaced or removed upon the order of the Commissioner of Traffic Engineering and Parking.

**Section 511.08 Encroachment Application Permit Required**

Encroachment Permits are required for placement of all hospital trailblazer signs. Applications shall be as follows:

(a) **Comprehensive Sign Location Plan.** Not later than six (6) months after the effective date of this chapter, all hospitals shall submit to the City Planning Commission a comprehensive citywide plan for the placement of such signs. The plan shall indicate the general location of each proposed sign and each existing sign to be retained, and the name or names of each hospital listed on each sign. The plan shall demonstrate how the number of signs will be minimized by coordinating the signage needs of hospitals that share access routes. The City Planning Commission shall review the plan with respect to the General Locational Standards set forth in Section 511.05 and shall either approve or disapprove the plan within 45 days of receipt of a complete plan, unless the applicant hospitals request an extension in this time period to permit preparation of recommended revisions. The Commission shall consult with the Commissioner of Traffic Engineering and Parking prior to approving the plan.

(b) **Encroachment Permit Application.** Subsequent to approval of a comprehensive sign location plan by the City Planning Commission, any hospital or hospitals seeking to install hospital trailblazer signs shall apply for an Encroachment Permit from the Director of Public Service. The application shall include the following information:

- (1) a written description of the proposed encroachment or encroachments, including the dimensions, height, color and construction materials of each sign, as well as the name or names of each hospital listed on each sign;
- (2) a sketch of each proposed sign, drawn to scale and marked with dimensions and colors;
- (3) a detailed description of the proposed location or locations of the encroachment in narrative and plan form;
- (4) a detailed description of the method of attachment to a permanent structure or to the ground;
- (5) written consent of the Councilmember in whose ward the encroachment is to be located; and
- (6) any other information that the Director of Public Service deems necessary.

(c) **Review and Approval of Encroachment Permit Application.** The Director of Public Service shall promptly refer the Encroachment Permit application to the Commissioner of Traffic Engineering and Parking, the Director of the City Planning Commission and, if applicable, the Commissioner of Cleveland Public Power, each of whom shall review the application for consistency with the standards established in this chapter, the approved comprehensive sign location plan, and other applicable City standards.

(d) **Revocation of Encroachment Permits.** The Director of Public Service shall revoke the Encroachment Permit for any sign that is not maintained in accordance with this chapter.

**Section 511.09 Pre-existing Signs**

(a) **Submission of Information.** As part of the comprehensive sign location plan to be submitted to the City Planning Commission pursuant to division (a) of Section 511.08, each hospital shall submit a complete listing of all existing hospital trailblazer signs it installed prior to the effective date of this chapter. The listing shall include the location of each sign, a notation indicating whether the hospital proposes to retain, remove or replace each sign, the ordinance number of the applicable Encroachment Permit for each sign, and a photograph of each sign, or sign type, marked with the dimensions of the sign panel.

(b) **Conforming Signs.** Any sign determined by the Director of the City Planning Commission to be substantially conforming to these guidelines shall be permitted to remain in place. However, if there is no record of an Encroachment Permit for any such sign, the subject hospital shall apply for an Encroachment Permit within 30 days of receipt of written notification from said Director.

(c) **Nonconforming Signs.** Any sign determined by the Director of the City Planning Commission to be substantially nonconforming to the standards of this chapter shall be removed by the subject hospital within 30 days after receipt of written notice from said Director, except in the case of a sign which the hospital proposes to replace. For such signs, the hospital shall submit an Encroachment Permit application for the replacement sign to the Director of Public Service within 30 days of approval of the Comprehensive Sign Location Plan. The nonconforming sign shall be removed and replaced within 30 days of the issuance of an Encroachment Permit.

**Section 511.10 Variations and Appeals**

The Commissioner of Traffic Engineering and Parking may vary the standards established in this chapter to the extent necessary, in the determination of the Commission, to ensure traffic safety and to better direct the motorist in particular instances. Decisions of any City official with respect to hospital trailblazer signs may be appealed to the Board of Zoning Appeals in accordance with applicable regulations and procedures.

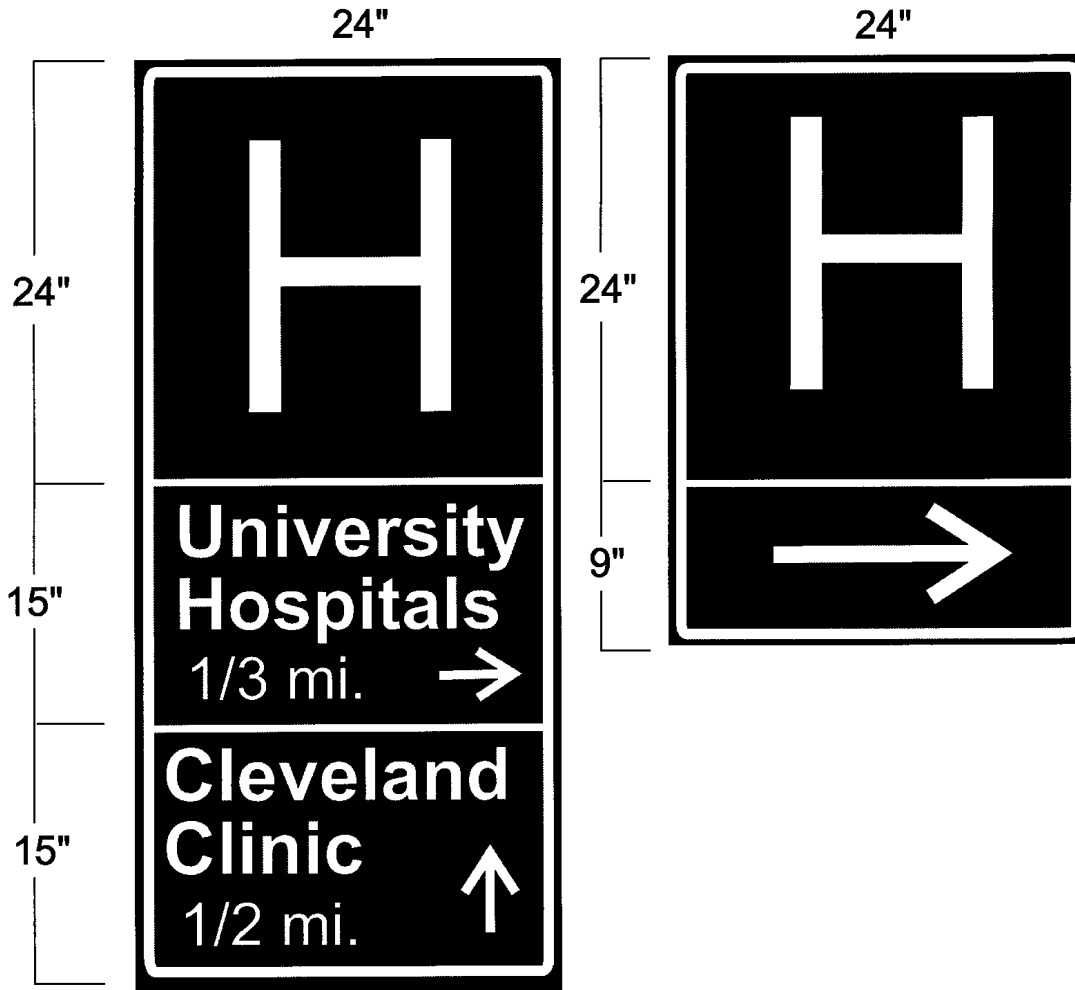
**Section 511.11 Insurance and Liability**

The recipient of an Encroachment Permit for a hospital trailblazer sign shall hold the City harmless from any and all liability, for any reason whatsoever, occasioned upon the installation and use of each such device, other than liability arising from any negligent act or omission which is solely attributable to the City, and shall furnish, at sign owner's expense, such general commercial liability insurance as shall protect said owner and the City from all claims for damage to property or bodily injury, including death, which may arise from operation under the permit or in connection therewith.

Such policy shall name the City as an additional insured, shall be in an amount of not less than One Hundred Thousand Dollars (\$100,000.00) combined single limit for any injury to persons and/or damage to property and shall provide that the insurance coverage shall not be cancelled or reduced by the insurance carrier without thirty (30) days prior written notice to the City.

A certificate of insurance shall be provided to the City with the required application for an Encroachment Permit and shall be maintained before and during installation of such device and throughout the period that the permit for the encroachment is in effect.

Section 511.12 Illustrations



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

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

**FIRST READING EMERGENCY RESOLUTIONS REFERRED**

**Res. No. 375-96.**

**By Councilman Melena.**

**An emergency resolution urging the Mayor and the Administration to plan for the utilization of clean material from the demolition of Cleveland Municipal Stadium to expand the Cuyahoga County Commissioners Reef in order to create the largest freshwater artificial reef system in the world.**

Whereas, since the late 1700's the Japanese have successfully used artificial reef technology to create and enhance coastal fishing grounds; and

Whereas, the Western Basin of

Lake Erie is known as the "Walleye Capital of the World" because this area produces more walleye per hectare than any other lake in the world; and

Whereas, the Western Basin is shallow and dotted with islands and natural reefs which provide necessary habitat for many fish species including bass, perch and walleye; and

Whereas, the Central Basin is deeper, larger and lacks the necessary near shore productive bottom structures nature provided the Western Basin; and

Whereas, since the central basin lacks the near shore structures necessary to fish habitats the Central Basin fishing areas are not within

safe running distance for smaller boats; and

Whereas, in the 1980's the North Central Ohio Sea Grant Committee caused the creation of artificial reefs in Lake Erie off the coast of Lorain and Cuyahoga Counties; and

Whereas, in 1984 the Cuyahoga County Commissioners contributed \$62,500.00 towards the artificial reef off the Cuyahoga County Coast; and

Whereas, said artificial reef is known as the "Cuyahoga County Commissioner's Reef"; and

Whereas, in 1984, the Cuyahoga County Commissioners estimated that the artificial reef off the Cuyahoga County Coast was expected to inject over 50 million dollars into the local economy; and

Whereas, studies of the Cuyahoga County Commissioner's Reef have shown the reef to have exceeded expectations in its impact on fishing in the Central Basin; and

Whereas, an expansion of the existing artificial reef will further concentrate fish within a given area near shore; and

Whereas, artificial reef expansion will create permanent habitats for many fish species by providing food, shelter, protection and a spawning area; and

Whereas, the expansion of near shore permanent fish habitat will benefit the Cleveland economy through non-local anglers' expenditures of gas, food, bait, tackle and overnight lodging; and

Whereas, if the proposed settlement between the NFL and the City of Cleveland is approved, Cleveland Municipal Stadium will be demolished and a new facility will be built to house the Cleveland Browns NFL franchise; and

Whereas, in order to demolish Municipal Stadium lead and asbestos abatement of the structure must be completed prior to demolition; and

Whereas, upon demolition of the structure, a huge quantity of clean brick and concrete rubble will need to be transported off site and disposed of; and

Whereas, the brick and concrete rubble created by the proposed demolition of Municipal Stadium would only need to be transported across the street to the Port of Cleveland and hauled to the current reef site for use in expansion of the reef; and

Whereas, the use of the brick and concrete rubble for expansion of the Cuyahoga County Commissioner's Reef will save hundreds of thousands of dollars in the current demolition budget for the proposed stadium; and

Whereas, the use of said concrete and brick rubble to extend the Cuyahoga County Commissioner's Reef will save scarce landfill resources and create an asset at minimal cost which will survive for many generations beyond the proposed facility; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that plans for a new artificial reef to benefit the Cleveland area should proceed simultaneously with plans for the future of Cleveland Municipal Stadium; now, therefore,

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

**Section 1.** That this Council urges the Mayor and the Administration to plan for the utilization of clean material from the demolition of Cleveland Municipal Stadium to expand the Cuyahoga County Commissioners Reef in order to create the largest freshwater artificial reef system in the world.

