

The City Record

Official Publication of the City of Cleveland

July the Twenty-Fourth, Nineteen Hundred and Ninety-Six

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.;
 _____, 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

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WEDNESDAY, JULY 24, 1996

No. 4311

CITY COUNCIL

WEDNESDAY, JULY 17, 1996

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Jackson, Miller, O'Malley, Patton, 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 July 17, 1996.

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

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

Also present were Chief of Staff Sheffield McClain, Acting Directors Horvath, Holland Executive Assistants Zimomra, Silliman, Werner and Administrative Legislative Assistant Polacek.

Absent: Mayor White and Directors Sobol-Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Axelrod, Willis, Morrison and Acting Director Whitner.

The Chair dispensed with the Prayer and 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. 1248-96.

From the L. C. Hanna, Jr.-Cleveland Mall Fund re: Investment and Transaction Statement, April 1, 1996 through June 30, 1996. Received.

File No. 1249-96.

From the Division of Purchases and Supplies re: Excess City Property, Reference No. 009-96. Received.

File No. 1250-96.

From the Division of Purchases and Supplies re: Emergency Requisition (RE-85360) for the rental of a transformer for Cleveland Public Power. Received.

File No. 1251-96.

From the Division of Purchases and Supplies re: Emergency Requisition (RE-83723) for roof repair at Stella Walsh Recreation Center. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1252-96.

Re: New Application - 0066473 - Adham, Inc. dba Adham Food Market, 13800 Harvard Avenue. (Ward 1). Received.

File No. 1253-96.

Re: Transfer of Ownership Application - 7108302 - B. Jean Pugh dba DBS Lounge, 10408-12 Union Avenue, first floor and basement. (Ward 3). Received.

File No. 1254-96.

Re: Transfer of Ownership Application - 9879118 - Zaina's Inc. dba All American Food Market, 8624 Cedar Avenue, first floor and basement. (Ward 6). Received.

File No. 1255-96.

Re: New Application - 93495100005 - Wak Grocery, Inc., 9200 Wade Park Avenue, Unit C90-100. (Ward 7). Received.

File No. 1256-96.

Re: Transfer of Ownership Application - 01210930010 - Dawud Ali, 11500-06 St. Clair Avenue, first floor and basement. (Ward 9). Received.

File No. 1257-96.

Re: Transfer of Location Application - 411896900522 - IBPOE of W. Lodge #0052, Spirit of Ohio, 15617 Waterloo Avenue. (Ward 11). Received.

File No. 1258-96.

Re: Transfer of Ownership Application - 4409933 - Jukebox Junction, Inc., 4233-35 East 71st Street, first floor and basement. (Ward 12). Received.

File No. 1259-96.

Re: Transfer of Ownership Application - 8750325 - Syl Jim, Inc., 3129 East 65th Street. (Ward 12). Received.

File No. 1260-96.

Re: Transfer of Location Application - 8125886 - Side Bar, Inc., 105 W. St. Clair Avenue. (Ward 13). Received.

File No. 1261-96.

Re: Transfer of Ownership Application - 9117831 - 2000 Lakeside, Inc., 2000 Lakeside Avenue. (Ward 13). Received.

File No. 1262-96.

Re: Transfer of Ownership Application - 8916999 - 3335 Fulton, Inc. dba Fulton Beverage, 3335 Fulton Road. (Ward 14). Received.

File No. 1263-96.

Re: Stock Application - 8043118 - Sharare, Inc. dba Kwik Chek Deli & Food Mart, 3548 Fulton Road. (Ward 15). Received.

File No. 1264-96.

Re: Transfer of Ownership Application - 4279123 - Jericho USA, Inc. dba Sav Way Food Mart, 4926 Denison Avenue. (Ward 16). Received.

File No. 1265-96.

Re: Stock Application - 19151210005 - Dandy Bar, Inc. dba Dandy Bar, 8309 Madison Avenue, first floor and basement. (Ward 17). Received.

File No. 1266-96.

Re: Stock Application - 8971122 - Tomahawk, Inc. dba Tomahawk Cafe, 11217 Detroit Avenue. (Ward 18). Received.

File No. 1267-96.

Re: Transfer of Ownership Application - 7711565 - David Sanchez dba C&M Delicatessen, 3295 West 105th Street, first floor. (Ward 19). Received.

File No. 1268-96.