**Section 2.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to the Cuyahoga County Board of Commissioners.

**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.

Referred to Director of Law; Committee on Finance.

**Res. No. 376-96.**

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

**An emergency resolution declaring it necessary to provide for the control of blight and disease of shade trees by planting, trimming, creating or excavating cutouts for shade trees, and other related activities in and along the streets of portions of the City of Cleveland; establishing a district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code; providing for the assessment of the cost and expense of such work upon benefited property in said district; and declaring an emergency.**

Whereas, the maintenance of trees in the downtown area of the City of Cleveland involves special costs due to adverse natural conditions; and

Whereas, it is immediately urgent and necessary that work be authorized for the purpose of controlling blight and disease of shade trees within public rights of way by planting, trimming, creating or excavating cutouts for shade trees, and other related activities in and along the streets of the downtown area of the City of Cleveland during the 1996-97 season; and

Whereas, the Director of Parks, Recreation and Properties has recommended to Council the planting, trimming, creating or excavating cut-outs for shade trees and other related activities in and along the streets of the downtown area of the City of Cleveland during a 12-month period beginning during 1996 in accordance with plans, specifications, profiles and cost estimates on file in the Office of the Clerk of Council; 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 is hereby determined and declared necessary and conducive to the public health, convenience and welfare of the City of Cleveland and the inhabitants thereof to control the blight and disease of shade trees within public rights of way by planting, trimming, creating or excavating cut-outs for shade trees, and other related activities (collectively, "Tree Maintenance") in and along the streets of a portion of the downtown area of the City of Cleveland for a 12-month period beginning during 1996.

**Section 2.** That for such Tree Maintenance, there is hereby created and established, pursuant to the provisions of Section 727.011, Ohio Revised Code, a district known as the "1996-97 Tree Maintenance District" which shall include all territory within the following boundaries:

**BOUNDARIES OF TREE MAINTENANCE DISTRICT**

Beginning on the centerline of the Conrail Railroad right-of-way at its intersection with the Northerly prolongation of the centerline of West 10th Street;

Thence Southerly and Southeasterly along the Northerly prolongation and the centerline of West 10th

Street to its intersection with the centerline of Superior Avenue N.W.;

Thence Easterly along the centerline of Superior Avenue N.W.; to its intersection with the Northerly prolongation of the Easterly right-of-way line of Columbus Road N.W.;

Thence Southerly along said Northerly prolongation and the Easterly right-of-way line of Columbus Road N.W. and its Southerly prolongation to its intersection with the centerline of the Cuyahoga River;

Thence Easterly and Southeasterly along the center line of the Cuyahoga River to its intersection with the Easterly right-of-way line of Huron Road S.E.;

Thence Northerly along the Easterly right-of-way line of Huron Road S.E. to its intersection with the Southeasterly right-of-way line of Prospect Avenue S.E.;

Thence Southeasterly along the Southeasterly right-of-way line of Prospect Avenue S.E. to its intersection with the centerline of East 18th Street;

Thence Northerly along the centerline of East 18th Street and along its Northerly prolongation to its intersection with the centerline of said Conrail right-of-way;

Thence Westerly along said centerline of the Conrail right-of-way to its intersection with the Northerly prolongation of the center line of West 10th Street and the place of beginning.

**Section 3.** That the plans, specifications and profiles for said Tree Maintenance, at the estimated cost of \$169,900.00, heretofore prepared and placed in File No. 376-96-A in the Office of the Clerk of Council, are hereby approved.

**Section 4.** That the entire cost of such Tree Maintenance in the 1996-97 Tree Maintenance District, less the one-fiftieth of such entire cost which shall be paid by the City, be specially assessed by a percentage of the tax value of all lots and lands within the 1996-97 Tree Maintenance District, which said lots and lands are hereby determined to be specially benefited by said work in the amount equal to the amount specially assessed against each such lot and land. The cost of said work shall include the cost of plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the amount of damages resulting from the work assessed in favor of any owner of land affected by the work and the interest thereon, the costs incurred in connection with the preparation, levy and collection of special assessments, the cost of purchasing, appropriating and otherwise acquiring therefor any required real estate or interests therein, expenses of legal services, the cost of all labor and materials, and all other necessary expenditures.

**Section 5.** That the assessments to be levied shall be payable in cash within thirty (30) days after passage of the City's ordinance of assessment or at the option of the owner in one (1) annual installment. All cash payments remaining unpaid at the expiration of said thirty (30) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

**Section 6.** That no notes or bonds of the City of Cleveland shall be

issued in anticipation of the collection of the special assessment.

**Section 7.** That the Commissioner of Assessments and Licenses is hereby authorized and directed to prepare and file in the Office of the Clerk of Council an estimated assessment in accordance with the provisions of this resolution showing the amount of the assessment against each lot or parcel of land to be assessed. Such estimated assessments shall be based upon the estimated cost of the Tree Maintenance which is now on file in the Office of the Clerk of Council.

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

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

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

**Ord. No. 377-96.**

**An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Clinic Road Race (Beat Goes On) on June 15, 1996, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Cleveland Clinic Road Race (Beat Goes On), sponsored by Hermes Race Systems, on June 15, 1996, beginning on E. 96th St. at the Cleveland Clinic, proceed east on Euclid Ave. to Ford, north on Ford to Bellflower, Bellflower to East Blvd., East Blvd. around Wade Oval to E. 105th St., E. 105th St. back to Euclid Ave., west on Euclid Ave. and finish back at the Cleveland Clinic on E. 9th St., provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Motion to suspend rules. Charter

and statutory provisions and place on final passage.

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

**Ord. 378-96.**

**By Councilmen Melena and Westbrook.**

**An emergency ordinance consenting and approving the issuance of a permit for the Clifton Arts Festival Run on June 8, 1996, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Clifton Arts Festival Run, sponsored by Hermes Race Systems, on June 8, 1996, beginning at the old St. John Hospital at W. 80th St. and Detroit, east on Detroit to Lake, west on Lake to West Blvd., north on West Blvd. into the Lakefront State Park, once out of park continue westbound on Edgewater Dr. to W. 115th St., south on W. 115th St. to Lake, then to W. 116th St. and to the finish at Clifton and W. 116th St., provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 379-96.**

**By Councilman Patmon.**  
**An emergency ordinance consenting and approving the issuance of a permit for the 9th Annual Miles Standish Miler Fun Run on May 29, 1996 (raindate: May 30, 1996), sponsored by the Miles Standish Elementary School.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 9th Annual Miles Standish Miler Fun Run, sponsored by the Miles Standish Elementary

School, on May 29, 1996 (raindate: May 30, 1996), beginning at the school, 1000 East 92nd Street, west on Parkgate Rd. to East Blvd., south on East Blvd. to Superior Ave., turn around and head north on East Blvd. to Parkside Rd., north on Parkside Rd. to Parkgate Rd., east on Parkgate Rd. and finish back at the school, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be

necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 380-96.**

**By Councilman Paulenske.**  
**An emergency ordinance consenting and approving the issuance of a permit for a Cleveland Indians Running Race on March 31, 1996, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Cleveland Indians Running Race, sponsored by Hermes Race Systems, on March 31, 1996, beginning on Ontario St. just north of Carnegie Ave., proceeding northbound through Public Square to St. Clair, eastbound on St. Clair to E. 6th St., northbound on E. 6th St. to Lakeside, westbound on Lakeside to W. 3rd St., north on W. 3rd St. around the Stadium to E. 9th St., southbound on E. 9th St. to Eagle, then westbound to Gateway Plaza and the finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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



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

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

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

**Ord. No. 381-96.  
By Councilmen Willis and Patmon.**

**An emergency ordinance consenting and approving the issuance of a permit for a Childrens Run on May 11, 1996, sponsored by Hermes Race Systems.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Childrens Run, sponsored by Hermes Race Systems, on May 11, 1996, beginning at Wade Oval, run just around Wade Oval using East Blvd. (approximately six times), provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**FIRST READING EMERGENCY  
RESOLUTIONS READ IN FULL  
AND ADOPTED**

**Res. No. 382-96.**

**By Councilman Britt.**

**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 8404 Carnegie Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 3349600, Linda D. Greene, DBA Karl's Sunoco Service Station & Carryout, 8404 Carnegie Avenue, Cleveland, Ohio 44103; and

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

Whereas, the applicant does not

qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 3349600, Linda D. Greene, DBA Karl's Sunoco Service Station & Carryout, 8404 Carnegie Avenue, Cleveland, Ohio 44103, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 383-96.**

**By Councilman Britt.**

**An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit to 8204 Carnegie Avenue, and repealing Res. No. 1526-95, objecting to said renewal.**

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 8204 Carnegie Avenue by Res. No. 1526-95, adopted August 23, 1995; and

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

al; and

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

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

**Section 1.** That objection to the renewal of a D5 and D6 Liquor Permit to 8204 Carnegie Avenue be and the same is hereby withdrawn and Res. No. 1526-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

**Res. No. 384-96.**

**By Councilman Lewis.**

**An emergency resolution objecting to the issuance of a C1 Liquor Permit to 9300 Wade Park Drive.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 9331538, Wade Park Supermarket Inc., 9300 Wade Park Drive, Cleveland, Ohio 44106; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 9331538, Wade Park Supermarket Inc., 9300 Wade Park Drive, Cleveland, Ohio 44106, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 385-96.**

**By Councilmen Westbrook, Miller, McGuirk, and Rokakis.**

**An emergency resolution urging the mayors of the cities of Cleveland and Brook Park to enter into fruitful negotiations to resolve their respective disputes over the existence and future expansion of Cleveland Hopkins International Airport.**

Whereas, the cities of Cleveland and Brook Park are involved in extensive litigation which clearly affects the existence and future expansion of Cleveland Hopkins International Airport; and

Whereas, it is in the City of Cleveland's and the City of Brook Park's best interests to timely resolve the disputes existing between them so that both cities benefit by having their energies and limited resources directed on more productive efforts thereby benefiting both communities; now, therefore,

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

**Section 1.** That this Council hereby urges Mayor Michael R. White and Mayor Thomas Coyne to resolve the litigation involving the existence and future expansion of Cleveland Hopkins International Airport in a way that is mutually beneficial to both communities so that valuable public resources may be utilized in more productive efforts.