Re: New Application - 3920144 - Holiday Italian Sausage, Inc. dba Holiday Grill, 13408 Enterprise Avenue. (Ward 20). Received.

File No. 1269-96.

Re: Transfer of Ownership Application - 9623791 - William M. Thomas, Inc., 4677 West 130th Street. (Ward 20). Received.

File No. 1270-96.

Re: Transfer of Ownership Application - 08938050010 - Boykin Management Co., Ltd., LLC, 4277 West 150th Street. (Ward 20). Received.

File No. 1271-96.

Re: Transfer of Ownership Application - 7097293 - Proper, Inc. dba Vineyard Wine Shoppe, 3764 Rocky River Drive. (Ward 21). Received.

File No. 1272-96.

Re: Transfer of Ownership Application - 46687270001 - Kirksey, Inc. dba Hank's, 3560 East 93rd Street. (Ward 2). Received.

File No. 1273-96.

Re: Stock Application - 4000829 - Hotz Cafe, Inc., 2529 West 10th Street, first floor and basement. (Ward 13). Received.

REPORTS**File No. 1274-96.**

From the Division of Water Pollution Control, Department of Public Utilities re: Report on Audit of Financial Statements for the years ended December, 1995 and 1994. Received.

File No. 1275-96.

From the Division of Water, Department of Public Utilities re: Report on Audit of Financial Statements for the years ended December, 1995 and 1994. Received.

PETITIONS**File No. 1276-96.**

For the vacation of Mann Avenue (Resolution No. 1202-96). Received.

File No. 1277-96.

For the vacation of the first unnamed alley east of Columbus Road, N.W. and Gould Court, N.W. (Resolution No. 1049-96). Received.

PLATS**File No. 1236-96.**

By Councilman Paulenske, Kirkham Place. (Ward 13). Sub-division Plat of Lot No. 3. Bearing the approval of the Directors of Public Service, City Planning Commission. Recommended by Committees on Public Service, City Planning. Plat approved. Yeas 18. Nays 0.

File No. 1376-96.

By Councilman Jackson, Central Commons. (Ward 5). Sub-division Plat of Lot No. 6. Bearing the approval of the Directors of Public Service, City Planning Commission. Recommended by Committees on Public Service, City Planning. Plat approved. Yeas 18. Nays 0.

COMMUNICATIONS**File No. 1373-96.**

June 3, 1996

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

Dear Council President Westbrook:

I am pleased to recommend Mr. John Gallo for appointment to the Community Relations Board as a labor representative. This appointment is effective immediately upon approval by Council and will expire on March 31, 1998.

Thank you for your consideration.

Sincerely,

Michael R. White
Mayor

Received.
Referred to Committee on Mayor's Appointments.

File No. 1374-96.

June 3, 1996

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

Dear Council President Westbrook:

I am pleased to recommend Mr. Bruce Goode for appointment to the Community Relations Board as an industry representative. This appointment is effective immediately upon approval by Council and will expire on March 31, 2000.

Thank you for your consideration.

Sincerely,

Michael R. White
Mayor

Received.
Referred to Committee on Mayor's Appointments.

**COMMITTEE ON
MAYOR'S APPOINTMENTS**

The Chair appointed Councilman Dale Miller as Chairman and Councilmen Craig Willis, Gary

Paulenske, Charles L. Patton, Jr., and Michael D. Polensek to consider the Mayor's appointments to the Community Relations Board.

CONDOLENCE RESOLUTIONS

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

Res. No. 1378-96. Olivia Glasgow.
Res. No. 1379-96. Alberta Walker.
Res. No. 1380-96. Joe Woods.
Res. No. 1381-96. Frederick C. Johnson.
Res. No. 1382-96. Jay Latimer.
Res. No. 1383-96. Charles H. Williams.
Res. No. 1384-96. Sadie Owens.
Res. No. 1385-96. Ben S. Eulinberg.
Res. No. 1386-96. Bobby Bradley.
Res. No. 1387-96. Ruby H. Sims.

CONGRATULATORY RESOLUTIONS

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

Res. No. 1358-96. 1996 Larry Doby RBI (Reviving Baseball in Inner Cities) Program.
Res. No. 1388-96. Parker-Pearson Family Reunion.
Res. No. 1389-96. Henry Edwards.
Res. No. 1390-96. Lee Harvard Association.
Res. No. 1391-96. Concerned Citizens of Southeast Cleveland.
Res. No. 1392-96. Lee-Seville-Miles Citizens Council.
Res. No. 1393-96. Thomas Wyszynski.
Res. No. 1394-96. George Brych.
Res. No. 1395-96. Carolyn B. Maresky.
Res. No. 1396-96. Morgan Services.
Res. No. 1397-96. Norbert and Helen Wallington.
Res. No. 1398-96. Paula Phillips.
Res. No. 1399-96. Stockyard Neighborhood Computer Day.
Res. No. 1400-96. Mr. and Mrs. Jimmie Barker.
Res. No. 1401-96. The Kennedy Family 50th Reunion.
Res. No. 1402-96. The Peck Family Reunion.
Res. No. 1403-96. Mrs. Ann Peyton.
Res. No. 1404-96. Judge Anthony V. Leanea.

RESOLUTION OF RECOGNITION

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

Res. No. 1405-96. Patrolman Bernard Gates.

RESOLUTION OF WELCOME

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

Res. No. 1406-96. 14th Annual Muslim Olympics.

**FIRST READING EMERGENCY
ORDINANCES REFERRED****Ord. No. 1278-96.**

By Mayor White.

An emergency ordinance declaring this Council's desire, intent and commitment to work toward the creation of an International Aerospace Cities Alliance with Kaliningrad, Russia; and authorizing the Mayor to enter into any agreements necessary thereto.

Whereas, the City of Cleveland, envisions opportunities for space

industrial development, including cooperative ventures between NASA and the Russian Space Agency on land adjacent to Cleveland Hopkins International Airport; and

Whereas, the City of Cleveland envisions opportunities to enhance the programs of local museums through inclusion of space center elements; and

Whereas, both the industrial development and enhancements may be accomplished through the creation of an International Aerospace Cities Alliance between the City of Cleveland and the City of Kaliningrad, Russia; and

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

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

Section 1. That this Council hereby declares its desire, intent and commitment in joining the City of Kaliningrad, Russia, in the creation of an International Aerospace Cities Alliance.

Section 2. That the Mayor is hereby authorized to enter into any agreements necessary to accomplish the creation of an International Aerospace Cities Alliance between the cities of Cleveland and Kaliningrad, Russia.

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 Director of Law; Committee on Finance.

Ord. No. 1279-96.
By Councilman Britt.
An emergency ordinance to vacate a portion of East 88th Street, hereinafter described.

Whereas, on the 10th day of April, 1995 the Council of the City of Cleveland adopted Resolution No. 158-95 declaring its intention to vacate a portion of East 88th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 158-95 has been served upon the owners of all the property abutting East 88th Street, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 12th day of July, 1996, the Board of Revision of Assessments approved the vacation of East 88th Street, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating East 88th Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of East 88th Street, (42.00 feet wide),

extending Southerly from the Southerly line of Euclid Avenue (80.00 feet wide) to the Northerly line of Carnegie Avenue S.E. (80.00 feet wide), be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Water and Heat equipment. The description of easement is as follows:

That portion of East 88th Street, (42.00 feet wide) extending Southerly from the Southerly line of Euclid Avenue (80.00 feet wide) to the Northerly line of Carnegie Avenue S.E. (80.00 feet wide).

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Water and Heat of the City of Cleveland

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of East 88th Street, herein provided by sending him a copy of this Ordinance.

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

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

Ord. No. 1280-96.
By Councilmen Jackson, Johnson and Rokakis (by departmental request).

An emergency ordinance on behalf of the Cleveland Municipal Court, to lease property at 6001 Woodland Avenue from Cuyahoga Metropolitan Housing Authority, or their designees, for a term not to exceed two years, with an option to renew for an additional year for the public purpose of providing office space for the Adult Probation Program of the Cleveland Municipal Court to furnish probationary services to the neighborhood.

Whereas, the City of Cleveland requires certain space located at 6001 Woodland Avenue for the public purpose of providing office space for the Adult Probation Program of the Cleveland Municipal Court to furnish probationary services to the neighborhood; and

Whereas, Cuyahoga Metropolitan Housing Authority, or its designees, has proposed to lease said space to the City of Cleveland; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to lease from Cuyahoga Metropolitan Housing Authority, or its designees, cer-

tain space more fully described as follows: approximately 4,050 square feet on the second floor of the Carl B. Stokes Social Service Building located at 6001 Woodland Avenue, Cleveland, Ohio 44104.