**Section 2.** That the Clerk of Council be and she is directed to transmit a certified copy of this resolution to Mayor Thomas Coyne, City of Brook Park.

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

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

The rules were suspended. Yeas

21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 386-96.**

**By Councilman Patmon.**

**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1076 East 105th Street, first floor.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of a C2 and C2X Liquor Permit from Permit No. 5377870, M.A. Hani-ni Inc., 1076 East 105th Street, first floor, Cleveland, Ohio 44108, to Permit No. 1882981, D.N.A. Selesteeen Inc., 1076 East 105th Street, first floor, Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of a C2 and C2X Liquor Permit from Permit No. 5377870, M.A. Hani-ni Inc., 1076 East 105th Street, first floor, Cleveland, Ohio 44108, to Permit No. 1882981, D.N.A. Selesteeen Inc., 1076 East 105th Street, first floor, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

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

**Res. No. 387-96.**

**By Councilman Paulenske.**

**An emergency resolution objecting to the transfer of ownership and location of a C2 and C2X Liquor Permit to 1054 E. 71st Street, first floor.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 2600117, F & CM Supermarket Inc., DBA East Town Deli, 12331 St. Clair Avenue, Cleveland, Ohio 44108, to Permit No. 2244973-0005, Dom's Deli Co. Inc., DBA Dom's, 1054 East 71st Street, first floor, Cleveland, Ohio 44103; 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 and location of a C2 and C2X Liquor Permit from Permit No. 2600117, F & CM Supermarket Inc., DBA East Town Deli, 12331 St. Clair Avenue, Cleveland, Ohio 44108, to Permit No. 2244973-0005, Dom's Deli Co. Inc., DBA Dom's, 1054 East 71st Street, first floor, Cleveland, Ohio 44103, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 388-96.**

**By Councilman Polensek.**

**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1035 East 185th Street and gas pumps.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 08983564327, BP Exploration & Oil, Inc., dba BP Food Mart 4327, 1035 East 185th Street and gas pumps, Cleveland, Ohio 44119, to Permit No. 3351925, Green Stores Inc., 1035 East 185th Street and gas pumps, Cleveland, Ohio 44119; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X

Liquor Permit from Permit No. 08983564327, BP Exploration & Oil, Inc., dba BP Food Mart 4327, 1035 East 185th Street and gas pumps, Cleveland, Ohio 44119, to Permit No. 3351925, Green Stores Inc., 1035 East 185th Street and gas pumps, Cleveland, Ohio 44119, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 389-96.**

**By Councilman Polensek.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 768 East 200th Street, first floor and basement, and repealing Res. No. 1897-95, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 768 East 200th Street, first floor and basement, by Res. No. 1897-95, adopted October 30, 1995; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a D5 Liquor Permit to 768 East 200th Street, first floor and basement, be and the same is hereby withdrawn and Res. No. 1897-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

**Res. No. 390-96.**

**By Councilman Rybka.**

**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 6506 Fleet Avenue.**

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. 3770505, Henry's Food & Gift Store Inc., 6506 Fleet Avenue, Cleveland, Ohio 44105, to Permit No. 1467414, Hyunsoo Chung & Hee Yung Chung, DBA K & S Food Service, 6506 Fleet Avenue, Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 3770505, Henry's Food & Gift Store Inc., 6506 Fleet Avenue, Cleveland, Ohio 44105, to Permit No. 1467414, Hyunsoo Chung & Hee Yung Chung, DBA K & S Food Service, 6506 Fleet Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

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

**Res. No. 391-96.**

By Councilman White.

**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3868 East 131st Street.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of a C1 and C2 Liquor Permit from Permit No. 4424370, Kutkut Corp. Inc., DBA Dairy Mart 5-4458, 3868 East 131st Street, Cleveland, Ohio 44120, to Permit No. 0024028, Adam Abeid Inc., DBA Dairy Mart #5-4458, 3868 East 131st Street, Cleveland, Ohio 44120; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of a C1 and C2 Liquor Permit from Permit No. 4424370, Kutkut Corp. Inc., DBA Dairy Mart 5-4458, 3868 East 131st Street, Cleveland, Ohio 44120, to Permit No. 0024028, Adam Abeid Inc., DBA Dairy Mart #5-4458, 3868 East 131st Street, Cleveland, Ohio 44120, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two

copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

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

**SECOND READING  
EMERGENCY ORDINANCES**

**Ord. No. 2052-95.**

By Councilman Smith.

An ordinance to change Use, Area, and Height Districts of lands on both sides of Lorain Avenue between W. 44 Street and Fulton Road. (Map Change No. 1885, Sheet No. 1)

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

**Ord. No. 2053-95.**

By Councilman Smith.

An ordinance to change the Use District of lands on both sides of Lorain Avenue between West 52 Street and West 44 Street. (Map Change No. 1884, Sheet No. 1)

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

**Ord. No. 2119-95.**

By Councilman Smith.

An ordinance to change the Use District of lands on the northerly side of Trent Avenue, S.W. and the easterly side of W. 40 Street. (Map Change No. 1892, Sheets Nos. 1 & 2)

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

**Ord. No. 2247-95.**

By Councilman McGuirk.

An ordinance establishing the Kamm's Corners Business Revitalization District. (Map Change No. 1889, Sheet No. 12)

Approved by Director of City Planning Commission; Recommended by Committee on City Planning.

**Ord. No. 2287-95.**

By Councilman Brady.

An ordinance to change the Use, Area, and Height Districts of lands north of Rusk Court, N.W. between West 106 Street and West 105 Street. (Map Change No. 1895, Sheet No. 2)

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

**THIRD READING EMERGENCY  
ORDINANCES PASSED**

**Ord. No. 1242-95.**

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

An emergency ordinance authorizing a professional services contract with Chelm Properties, Inc. to create a development plan for real

property owned or hereafter acquired by the City of Cleveland and located north of Cleveland Hopkins Airport; setting forth the scope of services of the professional services agreement; authorizing the Director of Economic Development to enter into a Development Agreement, Purchase Agreement and Escrow Agreement; and the form of those agreements.

Read third time. Passed. Yeas 18. Nays 3. Those voting yea were Councilmen: Britt, Coats, Jackson, Johnson, Lewis, Melena, Miller, Patton, Patton, Polensek, Robinson, Rokakis, Rybka, Smith, Westbrook, White, Willis, Zone. Those voting nay were Councilmen: McGuirk, O'Malley and Paulenske.

**Ord. No. 155-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to enter into a license agreement without competitive bidding with International Business Machines Corporation for computer software, for the Division of Information Systems Services, Department of Finance, for a period of one year, with a one year option to renew.

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

**Ord. No. 156-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to enter into a license agreement without competitive bidding with SAS Institute, Inc. for certain software products, for the Division of Information Systems Services, Department of Finance, for a period of one year, with a one year option to renew.

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

**Ord. No. 157-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to enter into a maintenance agreement without competitive bidding with Decision One Corporation for maintenance for various Braegen computer devices, for the Division of Information Systems Services, Department of Finance, for a period of one year, with a one year option to renew.

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

**Ord. No. 158-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of maintenance for a mainframe computer system and associated subsystems, for the Division of Information Systems Services, Department of Finance, for a period of one year with a one year option to renew.

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

**Ord. No. 207-96.**


By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the Cleveland Foundation for the 1996 Attorney Training Program.

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

#### MOTION

The Council adjourned at 8:45 p.m.  
to meet at the call of the Chair.



Clerk of Council

#### THE CALENDAR

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

##### ORDINANCES

###### Ord. No. 2052-95.

By Councilman Smith.  
An ordinance to change Use, Area,  
and Height Districts of lands on  
both sides of Lorain Avenue  
between W. 44 Street and Fulton  
Road. (Map Change No. 1885, Sheet  
No. 1)

###### Ord. No. 2053-95.

By Councilman Smith.  
An ordinance to change the Use  
District of lands on both sides of  
Lorain Avenue between West 52  
Street and West 44 Street. (Map  
Change No. 1884, Sheet No. 1)

###### Ord. No. 2119-95.

By Councilman Smith.  
An ordinance to change the Use  
District of lands on the northerly  
side of Trent Avenue, S.W. and the  
easterly side of W. 40 Street. (Map  
Change No. 1892, Sheets Nos. 1 & 2)

###### Ord. No. 2247-95.

By Councilman McGuirk.  
An ordinance establishing the  
Kamm's Corners Business Revital-  
ization District. (Map Change No.  
1889, Sheet No. 12)

###### Ord. No. 2287-95.

By Councilman Brady.  
An ordinance to change the Use,  
Area, and Height Districts of lands  
north of Rusk Court, N.W. between  
West 106 Street and West 105 Street.  
(Map Change No. 1895, Sheet No. 2)

#### BOARD OF CONTROL

February 28, 1996

The regular meeting of the Board  
of Control convened in the Mayor's  
office on Wednesday, February 28,  
1996, at 10:30 a.m., with Mayor  
White presiding.

Present: Mayor White, Director  
Sobol Jordan, Acting Director Car-  
mody, Directors Konicek, Cunning-  
ham, Acting Director Nielson, Direc-  
tors Staib, Denihan, Spellman,  
Nolan, Warren, Axelrod.

Absent: Director Hamilton.

Others: Willie Williamson, Acting  
Commissioner, Purchases and Sup-  
plies, Linda Willis, Director, Office  
of Equal Opportunity.