Section 2. That the term of the lease authorized by Section 1 shall not exceed two (2) years, with an option to renew for one (1) additional year subject to termination by written notice from either party within not less than sixty (60) days after such notice.

Section 3. That the lease authorized by Section 1 shall include the provision that for the first year rent shall be free; there will be charges only for janitorial service which shall be at the rate of \$1.00 per square foot. The rent for the second year shall be at the rate of \$5.00 per square foot, inclusive of janitorial services and utilities.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public purpose or purposes of providing office space for the Adult Probation Program of the Cleveland Municipal Court to furnish probationary services to the neighborhood.

Section 5. That the lease may provide for the City's payment of all operating costs of the leased premises.

Section 6. That the costs of the lease shall be paid from Fund No. 10 SF 085, Request No. 21812.

Section 7. That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

Section 8. That the Director of Finance and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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

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

Ord. No. 1281-96.
By Councilmen Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Transportation Unlimited, or its designee, to provide economic development assistance through the Empowerment Zone Program to partially finance the demolition and environmental costs associated with acquiring the former Sealtest building located at 3740 Carnegie 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 Transportation Unlimited, or its designee, to provide economic development assistance through the Empowerment Zone Program to partially finance the demolition and environmental costs associated with acquiring the former Sealtest building located at 3740 Carnegie Avenue, Cleveland, Ohio.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1281-96-A.

Section 3. That the costs of said contract shall not exceed Five Hundred Eighty Four Thousand Four Dollars (\$584,004.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22281.

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

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

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

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

Ord. No. 1282-96.

By Councilmen Johnson and Rokakis (by departmental request). An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating or otherwise improving the City Hall building; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing said director to employ one or more firms of architects or engineers to provide professional services related to this improvement.

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

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

Section 1. That, pursuant to Sec-

tion 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating or otherwise improving the City Hall Building, for the Department of Parks, Recreation and Properties, 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 Parks, Recreation and Properties 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 Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract one or more architects or engineers or one or more firms of architects or engineers 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 implement the improvement authorized in Section 2 of this ordinance.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties 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 Parks, Recreation and Properties, and certified by the Director of Finance.

Section 4. That the cost of said improvement and professional services hereby authorized shall be paid from Fund Nos. 10 SF 006, 20 SF 300, 20 SF 310, 20 SF 320 and 20 SF 331, Request No. 20559.

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 Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 1283-96.

By Councilmen Johnson and Rokakis (by departmental request). An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating or otherwise improv-

ing the Convention Center; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing said director to employ one or more firms of architects or engineers and/or asbestos consultants to provide professional services related to this improvement.

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 rehabilitating, renovating or otherwise improving the Convention Center, including but not limited to the Little Theatre and parapet stone facade, for the Department of Parks, Recreation and Properties, 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 Parks, Recreation and Properties 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 Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract one or more architects, engineers and/or asbestos consultants or one or more firms of architects, engineers and/or asbestos 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 implement the improvement authorized in Section 2 of this ordinance.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties 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 Parks, Recreation and Properties, and certified by the Director of Finance.

Section 4. That the cost of said improvement and professional services hereby authorized shall be paid from Fund Nos. 10 SF 006, 20 SF 332 67 SF 001, Request No. 20560.

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 Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 1284-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, expanding or otherwise improving parks, recreation facilities, the West Side Market parking lot and park maintenance buildings; authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing said director to employ one or more firms of consultants to provide professional services related to this improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, expanding or otherwise improving recreation facilities and park maintenance buildings, for the Department of Parks, Recreation and Properties, 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 Parks, Recreation and Properties 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, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, expanding or otherwise improving parks and the West Side Market parking lot, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 4. That the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component

part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 5. That the Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract one or more landscape architects, architects, engineers and/or asbestos consultants or one or more firms of landscape architects, architects, engineers and/or asbestos 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 implement the improvement authorized in Section 2 and Section 4 of this ordinance.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties 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 Parks, Recreation and Properties, and certified by the Director of Finance.

Section 6. That the cost of said improvement and professional services hereby authorized shall be paid from Fund Nos. 10 SF 006, 20 SF 303, 20 SF 313, 20 SF 323, 20 SF 330 and 20 SF 334, Request No. 20558.

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

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

Ord. No. 1285-96.

By Councilman McGuirk (by departmental request).

An emergency ordinance to renumber Section 135.47 of the Codified Ordinances of Cleveland, Ohio, as enacted by Ordinance No. 370-96, passed June 10, 1996, to new Section 135.54.

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

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

Section 1. That Section 135.47 as enacted by Ordinance No. 370-96, passed June 10, 1996, is hereby renumbered to new "Section 135.54".

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

from and after the earliest period allowed by law.

Referred to Director of Law; Committee on Legislation.

Ord. No. 1286-96.

By Councilmen McGuirk and Rokakis (by departmental request).

An emergency ordinance to amend Sections 181.09, 181.11, 181.13 and 181.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances relating to purchases.

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

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

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

Section 181.09, as amended by Ordinance No. 2855-80, passed March 9, 1981,

Section 181.11, as amended by Ordinance No. 627-68, passed March 18, 1968,

Section 181.13, as amended by Ordinance No. 999-70, passed June 8, 1970, and

Section 181.14, as amended by Ordinance No. 627-68, passed March 18, 1968, are hereby amended to read, respectively, as follows:

Section 181.09 Purchases Not Exceeding \$500.00

Notwithstanding, and as an exception to the requirements set forth in Section 181.08, whenever any office or department requisitions articles, commodities, supplies, material or equipment which is seldom needed and is not stocked in the storerooms or warehouses of the City and which costs a total of **one thousand dollars (\$1,000.00)** or less, the Commissioner of Purchases and Supplies is authorized to procure such articles, commodities, supplies, material or equipment by noncompetitive purchase in the market for the best price obtainable, provided the approval of the Director of Finance is first obtained.

Section 181.11 Noncompetitive Purchases; Purchase of Coal

The Commissioner of Purchases and Supplies is hereby authorized to make noncompetitive purchases for the best price obtainable in the following circumstances:

(a) When the purchase is for the purpose of determining the fitness or suitability of any product to meet the special requirements of the City and is limited to the smallest amount sufficient for such test purposes, in no event more than **one thousand dollars (\$1,000.00)**.

(b) Where emergency repairs or necessary replacement parts are required immediately for the continued operation of any automotive or other equipment involving an expenditure of not more than **ten thousand dollars (\$10,000.00)**.

(c) When the director of the department involved requisitions the purchase of any commodity or article by brand name setting forth the reasons why no other commodity or article except the one specified is suitable for the intended use, when the amount involved is less than **one thousand dollars (\$1,000.00)** and the director of finance has approved such purchase, and with the additional approval of the Mayor when the amount is more than **one thousand dollars**

(\$1,000.00) but not more than **ten thousand dollars (\$10,000.00)**.

(d) The purchase of coal for the various divisions of the City shall be based upon the certified copy of the analysis of the coal made by a recognized independent testing laboratory which shall be filed with the bid and made a part thereof, and the specified satisfactory burning quality of the coal in the equipment for which purchased. Conformity of the coal to the certified analysis shall be determined by chemical tests conducted by the City and the satisfactory burning quality of the coal shall be determined by test in use in the equipment for which the coal is purchased. Failure of the coal to meet the chemical test and the burning test shall be cause for rejection of the bid. The delivery of coal not meeting the chemical test and the satisfactory burning quality shall be cause for cancellation of the contract if a contract is awarded. The costs incurred by the City in making all chemical tests shall be charged to the bidder or contractor in the event that the coal tendered does not meet such tests. For the purpose of determining conformity to the chemical analysis and satisfactory burning quality of any coal proposed to be sold to the City, the bidder may be required to supply from one to ten car loads of such coal.

Section 181.13 Purchases of Surplus Federal Commodities

The Commissioner of Purchases and Supplies is hereby authorized and directed to purchase from the United States or any instrumentality or agency thereof charged with the disposal of surplus commodities, any materials, supplies or equipment which may be determined by the Board of Control to be necessary or desirable for any of the several departments of the City at the price fixed by the United States or such instrumentality or agency thereof. When any department receives a Federal grant, the Commissioner may utilize procurement sources available throughout the General Services Administration Agency of the United States prior to private source procurement in the expenditure of Federal grant money. All purchases under this section of **ten thousand dollars (\$10,000.00)** shall first be authorized by the Board of Control and a written report of every such purchase of more than **ten thousand dollars (\$10,000.00)** shall be filed with Council forthwith.