On motion, the following resolu-  
tions were adopted.

###### Resolution No. 109-96.

By Director Konicek.  
Be it resolved by the Board of  
Control of the City of Cleveland,  
that Board of Control Resolution No.

870-95, adopted by the Board on  
November 29, 1995 approving S.D.  
Meyers, Inc., as the lowest and best  
bidder for Test and Dispose of PCB  
Oils all items, is amended by delet-  
ing the name "S.D. Meyers, Inc." and  
substituting "S.D. Myers, Inc."

Be it further resolved that all  
other provisions of said Resolution  
No. 870-95 not expressly amended  
hereby shall remain unchanged and  
in full force and effect.

Yeas: Mayor White, Director Sobol  
Jordan, Acting Director Carmody,  
Directors Konicek, Cunningham,  
Acting Director Nielson, Directors  
Staib, Denihan, Spellman, Nolan,  
Warren, Axelrod.

Nays: None.  
Absent: None.

###### Resolution No. 110-96.

By Director Konicek.  
Resolved by the Board of Control  
of the City of Cleveland that all  
bids received on January 12, 1996  
for one (1) tandem dump truck for  
the Division of Water Pollution Con-  
trol, Department of Public Utilities,  
pursuant to the authority of Ordina-  
nce No. 679-95, passed by the  
Council of the City of Cleveland on  
June 19, 1995, be and the same are  
hereby rejected.

Yeas: Mayor White, Director Sobol  
Jordan, Acting Director Carmody,  
Directors Konicek, Cunningham,  
Acting Director Nielson, Directors  
Staib, Denihan, Spellman, Nolan,  
Warren, Axelrod.

Nays: None.  
Absent: None.

###### Resolution No. 111-96.

By Director Konicek.  
Be it resolved, by the Board of  
Control of the City of Cleveland that  
the conditional bid of Jordan Dis-  
tributors, Inc., for an estimated  
quantity of hydraulic repairs (Items  
1 thru 5) labor rate \$8.50 per hour  
less 30% discount on parts 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 1st day of Decem-  
ber, 1995, pursuant to the authority  
of Ordinance No. 2224-94, passed  
March 6, 1995, which on the basis of  
the estimated quantity would  
amount to Three Thousand Seven  
Hundred Dollars, (\$3,700.00), (2% 10  
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 com-  
modities, which shall provide for  
the immediate purchase as the  
initial amount of such contract of the  
following:

Requisition No. 78292  
which shall be certified against  
such contract in the sum of One  
Thousand Five Hundred Dollars  
(\$1,500.00).

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

Yeas: Mayor White, Director Sobol  
Jordan, Acting Director Carmody,  
Directors Konicek, Cunningham,  
Acting Director Nielson, Directors  
Staib, Denihan, Spellman, Nolan,  
Warren, Axelrod.

Nays: None.  
Absent: None.

###### Resolution No. 112-96.

By Director Konicek.  
Be it resolved by the Board of  
Control of the City of Cleveland that  
all bids received on December 1,  
1995 for three (3) tractors complete  
with front end loaders, backhoes  
and impactors (All Items) for the  
Division of Water, Department of  
Public Utilities, pursuant to the  
authority of Ordinance No. 1911-94,  
passed by the Council of the City of  
Cleveland on March 6, 1994, are  
hereby rejected.

Yeas: Mayor White, Director Sobol  
Jordan, Acting Director Carmody,  
Directors Konicek, Cunningham,  
Acting Director Nielson, Directors  
Staib, Denihan, Spellman, Nolan,  
Warren, Axelrod.

Nays: None.  
Absent: None.

###### Resolution No. 113-96.

By Director Cunningham.  
Resolved by the Board of Control  
of the City of Cleveland that all  
bids received on January 17, 1996  
for towing of unattended vehicles  
for the Division of Cleveland Hop-  
kins International Airport, Depart-  
ment of Port Control, pursuant to  
the authority of Ordinance No. 2055-  
95, passed by the Council of the City  
of Cleveland on November 13, 1995,  
be and the same are hereby reject-  
ed.

Yeas: Mayor White, Director Sobol  
Jordan, Acting Director Carmody,  
Directors Konicek, Cunningham,  
Acting Director Nielson, Directors  
Staib, Denihan, Spellman, Nolan,  
Warren, Axelrod.

Nays: None.  
Absent: None.

###### Resolution No. 114-96.

By Director Guzman.  
Resolved, by the Board of Control  
of the City of Cleveland that the bid  
of Universal Oil, Inc., for an esti-  
mated quantity of anti-freeze,  
(Items #1 and #2) (Returnable  
drum deposit \$16.00 each) for the  
Division of Motor Vehicle Mainte-  
nance, Department of Public Ser-  
vice, for the period of one (1) year  
beginning with the date of execu-  
tion of a contract received on the  
2nd day of February, 1996, pursuant  
to the authority of Ordinance No.  
1749-95, passed November 27, 1995,  
which on the basis of the estimated  
quantity would amount to approxi-  
mately One Hundred Twenty-Six  
Thousand Three Hundred Twenty  
and no/100 Dollars, (\$126,320.00),  
(2% 30 Days Net 31), is hereby  
affirmed and approved as the low-  
est 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 immedi-  
ate purchase as the initial amount  
of such contract of the following:

Requisition No. 70585  
which shall be certified against  
such contract in the sum of Twelve  
Thousand Six Hundred Thirty-Two  
and no/100 Dollars, (\$12,632.00).

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

Be it further resolved by the  
Board of Control of the City of  
Cleveland that the following sub-  
contractor to Universal Oil, Inc., for

the purchase of Anti-Freeze, items #1 and #2 (returnable drum deposit \$16.00 each), hereby is approved:

L. Gray Barrell & Drum Co.  
\$18,846.00  
MBE - 15%

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 115-96.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Standard Law Enforcement Supply Company, Inc., for an estimated quantity of police car special equipment accessories (Items #1a, 2, 3, 4, 5, 5b, 6, 7, 8, 9, 10) (Accessories Only) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 8th day of January, 1996, pursuant to the authority of Ordinance No. 2014-95, passed January 8, 1996, which on the basis of the estimated quantity would amount to approximately One Hundred Eighty-Two Thousand Six Hundred One and 65/100 Dollars, (\$182,601.65), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 70604

which shall be certified against such contract in the sum of One Hundred Eighty-Two Thousand Six Hundred One and 65/100 Dollars, (\$182,601.65).

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

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 116-96.**

By Director Denihan.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of South East Harley-Davidson Sales Co. for an estimated quantity of Motorcycle Repairs (All Items), for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on January 11, 1996, pursuant to the authority of Ordinance No. 1442-95, passed November 20, 1995, which on the basis of the estimated quantity would amount to Twenty-five thousand no/100 Dollars (\$25,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such

goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 75003

Police Motorcycle maintenance and repair as specified which shall be certified against such contract in the sum of Ten thousand and no/100 Dollars (\$10,000.00).

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

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 117-96.**

By Director Spellman.

Whereas to the authority of Ordinance No. 1469-94, passed March 6, 1995 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 Chester Avenue and East 24th Street, known as Permanent Parcel No. 102-34-024 to Budget Office Furniture; and

Whereas, said Ordinance No. 1469-94 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. 1469-94, passed by the Council of the City of Cleveland on March 6, 1995, 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 Chester and East 27th Street, known as Permanent Parcel No. 102-34-024, to Budget Office Furniture. The consideration to be paid for said property is hereby fixed at Seventy-seven Thousand Dollars (\$77,000.00), which amount is determined to be not less than the 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, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 118-96.**

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Brilliant Electric Sign Co., Ltd., for the public improvement of Rockefeller Park and Cultural Gardens Signage Improvements for bid items 1-11, including the 2% contingency line item, for the Division of Research, Planning and Development, Depart-

ment of Parks, Recreation and Properties, received on December 15, 1995, pursuant to the authority of Ordinance No. 1455-94, passed November 21, 1994, upon a unit basis, for the improvement in the aggregate amount of Eighty-Two Thousand, One Hundred Twenty-Four Dollars and 20/100, (\$82,124.20), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors for Brilliant Electric Sign Co., Ltd., on the public improvement for Rockefeller Park and Cultural Gardens Signage Improvements hereby are approved:

**SUBCONTRACTORS RESPONSIBILITY**

Barrow Sign Co. Vinyl Graphics (FBE)

Kushatea & Sons Demolition, Installation, Landscaping (MBE)

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 119-96.**

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that the bid of Jennings of Ohio, Inc., for the following: playground swing replacement, bid item 1, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, received on the 26th day of January, 1996, pursuant to the authority of Ordinance No. 1455-94, passed November 21, 1994, which on the basis of order quantity would amount to \$8,760.00 is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 120-96.**

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that the bid of Game Time, Inc., dba David Williams & Assoc., Inc., for the following: playground swing replacement, bid item 2, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, received on the 26th day of January, 1996, pursuant to the authority of Ordinance No. 1455-94, passed November 21, 1994, which on the basis of order quantity would amount to \$9,087.00 is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into con-

tract for such items.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.  
Nays: None.  
Absent:None.

**Resolution No. 121-96.**

By Director Spellman.  
Resolved by the Board of Control of the City of Cleveland that all bids received on February 8, 1996 for repair electrical motor and pumps for the Division of Property Management, Department of Parks, Recreation and Properties, pursuant to the authority of Ordinance No. 1237-95, passed by the Council of the City of Cleveland on November 20, 1995, be and the same are hereby rejected.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.  
Nays: None.  
Absent:None.

**Resolution No. 122-96.**

By Director Cunningham.  
Whereas, pursuant to Ordinance No. 710-95, passed by the Council of the City of Cleveland on June 12, 1995, the City of Cleveland requested that the Osborn Engineering Company ("Consultant") provide consulting and engineering services related to the impact of underground mining activities on the facilities and structural integrity of Burke Lakefront Airport for the Department of Port Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into an agreement with Osborn Engineering Company ("Consultant") for consulting and engineering services related to the impact of underground mining activities on the facilities and structural integrity of Burke Lakefront Airport. The amount to be paid for all consulting shall be fourteen thousand two hundred sixty-six and 70/100 dollars (\$14,266.70).

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 123-96.**

By Director Denihan.  
Whereas, pursuant to Ordinance No. 222-B-85, passed by the Council of the City of Cleveland on February 13, 1989, and Resolution Nos. 141-91, 881-93, and 347-94, adopted by this Board of Control on March 6, 1991, October 6, 1993, and May 18, 1994, respectively, the City, through its Director of Public Safety, entered into City Contract No. 44437 with Tandem Computers, Inc. and a first and second modification thereto, for the lease for a period of three (3) years, with the option to purchase, of hardware, the customizing and licensing of software, purchase of peripherals, and for an extended warranty, hardware and software maintenance, freight and the installation, project management and training; all the foregoing for the design, development, implementa-

tion and support of an integrated Computer Aided Dispatch (CAD) System; and

Whereas, the City has determined that additional hardware components and software functionality are necessary for the CAD System to improve system performance due to a change in system demands, and that certain other products and services, originally to be furnished under City Contract No. 44437 are no longer required for the CAD System; and

Whereas, Tandem Computers, Inc. has proposed by its letter dated February 8, 1996 to provide such additional hardware equipment, software, and related services, at no increase in total contract cost; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Safety hereby is authorized to enter into a third modification to City Contract No. 44437 with Tandem Computers, Inc., in accordance with its proposal dated February 8, 1996 for additional computer hardware; software, and services necessary to complete the Computer Aided Dispatch System, for an amount not to exceed a total of One Hundred and Eighty-Five Thousand, Six Hundred Fifteen and No/100 Dollars (\$185,615.00), which amount after deduction of the cost of hardware, software, and related services determined no longer necessary or appropriate for the CAD System, does not change the total contract cost of, not to exceed Three Million, Seven Hundred Ninety Four Thousand, One Hundred Seventy-Four and No/100 Dollars (\$3,794,174.00).

Be it further resolved, that all other terms and provisions of City Contract No. 44437 not expressly modified herein shall remain in full force and effect.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.  
Nays: None.  
Absent:None.

**Resolution No. 124-96.**

By Director Spellman.  
Whereas, pursuant to the authority of Ordinance No. 2108-95, passed February 12, 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 2326 St. Clair Avenue, known as a portion of Permanent Parcel No. 102-16-001 (partial), to Albert Calta; and

Whereas, said Ordinance No. 2108-95 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. 2108-95, passed by the Council of the City of Cleveland on February 12, 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 2326 St. Clair Avenue, known as a portion of Permanent Parcel No. 102-16-001, to Albert Calta. The consideration to be paid for said property is hereby

fixed at Sixty Thousand Dollars (\$60,000.00), which amount is determined to be not less than the 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, Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Acting Director Nielson, Directors Staib, Denihan, Spellman, Nolan, Warren, Axelrod.  
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, MARCH 18, 1996**

**9:30 A.M.**

Calendar No. 96-14: 10519 Madison Ave., N.W.

John F. McManus, owner, to convert to a repair garage the 60' x 60' one story former service station building on a 76' x 125' corner lot located in General Retail District on the southeast corner of W. 106 St. and Madison Ave. at 10519 Madison Ave.; said use as a repair garage being contrary to the retail use limitations of Section 343.11 and said premises being located approximately 40' from a Residence District to the southeast instead of 100' therefrom contrary to Section 345.03 and portions of the accessory off-street parking to be located within the 10' specific setback area along Madison Ave. and the 5' specific setback area along W. 106 St. contrary

to Section 357.07 and the access drives, 50' and 80' in width, to be in excess of the 30' maximum permitted by Section 349.07 of the Codified Ordinances.

Calendar No. 96-22: 3584 Jennings Rd., S.W.

LTV Steel Co., Inc., owner; and GTE Mobilnet, a limited partnership, tenant, c/o Wm. Stevens, to erect an 11' 8" x 20' radio equipment building and an 185' high tower on a 51' x 70' irregular shaped portion of an acreage parcel located in a B-1 Two Family District at 3584 Jennings Rd., a private roadway; said proposed radio tower being in excess of the 50' height limit of Sections 353.01 and 353.02 of the Codified Ordinances.

Calendar No. 96-23: 3 Evergreen Place, N.E.

Michael Loboda, owner, to convert to a two family dwelling the 20' x 24' two story frame one family dwelling located in an A-One Family District on a 38' x 56' irregular shaped lot at 3 Evergreen Place; said use being contrary to the one family limit of Section 337.02 and said lot not being 40' front nor 4800 square feet in area as required for two families by Section 355.05 and the parking area not being hard-surfaced as required by Section 349.07 and the west sideyard being 0' instead of 3' wide as required by Section 357.09 and the rear yard being 15' instead of 20' deep as required by Section 357.08 of the Codified Ordinances.

Calendar No. 96-27: 842 E. 185 St.

John Copic, owner, to erect a 6' x 6' double-faced projecting sign "John's Funhouse" to the front of the 80' x 50' masonry one story store building on a 80' x 120' (average) irregular shaped lot located in a Local Retail District at 842 E. 185 St.; said proposed sign to project 6' from the face of the building instead of the maximum 4' projection as limited by Section 350.08 and said sign being 36 square feet in area contrary to the 12 square feet limitation of Section 350.14 of the Codified Ordinances.

ANTHONY COSTANZO,  
Secretary

### REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 4, 1996

At the Meeting of the Board of Zoning Appeals, on Monday, February 26, 1996, the following appeals were heard by the Board, and, on Monday, March 4, 1996 were decided by the Board.

The following appeals were **Granted:**

Calendar No. 96-8: 12401 Brackland Ave., N.E.

Ministerial Day Care Head Start Association, owner, c/o Verneda Bentley, to construct an off-street parking lot, accessory to the proposed day care center at 12416 Brackland Avenue.

Calendar No. 96-10: 3475 Ridge Road, S.W.

Entertainment Group Inc., dba United Skates of America, applicant,

c/o Kenny Montoya, appealed, under, authority of Section 76-6 of the Charter and Section 694.09, from the refusal to issue a Roller Rink License.

The following appeal was **Refused:**

Calendar No. 96-9: 11418-20 Woodland Ave., S.E.

Edward Jones Jr., owner, to erect a 60' x 80' one story masonry automobile laundry building on the rear of the 130' x 140' corner parcel located in a General Retail District.

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

Notice of Public Hearing  
By the Council Committee  
on City Planning

In the Council Chambers  
of City Hall,  
Second Floor; Cleveland, Ohio  
On Wednesday, March 20, 1996  
1:30 P.M.

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing on the Second Floor in Council Chambers of City Hall, Cleveland, Ohio, on Wednesday, March 20, 1996, at 1:30 P.M., to consider the following ordinances now pending in the Council:

#### Ord. No. 1252-95.

By Councilman Rokakis.  
An ordinance to change the Use, Area and Height Districts of lands on the southwesterly side of Bradley Road, S.W. between Jennings Road, S.W. and north of South Ridge Drive. (Map Change No. 1881, Sheet No. 6)

#### Ord. No. 41-96.

By Councilman Miller.  
An ordinance to change the Use and Area Districts of lands east of Rocky River Drive from north of I-480 to south of Midvale Ave., S.W. (Map Change No. 1896, Sheet No. 13)

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

Edward W. Rybka,  
Chairman  
Committee on City Planning

March 6 and March 13, 1996

### CITY OF CLEVELAND BIDS

#### For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Clubroom B, Convention Center, in accordance with the appended schedule, and will be opened and read in Clubroom B, Convention Center, immediately thereafter.

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, MARCH 20, 1996

Moulton Park - Phase II Cul-de Sac and Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1455-94 and 683-95, passed by the Council of the City of Cleveland, November 24, 1994 and June 12, 1995, respectively.

A DEPOSIT OF TWENTY-FIVE DOLLARS (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON FRIDAY, MARCH 8, 1996 AT 10:00 A.M. AT 1501 NORTH MARGINAL ROAD, 1ST FLOOR CONFERENCE ROOM.

February 28 and March 6, 1996

THURSDAY, MARCH 21, 1996

Traffic Painting, Thermoplastic and Reflective Glass Beads, for the Division of Traffic Engineering, Department of Public Safety, as authorized by Ordinance No. 2191-95, passed by the Council of the City of Cleveland, February 5, 1996.



**Marking Center and Lane Lines**, for the Division of Traffic Engineering, Department of Public Safety, as authorized by Ordinance No. 2192-95, passed by the Council of the City of Cleveland, February 5, 1996.

**High Voltage Test Equipment**, for the Division of Cleveland Public Utilities, as authorized by Ordinance No. 213-93, passed by the Council of the City of Cleveland, March 13, 1996.

February 28 and March 6, 1996

**FRIDAY, MARCH 22, 1996**

**One (1) Tandem Dump Truck**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 679-95, passed by the Council of the City of Cleveland, June 19, 1995.

**Repair Rear Loading Packer Bodies**, for the Division of Waste Collection, Department of Public Service, as authorized by Ordinance No. 2280-95, passed by the Council of the City of Cleveland, February 12, 1996.

**Repair Compactors and Push Pits at Ridge Road Transfer Station**, for the Division of Waste Collection, Department of Public Service, as authorized by Ordinance No. 2281-95, passed by the Council of the City of Cleveland, February 12, 1996.

February 28 and March 6, 1996

**FRIDAY, MARCH 29, 1996**

**Electric Motors and Pumps**, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1237-95, passed by the Council of the City of Cleveland, November 29, 1995.

**Hydraulic Pumps, Motors and Valves**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2004-94, passed by the Council of the City of Cleveland, December 12, 1994.

February 28 and March 6, 1996

**WEDNESDAY, MARCH 27, 1996**

**Painting Roadways, Runways and Paved Surfaces**, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 2182-95, passed by the Council of the City of Cleveland.

**A PRE-BID MEETING WILL BE HELD ON MARCH 21, 1996 AT 1:00 P.M. IN THE DEPARTMENT OF PORT CONTROL'S 2ND FLOOR CONFERENCE ROOM, 5300 RIVERSIDE DRIVE.**

**Hardware and Software**, for the Department of Finance, as authorized by Ordinance No. 397-95, passed by the Council of the City of Cleveland, April 3, 1995.

March 6 and March 13, 1996

**THURSDAY, MARCH 28, 1996**

**Tennis Court Lighting Materials**, for the Division of Cleveland Public

Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

**Repair/Replace Electric Meters on Airfield**, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 245-96, passed by the Council of the City of Cleveland.

March 6 and March 13, 1996

**THURSDAY, MARCH 29, 1996**

**Upgrading Terminal HVAC Systems**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 2241-94, passed by the Council of the City of Cleveland, May 8, 1995.

**A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, MARCH 21, 1996 AT 1:00 P.M.**

**Mowers, Tractor Cutter Attachments, Utility Vehicles, Dump Trucks and Pick Up Trucks**, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 202-96, passed by the Council of the City of Cleveland, February 26, 1996.