Section 181.14 Purchase of Materials Produced by State-Owned Institutions

The Commissioner of Purchases and Supplies is hereby authorized to purchase from the State such materials, supplies or equipment as may be manufactured or produced in any of the State-owned institutions as the Board of Control shall determine necessary or desirable for any of the several departments of the City at the prices fixed by the proper authority of the State. However, all such purchases in addition to the authorization by the Board shall, if more than **ten thousand dollars (\$10,000.00)**, be reported in writing to Council.

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

Section 181.09, as amended by Ordinance No. 2855-80, passed March 9, 1981,

Section 181.11, as amended by Ordinance No. 627-68, passed March 18, 1968,

Section 181.13, as amended by Ordinance No. 999-70, passed June 8, 1970, and

Section 181.14, as amended by Ordinance No. 627-68, passed March 18, 1968, 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 Finance, Law; Committees on Legislation, Finance.

Ord. No. 1287-96.
By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Prime Time Enterprises, Inc. for operation of the business of delivering small packages by ground transportation at and from Burke Lakefront Airport.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into a Lease By Way of Concession with Prime Time Enterprises, Inc. ("Lessee"), for use and occupancy of approximately 217 square feet of office and operations space located on the first floor of the terminal building at Burke Lakefront Airport ("Leased Premises"), for use only as an office and operation facility for the conduct of Lessee's business of delivering small packages by ground transportation. The term of the Lease shall begin on April 1, 1996 and end on April 30, 1998, except that either party may terminate the Lease at an earlier date by giving thirty (30) days written notice to the other. For use of the Leased Premises, Lessee shall the City a per annum rent of \$1,844.50, which shall be paid in monthly installments of \$153.71.

Section 2. That the Lease hereby authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said director deems necessary to protect and benefit the public interest.

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

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

Ord. No. 1288-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Pilot Management, Inc. for operation of the business of a flight school at and from Burke Lakefront Airport, for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized to enter into a Lease Agreement ("Lease") with Pilot Management, Inc. ("Lessee") for use and occupancy of approximately 486.31 square feet of office and operations space on the first floor of the terminal building at Burke Lakefront Airport ("Leased Premises"), for use only as a flight school business. In addition, the Lessee shall be permitted to access a terminal building conference room solely for the conduct of its flight school business, provided that the Lessee obtains prior approval from the Commissioner of Burke Lakefront Airport, or his designee. The term of the Lease shall begin on May 20, 1996 and end on April 30, 1998, except that either party may terminate the Lease at an earlier date by giving thirty (30) days written notice to the other. For use of the Leased Premises, Lessee shall pay the City a per annum rent of \$4,133.64, which shall be paid in monthly installments of \$344.47. For the use of the conference room, the Lessee shall pay the City \$6.25 per hour or fraction thereof.

Section 2. That the Lease hereby authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said director deems necessary to protect and benefit the public interest.

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

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

Ord. No. 1289-96.
By Councilmen O'Malley, Jackson, Rybka and Rokakis (by departmental request).

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

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the

Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Triad Partners Limited (the "Enterprise") has proposed to construct a corporate office and warehouse in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

Section 1. That this Council hereby approves the application of Triad Partners Limited, or its designee(s), for enterprise zone incentives on the basis that Triad Partners Limited is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Triad Partners Limited, or its designee(s), to provide for a ten (10) year abatement for certain tangible real estate taxes as an incentive to construct a corporate office and warehouse at 4640-54 State Road in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the term as set forth in the Executive Summary contained in File No. 1289-96-A.

Section 4. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Ord. No. 1290-96.
By Councilmen Patmon, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1325 Ansel Road to Famicos Notre Dame Apartments, Incorporated.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-12-180 as more fully described in Section 2 below, to Famicos Notre Dame Apartments, Incorporated.