March 6 and March 13, 1996

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 323-96. By Councilman Willis. An emergency resolution urging the law firm of Jones, Day, Reavis and Pogue to make a substantial contribution to the Cleveland public school system out of payments received from Art Modell and Cleveland Stadium Corporation in defense of the Cleveland Browns' litigation.**

Whereas, the law firm of Jones, Day, Reavis and Pogue ("Jones, Day") has received a substantial amount of fees from the defense of Art Modell in his efforts to relocate his football team to Baltimore; and

Whereas, the strenuous defense of Art Modell has tarnished the reputation of Jones, Day within the Cleveland community; and

Whereas, it is most fitting and appropriate that Jones, Day seek to restore its reputation in our community by making a substantial contribution to the Cleveland public school system out of the monies received from Art Modell and the Cleveland Stadium Corporation; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that it is time to try to heal some of the wounds caused by Art Modell's reprehensible decision; now, therefore,

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

**Section 1.** That this Council urges the law firm of Jones, Day to make a substantial contribution to the Cleveland public school system out of payments received from Art Modell and Cleveland Stadium Corporation in defense of the Cleveland Browns' litigation.

**Section 2.** That the Clerk of Council is directed to transmit copies of this resolution to the managing partners at Jones, Day.

**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 February 26, 1996.

Effective March 6, 1996 without the signature of the Mayor.

**Res. No. 328-96.**

**By Councilman Britt.**

**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 8502 Quincy Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 2455445, 8502 Quincy Ave., Inc., dba Quincy Eagle Market, 8502 Quincy Avenue, Cleveland, Ohio 44106, to Permit No. 7680789, Saleem Quincy Market, Inc., dba Quincy Savmor, 8502 Quincy Avenue, Cleveland, Ohio 44106; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 2455445, 8502 Quincy Ave., Inc., dba Quincy Eagle Market, 8502 Quincy Avenue, Cleveland, Ohio 44106, to Permit No. 7680789, Salem Quincy Market, Inc., dba Quincy Savmor, 8502 Quincy Avenue, Cleveland, Ohio 44106, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 26, 1996.

Effective March 6, 1996.

**Res. No. 329-96.**

**By Councilman Melena.**

**An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 5404 Storer Avenue, first floor and basement front.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 00240100005, Maha Hammad Abed, dba Economy Market, 5404 Storer Avenue, first floor and basement front, Cleveland, Ohio 44102, to Permit No. 3554772, Hammad Hammad, dba Economy, 5404 Storer Avenue, first floor and basement front, 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 C1 Liquor Permit from Permit No. 00240100005, Maha Hammad Abed, dba Economy Market, 5404 Storer Avenue, first floor and basement front, Cleveland, Ohio 44102, to Permit No. 3554772, Hammad Hammad, dba Economy, 5404 Storer Avenue, first floor and basement front, 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 February 26, 1996.

Effective March 6, 1996.

**Res. No. 330-96.**

**By Councilman Miller.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4735 Rocky River Drive, and repealing Res. No. 2251-95, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 4735 Rocky River Drive by Res. No. 2251-95, adopted December 11, 1995; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4735 Rocky River Drive be and the same is hereby withdrawn and Res. No. 2251-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

Adopted February 26, 1996.

Effective March 6, 1996.

**Res. No. 331-96.**

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

**An emergency resolution opposing the staff report of the Joint Legislative Committee on Public Retirement Plans which recommends that the minimum retirement age for STRS, PERS and SERS employees be increased.**

Whereas, on January 11, 1996, the staff of the Joint Legislative Committee on Public Retirement Plans issued recommended changes to the STRS, PERS and SERS retirement plans; and

Whereas, the staff report recommended that Ohio's public retirement systems use the Social Security standards for full retirement; and

Whereas, the staff recommendations mean that the minimum retirement age for public employees in order to receive full benefits will increase to 67 years of age or 33 years of service; and

Whereas, the staff report states that there will be no grandfathering for current employees; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, or safety in that it is unconscionable for an Ohio legislative staff to recommend tampering with the existing retirement program for thousands of public employees; now, therefore,

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

**Section 1.** That this Council opposes the recommendations of the staff of the Joint Legislative Committee on Public Retirement Plans to extend the minimum retirement age for STRS, PERS and SERS employees.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to the members of the Joint Legislative Committee on Public Retirement Plans.

**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 February 26, 1996.

Effective March 6, 1996.

**Res. No. 333-96.**

**By Councilman Rokakis.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 3829 Denison Avenue, first floor and basement, and repealing Res. No. 2073-95, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 3829 Denison Avenue, first floor and basement, by Res. No. 2073-95, adopted November 13, 1995; and

Whereas, this Council wishes to

withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; and

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

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

**Section 1.** That objection to the transfer of ownership of a D5 Liquor Permit to 3829 Denison Avenue, first floor and basement, be and the same is hereby withdrawn and Res. No. 2073-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted February 26, 1996.  
Effective March 6, 1996.

**Res. No. 334-96.  
By Councilman Smith.  
An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 2615 Lorain Avenue, and repealing Res. No. 1500-95, objecting to said renewal.**

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 2615 Lorain Avenue by Res. No. 1500-95, adopted August 23, 1995; and

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

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

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

**Section 1.** That objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit to 2615 Lorain Avenue be and the same is hereby withdrawn and Res. No. 1500-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted February 26, 1996.  
Effective March 6, 1996.

**Ord. No. 2186-95.  
By Councilmen Paulenske, Coats, Rybka and Rokakis (by departmental request).**

**An emergency ordinance to amend Section 1 of Ordinance No. 1424-95, passed September 25, 1995, relating to the appropriation of property for public right-of-way purposes at West 9th Street near Front Avenue for the West 9th Street Bridge.**

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. 1424-95, passed September 25, 1995, is hereby amended to read as follows:

Section 1. That for the public right-of-way purposes at West 9th Street near Front Avenue for the West 9th Street Bridge, the following described easement or fee simple interests be and the same hereby are appropriated.

Part of PPN: 101-01-005  
Consolidated Rail Corporation  
South Abutment  
Parcel 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being a part of the Bath Street Tract, bounded and described as follows:

Beginning at the intersection of the centerline of West 9th Street (99 feet wide) with the centerline of survey of Front Avenue (80 feet wide);

Thence, South 66° 14' 56" West on the centerline of survey of Front Avenue a distance of 178.35 feet to a point;

Thence, North 23° 45' 04" West a distance of 48.00 feet to a point, said point being on the Northwesterly right of way line of Front Avenue and the true place of beginning of the parcel herein described;

Thence, North 23° 45' 04" West a distance of 33.00 feet to a point;

Thence, North 62° 24' 36" East a distance of 140.74 feet to a point;

Thence, South 68° 45' 22" East a distance of 60.00 feet to a point;

Thence, South 66° 14' 56" West on the Northwesterly right of way line of Front Avenue a distance of 182.86 feet to the true place of beginning and containing 6,196 square feet more or less.

The above described area is a part of Auditors Parcel No. 101-01-005.

This bearing shown herein are based on an assumed meridian and are used to delineate angles only.

This description is based on a survey made by URS Consultants under the direction and supervision of Richard E. Rockich, Registered Surveyor No. 5680.

Part of 101-01-004,  
101-01-005 and 101-01-002  
Consolidated Rail Corporation  
Easement for Bridge  
Parcel 2 Aerial

Situated in the City of Cleveland County of Cuyahoga and State of Ohio and being a part of the Bath Street Tract, bounded and described as follows:

Beginning at the intersection of the centerline of West 9th Street (99 feet wide) with the centerline of survey of Front Avenue (80 feet wide);

Thence, South 66° 14' 56" West on the centerline of survey of Front Avenue a distance of 37.92 feet to a point;

Thence, North 23° 45' 04" West a distance of 90.42 feet to a point;

Thence, South 62° 24' 36" West a distance of 15.94 feet to a point and the true place of beginning of the parcel herein described;

Thence, South 62° 24' 36" West a distance of 79.70 feet to a point;

Thence, North 68° 45' 22" West a distance of 284.07 feet to a point;

Thence, Northeasterly of Grantors property line along the arc of a curve to the left with a radius of 2058.07 feet and whose chord bears North 60° 09' 00" East 11.60 feet, an arc distance of 11.60 feet to a point;

Thence, North 59° 58' 50" East on Grantors property line a distance of 65.35 feet to a point;

Thence, South 68° 45' 22" East a distance of 288.35 feet to the true place of beginning containing 17,171 square feet more or less.

The above described area is a part of Auditors Parcel No. 101-01-004, 101-01-005 and 101-01-005.

The bearing shown herein are based on an assumed meridian and are used to delineate angles only.

This description is based on a survey made by URS Consultants under the direction and supervision of Richard E. Rockich, Registered Surveyor No. 5680.

Part of PPN: 101-01-005  
Consolidated Rail Corporation  
Temporary Easement  
Parcel 2T

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being a part of the Bath Street Tract, bounded and described as follows:

Beginning at the intersection of the centerline of West 9th Street (99 feet wide) with the centerline of survey of Front Avenue (80 feet wide);

Thence, South 66° 14' 56" West on the centerline of survey of Front Avenue a distance of 178.35 feet to a point;

Thence, North 23° 45' 04" West a distance of 48.00 feet to a point, said point being on the Northwesterly right of way line of Front Avenue and the true place of beginning of the parcel herein described;

Thence, South 66° 14' 56" West on the Northwesterly right of way line of Front Avenue a distance of 30.00 feet to a point;

Thence, North 23° 45' 04" West a distance of 10.00 feet to a point;

Thence, North 66° 14' 56" East a distance of 30.00 feet to a point;

Thence, South 23° 45' 04" East a distance of 10.00 feet to the true place of beginning containing 300 square feet more or less.

The above described area is a part of Auditors Parcel No. 101-01-005.

The bearings shown herein are based on an assumed meridian and are used to delineate angles only.

This description is based on a survey made by URS Consultants under the direction and supervision of Richard E. Rockich, Registered Surveyor No. 5680.

EASEMENT FOR WEST 9TH  
STREET BRIDGE OVER  
CONRAIL PROPERTY  
PIER NO. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of the Bath Street Tract bounded and described as follows:

Beginning at the intersection of the centerline of West 9th Street (99 feet wide) with the centerline of survey of Front Avenue (80 feet wide).