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

P. P. No. 107-12-180

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot Nos. 384 and 385, and bounded and described as follows:

Beginning in the center line of Ansel Road, N.E. (formerly Renter Avenue) at its intersection with the Southerly line of the first described parcel of land in the deed from Melinda E. Bole, widow, to the City of Cleveland, dated October 19, 1895, and recorded in Volume 615, Page 12 of Cuyahoga County Records; thence North 82 degrees, 49' 00" East, along the Southerly line of said parcel of land, 261.76 feet to a point; thence South 78 degrees 16' 00" East, along the Southwesterly line of land conveyed by Melinda E. Bole and Joseph K. Bole, her husband, to the City of Cleveland, by deed dated April 12, 1894, and recorded in Volume 575, Page 540 of Cuyahoga County Records, about 6.39 feet to a point, thence South 51 degrees 49' 10" East along the Southwesterly line of land conveyed to the City of Cleveland, by last mentioned deed, 390.02 feet to a point being the Northwesterly corner of the first described parcel of land in the deed from the Board of Education of the Cleveland City School District, to the Neighbors Organized for Action in Housing, Incorporation dated July 19, 1971 and recorded in Volume 12918, Page 29 of Cuyahoga County Records; thence South 38 degrees 10' 30" West, along the Northwesterly line of said Neighbors for Action in Housing, Incorporated parcel, 190.00 feet to the center line of Ansel Road, N.E.; thence Northwesterly

along the center line of Ansel Road, N.E. to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

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

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

Ord. No. 1291-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Glenville Development Corporation, or its designee, to provide economic development assistance through the Empowerment Zone Program to partially finance the renovation of the Faith Building, located at 10640 St. Clair 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 Glenville Development Corporation, or its designee, to provide economic development assistance through the Empowerment Zone Program to partially finance the renovation of the Faith Building, located at 10640 St. Clair Avenue, Cleveland, Ohio, to provide space for its offices and to create leasing opportunities in the remainder of the building.

Section 2. That the term of said

loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1291-96-A.

Section 3. That the costs of said contract shall not exceed Four Hundred Seventy Six Thousand Ten Dollars (\$476,010.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22282.

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

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

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

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

Ord. No. 1292-96.

By Councilman Patton.

An emergency ordinance to amend Section 205.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 511-76, passed June 14, 1976, relating to the regulation of carrier pigeons.

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 205.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 511-76, passed June 14, 1976, is hereby amended to read as follows:

Section 205.03 Regulation of Carrier Pigeons

(a) As used in this section "carrier pigeons" include homing and racing pigeons and shall be limited to pigeons which have the name of the owner stamped upon the wing or tail or banded upon the leg with the name or initials of the owner, or with an identification or registration number stamped on such band.

(b) When a permit has been issued by the Commissioner of Envi-

ronmental Health or his authorized representative, the owner or person in charge or possession of not more than twenty-five pairs of carrier pigeons shall be allowed to fly such pigeons for necessary exercise and training under the restraint and control of such owner or other person.

(c) Permits for carrier pigeons shall be issued only upon compliance with the following requirements:

(1) The identification mark or marks to be stamped on each pigeon or band shall be recorded with the Commissioner;

(2) Upon inspection, the structure in which such pigeons are housed is found to be in compliance with regulations prescribed by the Commissioner and is maintained in a clean, sanitary condition and in good repair;

(3) The payment of an annual inspection fee of two dollars (\$2.00).

(d) The keeping of carrier pigeons under a City permit shall not constitute a violation of permitting fowl at large within the City.

(e) **No enclosure for pigeons shall be less than 100 feet from an existing residence building on other premises in any use district, or from any obvious residence building site on other premises lot in a Residence District.**

Section 2. That existing Section 205.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 511-76, passed June 14, 1976, is hereby repealed.

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

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

Ord. No. 1293-96.

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

An emergency ordinance authorizing the Director of Public Service to cause payment of the City of Cleveland's share to the State of Ohio for the cost of reconstructing and rehabilitating Lee Road.

Whereas, in Ordinance No. 904-93, passed June 14, 1993, this Council gave consent to the Director of Transportation, State of Ohio, for the reconstructing and rehabilitating of Lee Road (the "Improvement"); and

Whereas, this Council authorized the City to cooperate with the State of Ohio in the cost of the Improvement; and

Whereas, the City's share of the cost of the Improvement is currently estimated to be \$370,000.00; and

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

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

Section 1. That this Council hereby authorizes payment to the State of Ohio of the City's share of the cost of reconstructing and rehabilitating Lee Road from Miles Avenue to the City's corporate limit, including grading, draining, paving and widening from Fund Nos. 20 SF 322,

20 SF 312, 20 SF 302 and 20 SF 190, Request No. 21887.

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 Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1294-96.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance authorizing the Mayor to accept a grant from the Great Lakes Museum of Science, Environment and Technology, or its designee, for OEO programs, on behalf of the Office of Equal Opportunity; and authorizing the Mayor, or his designee, to enter into any agreements relative thereto.