Thence South 66° 14' 56" West along the centerline of Front Avenue, a distance of 17.97 feet to

a point on the proposed centerline of Relocated West 9th Street;

Thence Northwesterly along the proposed centerline of West 9th Street being the arc of a curve to the left, 71.29 feet, with a radius of 286.48 feet and a chord which bears North 61° 37' 37" West, 71.11 feet to a point of tangency;

Thence North 68° 45' 22" West along the proposed centerline of West 9th Street, a distance of 90.16 feet to the Principal Point of Beginning of the premises herein intended to be described;

Thence South 62° 39' 38" West, 27.41 feet to a point;

Thence North 27° 20' 22" West, 10.00 feet to a point;

Thence North 62° 39' 38" East, 46.00 feet to a point;

Thence South 27° 20' 22" East, 10.00 feet to a point;

Thence South 62° 39' 38" West, 18.59 feet to the Principal Point of Beginning and containing 460 square feet of land be the same more or less.

The above described area is a part of Auditor's Parcel No. 101-01-004.

The bearings shown herein are based on an assumed meridian and are used to delineate angles only.

This description is based on a survey made by URS Consultants under the direction and supervision of Richard E. Rockich, Registered Surveyor No. 5680, and by a field survey under the direction and supervision of Ronald V. Garnett, Registered Surveyor No. 5828.

**EASEMENT FOR WEST 9TH STREET BRIDGE OVER CONRAIL PROPERTY PIER NO. 2**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of the Bath Street Tract, bounded and described as follows:

Beginning at the intersection of the centerline of West 9th Street (99 feet wide) with the centerline of survey of Front Avenue (80 feet wide).

Thence South 66° 14' 56" West along the centerline of Front Avenue, a distance of 17.97 feet to a point on the proposed centerline of Relocated West 9th Street;

Thence Northwesterly along the proposed centerline of West 9th Street being the arc of a curve to the left, 71.29 feet, with a radius of 286.48 feet and a chord which bears North 61° 37' 37" West, 71.11 feet to a point of tangency;

Thence North 68° 45' 22" West along the proposed centerline of West 9th Street, a distance of 187.16 feet to the Principal Point of Beginning of the premises herein intended to be described;

Thence South 62° 39' 38" West, 27.41 feet to a point;

Thence North 27° 20' 22" West, 10.00 feet to a point;

Thence North 62° 39' 38" East, 46.00 feet to a point;

Thence South 27° 20' 22" East, 10.00 feet to a point;

Thence South 62° 39' 38" West, 18.59 feet to the Principal Point of Beginning and containing 460 square feet of land be the same more or less.

The above described area is a part of Auditor's Parcel No. 101-01-004.

The bearings shown herein are based on an assumed meridian and are used to delineate angles only.

This description is based on a survey made by URS Consultants under

the direction and supervision of Richard E. Rockich, Registered Surveyor No. 5680, and by a field survey under the direction and supervision of Ronald V. Garnett, Registered Surveyor No. 5828.

**EASEMENT OF WEST 9TH STREET BRIDGE OVER CONRAIL PROPERTY PIER NO. 3**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of the Bath Street Tract, bounded and described as follows:

Beginning at the intersection of the centerline of West 9th Street (99 feet wide) with the centerline of survey of Front Avenue (80 feet wide).

Thence South 66° 14' 56" West along the centerline of Front Avenue, a distance of 17.97 feet to a point on the proposed centerline of Relocated West 9th Street;

Thence Northwesterly along the proposed centerline of West 9th Street being the arc of a curve to the left, 71.29 feet, with a radius of 286.48 feet and a chord which bears North 61° 37' 37" West, 71.11 feet to a point of tangency;

Thence North 68° 45' 22" West along the proposed centerline of West 9th Street, a distance of 284.16 feet to the Principal Point of Beginning of the premises herein intended to be described;

Thence South 62° 39' 38" West, 27.41 feet to a point;

Thence North 27° 20' 22" West, 10.00 feet to a point;

Thence North 62° 39' 30" East, 46.00 feet to a point;

Thence South 27° 20' 22" East, 10.00 feet to a point;

Thence South 62° 39' 38" West, 18.59 feet to the Principal Point of Beginning and containing 460 square feet of land be the same more or less.

The above described area is a part of Auditor's parcel No. 101-01-004.

The bearings shown herein are based on an assumed meridian and are used to delineate angles only.

This description is based on a survey made by URS Consultants under the direction and supervision of Richard E. Rockich, Registered Surveyor No. 5680, and by a field survey under the direction and supervision of Ronald V. Garnett, Registered Surveyor No. 5828.

**Section 2.** That existing Section 1 of Ordinance No. 1424-95, passed September 25, 1995, 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 February 26, 1996.  
Effective March 6, 1996.

**Ord. No. 202-96.**

**By Councilmen Johnson and Rokakis (by departmental request). An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into an agreement for the purchase, lease, or lease with option to purchase of heavy duty equipment and accessories, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.**

Whereas, this ordinance constitutes an emergency measure pro-

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written agreement for the purchase, lease, or lease with option to purchase, exercisable by the Director of Parks, Recreation and Properties, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for heavy duty equipment and accessories, including trucks, vans, and mowers as set forth in detail on file in the office of the Division of Purchases and Supplies and attached to Request No. 21684, to be purchased or procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract or by separate contract for each or any combination of said items as the Board of Control shall determine.

**Section 2.** That the cost of said contract or contracts hereby authorized shall be paid from Fund No. 10 SF 006, Request No. 21684.

**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 February 26, 1996.  
Effective March 6, 1996.

**Ord. No. 311-96.**

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

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase the former Memphis School located at 4103 Memphis Avenue for the Department of Community Development; and authorizing the Commissioner of Purchases and Supplies to convey said property to Charter One Bank, or its designee.**

Whereas, the Director of Community Development has requested the purchase of property, which is located at 4103 Memphis Avenue for redevelopment of said property; and

Whereas, the Director of Community Development has requested the sale of said property to Charter One Bank, or its designee, for the public purpose of redevelopment of said property; and

Whereas, Charter One Bank, or its designee, has submitted a proposal which the Director of Community Development has determined to be a satisfactory means of achieving redevelopment of said property; 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 Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following

described property for the purpose of developing an operations center for Charter One Bank:

4103 Memphis Avenue  
PPN: 014-13-014

**Parcel No. 1**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublots Numbers 203, 204, 205, 186, 187 and 188 in The Brooklyn Realty Company's Subdivision No. 2 of part of Original Brooklyn Township Lot No. 58 as shown by the recorded plat of said Subdivision in Volume 40 of Maps, Page 11 of Cuyahoga County Records. Said Sublots Numbers 203, 204, and 205 together forming a parcel of land having a frontage of 120 feet on the Southerly side of Memphis Avenue, S.W., and extending back 121 86/100 feet on the Easterly line, 121 92/100 feet on the Westerly line and having a rear line of 120 feet. Said Sublots Numbers 186, 187 and 188 together forming a parcel of land having a frontage of 120 feet on the Northerly side of Henritze Avenue, S.W., and extending back between parallel lines 122 feet according to said plat, be the same more or less, but subject to all legal highways.

**Parcel No. 2**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublots 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201 and 202 in the Brooklyn Realty Company's Subdivision No. 2 of a part of Original Brooklyn Township Lot No. 58 as shown by the recorded plat of said Subdivision in Volume 40, Page 11 of Cuyahoga County Records. Said Sublots together forming a parcel of land having a frontage of 280.28 feet on the Southerly line of Memphis Avenue, S.W., 243.72 feet on the Westerly line of West 41st Street and 280.28 feet on the Northerly line of Henritze Avenue S.W., and measuring 243.86 feet on its Westerly line, be the same more or less, but subject to all legal highways.

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

**Section 3.** That all costs of acquisition of land shall be paid from Fund No. 13 SF 844, Request No. 21674.

**Section 4.** That notwithstanding and as an exception to the provisions of Title V of the Community Development Code in the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development may enter into and execute a project agreement for and on behalf of the City of Cleveland with Charter One Bank, or its designee, for the acquisition, disposition and private redevelopment for the property which is described in Section 1.

**Section 5.** That this Council finds that the conveyance to Charter One Bank, or its designee, constitutes a public use of said property for the purposes of redevelopment.

**Section 6.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the described property in Section 1 to

Charter One Bank, or its designee, at a price not less than fair market value of the property taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed or deeds of conveyance.

**Section 7.** 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 such necessary provisions (including such restrictive reversionary interests as may be specified by the Board of Control or Director of Law) which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

**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 February 26, 1996.

Effective March 6, 1996.

**Ord. No. 325-96.**

**By Councilman Paulenske.**

**An emergency ordinance consenting and approving the issuance of a permit for a Walk on March 2, 1996, sponsored by the People Before Profits March and Rally Committee.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Walk, sponsored by the People Before Profits March and Rally Committee, on March 2, 1996, beginning at the Sheraton City Centre (E. 6th Street and St. Clair), east on St. Clair to E. 12th Street, north on E. 12th Street to Hamilton, finishing at the Bridgestone-Firestone Service Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 26, 1996.

Effective March 6, 1996.

**Ord. No. 326-96.**

**By Councilman Paulenske.**

**An emergency ordinance consenting and approving the issuance of a permit for the 1996 Walk for Hunger on May 11, 1996, sponsored by the Hunger Network of Greater 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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 1996 Walk for Hunger, sponsored by the Hunger Network of Greater Cleveland, on May 11, 1996, beginning at Burke Lakefront Airport, exit the Apcoa Parking Lot and proceed west on North Marginal Road using the pedestrian bridge, progress west on North Marginal to E. 9th Street, go north on E. 9th Street to Erieside Avenue, west on Erieside Avenue and around the Cleveland Municipal Stadium to W. 3rd Street, south on W. 3rd Street to St. Clair, west on St. Clair to W. 9th Street, southeast onto Huron Road, stay on Huron Road until E. 13th Street, west on Euclid Avenue, north at Public Square on Mall Drive, continue on Mall Drive until Lakeside Avenue, east on Lakeside Avenue until E. 9th Street, north on E. 9th Street and finish at the Bicentennial Park at North Coast Harbor, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 26, 1996.

Effective March 6, 1996.

**Ord. No. 327-96.**

**By Councilmen Smith and Paulenske.**

**An emergency ordinance consenting and approving the issuance of a permit for the M.S. Walk for Multiple Sclerosis on April 14, 1996, sponsored by the Northeast Ohio Chapter of the National Multiple Sclerosis Society.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the M.S. Walk for

Multiple Sclerosis, sponsored by the Northeast Ohio Chapter of the National Multiple Sclerosis Society, on April 14, 1996, beginning at the Nautica Entertainment Complex/Powerhouse entrance in the Flats, exit the complex via Washington Ave., continue west on Washington (south side) to W. 25th St., turn left onto W. 25th St., continue south on W. 25th St. (east side) crossing Superior Viaduct, Franklin Ave., Bridge Ave., Gould Ct. and Market St.; at the corner of W. 25th St. and Lorain Ave., turn left onto Lorain Ave. and proceed east over the Lorain-Carnegie Bridge to Ontario St.; at the traffic lights, cross from the west to the east side of Ontario, turn left and continue north on Ontario (east side) to Huron Rd., turn right onto Huron and continue east on Huron (south side) to E. 6th St., turn right onto E. 6th St. and continue south on E. 6th St. (west side) to Eagle Ave. and turn left, continue east on Eagle (south side) to E. 9th St., at the corner of E. 9th St. and Eagle, turn left, cross from the south to the north side of Eagle and proceed north on E. 9th St. (west side) to Bolivar Rd., at traffic light, turn right and cross from west to east side of E. 9th St., turn right and continue south on E. 9th St. (east side) to Sumner Ct. and turn left onto Sumner, continue east on Sumner (north side) to E. 14th St. and turn left onto E. 14th St., continue north on E. 14th St. (west side) to Prospect Ave., turn right at Prospect and at traffic light, cross from west to east side of E. 14th St., turn left and at traffic light, cross from south to north side of Prospect, turn right and continue east on Prospect (north side) to E. 22nd St., turn left on E. 22nd St. and continue north on E. 22nd St. (west side) to Euclid Ave. and turn right; at traffic light, cross from west to east side of E. 22nd St. and turn left, at traffic light, cross from south to north side of Euclid Ave. and turn left, at traffic light, cross from east to west side of E. 22nd St., continue west on Euclid Ave. (north side) crossing E. 18th St., E. 17th St., E. 14th St., E. 13th St., E. 12th St., E. 9th St. and E. 6th St. to Public Square, turn right onto Public Square (BP Building), continue north on Public Square (east side) to Superior Ave., at traffic light, cross from south to north side of Superior and turn left; at traffic light, cross from Public Square from east to west side, continue west on Superior (north side) to W. 6th St. and turn right onto W. 6th St., continue north on W. 6th St. (east side) to W. St. Clair Ave. and turn right, continue east on W. St. Clair Ave. (south side) crossing Ontario, E. 6th St., E. 9th St., E. 12th St. and E. 13th St. to E. 17th St., at corner of St. Clair and E. 17th St., turn left, cross at traffic light from south to north side of St. Clair Ave., continue north on E. 17th St. (west side) to Lakeside Ave. and turn right, cross from west to east side of E. 17th St. and turn left, cross from south to north side of Lakeside Ave., turn left and continue west on Lakeside Ave. (north side) to E. 9th St., turn right onto E. 9th St., continue north on E. 9th St. (east side), cross Erieside Ave. and continue north on E. 9th St. to North Coast Parking Lot, follow circular sidewalk (thereby turning around) and proceed south on E. 9th St. (west side) to Erieside

Ave., cross from north to south side of Erieside Ave., turn right and continue west on Erieside (south side) to W. 3rd St., continue south on W. 3rd St. (east side) to Lakeside Ave., at traffic light, cross from north to south side of Lakeside Ave. and turn right onto W. Lakeside Ave., at traffic light, cross from east to west side of W. 3rd St., continue west on W. Lakeside Ave. (south side) to W. 9th St. and turn right, cross from south to north side of W. Lakeside Ave., continue north on W. 9th St. (east side) to Front St., turn left onto Front St. and cross from east to west side of W. 9th St., continue west on Front St. (south side) to Old River Rd. and turn left, continue south on Old River Rd. (east side) to Center St., at corner of Old River Rd. and Center, cross from the north to south side of Center, turn right and continue west on Center St. (south side) to Center St. Bridge, continue north over Center St. Bridge (west side) to Riverbed, at intersection of Center St. and Riverbed Rd., turn right; cross from west to east side of Center St. and continue east on Riverbed (south side) to Elm St. and turn left onto Elm, cross from south to north side of Riverbed and continue north on Elm (east side) to Washington, turn right onto Washington and proceed into the Nautica Entertainment Complex, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 26, 1996.

Effective March 6, 1996.

#### RULES OF THE DIRECTOR OF PUBLIC SAFETY

Pursuant to the authority vested in the Director of Public Safety by Council of the City of Cleveland under Section 403.03 of the Codified Ordinances of the City of Cleveland, the following are hereby adopted, ordered published in the City Record immediately and to take effect and be in force Ten (10) days thereafter and upon the erection of signs as required by Section 403.03 of the Codified Ordinances of the City of Cleveland.

**Rule No. 2-A-96.1 - Amendment of Rule No. 2A - No Parking 2 AM to 6 AM.**

**Rule No. 2-A is hereby amended by adding thereto the following streets or sections of streets:**

Knowlton Ave. north side only from

west curb line of E. 115 St. to east curb line of E. 112 St. (Approved by Councilman Willis)

DAVID B. RITZ,  
Commissioner  
Division of Traffic Engineering

WILLIAM M. DENIHAN,  
Director  
Department of Public Safety  
February 12, 1996

#### RULES OF THE DIRECTOR OF PUBLIC SAFETY

Pursuant to the authority vested in the Director of Public Safety by Council of the City of Cleveland under Section 403.03 of the Codified Ordinances of the City of Cleveland, the following are hereby adopted, ordered published in the City Record immediately and to take effect and be in force Ten (10) days thereafter and upon the erection of signs as required by Section 403.03 of the Codified Ordinances of the City of Cleveland.

**Rule No. 2-A-96.1 - Amendment of Rule No. 2A - No Parking 2 AM to 6 AM.**

**Rule No. 2-A is hereby amended by adding thereto the following streets or sections of streets:**

Primrose Ave. north side only from west curb line of Lakeview Rd. to east curb line of Parkwood Ave. (Approved by Councilman Willis)

DAVID B. RITZ,  
Commissioner  
Division of Traffic Engineering

WILLIAM M. DENIHAN,  
Director  
Department of Public Safety  
February 12, 1996

#### RULES OF THE DIRECTOR OF PUBLIC SAFETY

Pursuant to the authority vested in the Director of Public Safety by Council of the City of Cleveland under Section 403.03 of the Codified Ordinances of the City of Cleveland, the following are hereby adopted, ordered published in the City Record immediately and to take effect and be in force Ten (10) days thereafter and upon the erection of signs as required by Section 403.03 of the Codified Ordinances of the City of Cleveland.

**Rule No. 2-A-96.1 - Amendment of Rule No. 2A - No Parking 2 AM to 6 AM.**

**Rule No. 2-A is hereby amended by adding thereto the following streets or sections of streets:**

E. 109 St. east side only from north curb line of Ashbury to south curb line of Orville Ave. (Approved by Councilman Willis)

DAVID B. RITZ,  
Commissioner  
Division of Traffic Engineering

WILLIAM M. DENIHAN,  
Director  
Department of Public Safety  
February 14, 1996

**RULES OF THE DIRECTOR OF PUBLIC SAFETY**

Pursuant to the authority vested in the Director of Public Safety by Council of the City of Cleveland under Section 403.03 of the Codified Ordinances of the City of Cleveland, the following are hereby adopted, ordered published in the City Record immediately and to take effect and be in force Ten (10) days thereafter and upon the erection of signs as required by Section 403.03 of the Codified Ordinances of the City of Cleveland.

**Rule No. 2-A-96.1 - Amendment of Rule No. 2A - No Parking 2 AM to 6 AM.**

**Rule No. 2-A is hereby amended by adding thereto the following streets or sections of streets:**

E. 108 St. east side only from north curb line of Ashbury to south curb line of Lee Ave. (Approved by Councilman Willis)

DAVID B. RITZ, Commissioner  
Division of Traffic Engineering

WILLIAM M. DENIHAN, Director  
Department of Public Safety  
February 14, 1996

**RULES OF THE DIRECTOR OF PUBLIC SAFETY**

Pursuant to the authority vested in the Director of Public Safety by Council of the City of Cleveland under Section 403.03 of the Codified Ordinances of the City of Cleveland, the following are hereby adopted,

ordered published in the City Record immediately and to take effect and be in force Ten (10) days thereafter and upon the erection of signs as required by Section 403.03 of the Codified Ordinances of the City of Cleveland.

**Rule No. 2-A-96.1 - Amendment of Rule No. 2A - No Parking 2 AM to 6 AM.**

**Rule No. 2-A is hereby amended by adding thereto the following streets or sections of streets:**

Kelton Ave. north side only from west curb line of E. 120 St. to east curb line of E. 115 St. (Approved by Councilman Willis)

DAVID B. RITZ, Commissioner  
Division of Traffic Engineering

WILLIAM M. DENIHAN, Director  
Department of Public Safety  
February 14, 1996

**COUNCIL COMMITTEE MEETINGS**

**Thursday, February 29, 1996**

**Finance Committee (Budget) 10:30 A.M.** — Present: Rokakis, Chrm. Westbrook, V-Chrm. Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith.

**Friday, March 1, 1996**

**Committee of the Whole (Stadium): 9:30 A.M.** — Present: Britt,

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

**Monday, March 4, 1996**

**Committee of the Whole (Stadium): 9:30 A.M.** — Present: Britt, Coats, Jackson, Johnson, Lewis, McGuirk, Melena, Miller, O'Malley, Patmon, Patton, Paulenske, Polensek, Robinson, Rokakis, Rybka, Smith, Westbrook, Willis, Zone. Excused: White.

**Tuesday, March 5, 1996**

**Community & Economic Development Committee: 10:00 A.M.** — Present: Jackson, Chrm. Paulenske, V-Chrm. Britt, Coats, Lewis, Patton, Smith, Willis. Excused: Melena.

**Finance Committee (Budget): 2:00 P.M.** — Present: Rokakis, Chrm. Westbrook, V-Chrm. Coats, Lewis, McGuirk, Patmon, Smith. Excused: Johnson, Polensek, Robinson, Rybka.

**Wednesday, March 5, 1996**

**Committee of the Whole (Stadium): 9:30 A.M.** — Present: Britt, Coats, Jackson, Johnson, Lewis, McGuirk, Melena, Miller, O'Malley, Patmon, Patton, Paulenske, Polensek, Robinson, Rokakis, Rybka, Smith, Westbrook, White, Willis, Zone. Excused: Patmon.

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

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