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 Mayor is hereby authorized to accept a grant in the amount of up to \$40,000, from the Great Lakes Museum of Science, Environment and Technology, or their designee, to pay the cost of OEO monitoring of construction projects, on behalf of the Office of Equal Opportunity; that the Mayor 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 of paying the costs of the Office of Equal Opportunity.

Section 2. That the Mayor, or his designee, is hereby authorized to enter into any agreements necessary in conjunction with the grant program.

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 Equal Opportunity, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

Ord. No. 1295-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one venturi flow meter, for the Division of Water, Department of Public Utilities.

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

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

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

of the following items: one (1) venturi flow meter, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20951.

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. 1296-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair air tools, 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 necessary to repair air tools 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 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 20954)

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. 1297-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of one electric towmotor and accessories, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one electric towmotor and accessories, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20944.

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. 1298-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide one or more engineers, to provide professional services necessary to inspect and evaluate water towers.

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 employ by contract one or more engineers or one or more firms of engineers 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 inspect, evaluate, including all equipment and testing, for not to exceed ten (10) water towers, for the Division of Water, Department of Public Utilities.

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

Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 52 SF 001, Request No. 20949.

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. 1299-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to repair one motor at Fairmount Pump Station, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to repair one motor at Fairmount Pump Station, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20950.

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. 1300-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of maintaining and testing medium voltage switchgear at Kirtland, Fairmount and Garrett A. Morgan pumping stations, including necessary appurtenances, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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 maintaining and testing medium voltage switchgear at the Kirtland, Fairmount and Garrett A. Morgan pumping stations, including necessary appurtenances, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20947.

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 Utilities, Finance, Law; Committees on Public Utilities, Finance.

Ord. No. 1301-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to repair one motor at Kirtland Pump Station, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to repair one motor at Kirtland Pump Station, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20948.

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. 1302-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to upgrade two remittance processing machines, including appurtenances and maintenance, for the Division of Fiscal Control, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to upgrade two remittance processing machines, including but not limited to installing pocket spiral stackers, vacuum feeders and maintenance on the units, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Fiscal Control, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 50 SF 001, Request No. 20956.

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. 1303-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Public Utilities to enter into agreements with the State of Ohio, through its Director of Transportation, for the adjustment of existing waterline facilities, as necessitated by the improvements to I-480, Snow Road, Chardon Road, East Aurora Road and Solon Road, in various communities.

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

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

Section 1. That notwithstanding the provisions of Section 531.01 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities is hereby authorized and directed to enter into agreements with the State of Ohio, acting by and through its Director of Transportation, for the adjustment of the existing waterline facilities, necessitated by the improvements to the following: I-480 (Sec. 23.45/0.00) in the Cities of Warrensville Heights, Maple Heights and Bedford Heights; Snow Road in the City of Parma; Chardon Road (Sec. 25.64) in

the Cities of Euclid and Richmond Heights; River View Road in the City of Brecksville; East Aurora Road (Sec. 3.40) in the City of Macedonia, Summit County; and Solon Road (CR 51) in the Village of Bentleyville.

Section 2. That said agreements shall be in a form approved by the Director of Law and shall provide that the cost of adjusting the existing waterline facilities shall be financed from funds provided by the State.

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, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

Ord. No. 1304-96.
By Councilman Paulenske (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to 1352 West Sixth Street Limited Partnership to construct railings and six (6) planter boxes, in front of the Piccolo Mondo Restaurant, which will encroach into the public right-of-way of West 6th Street.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the consent of the Director of Public Service to 1352 West Sixth Street Limited Partnership, 1370 West 6th Street, Cleveland, Ohio 44113; its successors and assigns, to construct, use and maintain railings and six (6) planter boxes in front of the Piccolo Mondo Restaurant, which will encroach into the public right-of-way of West 6th Street, at the locations more fully described as follows:

**PLANTERS AND RAILINGS
ENCROACHMENT INTO
WEST 6TH STREET**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows:

Beginning on the Southerly line of West St. Clair Avenue N.W. (99.00 feet wide), at its intersection with the Westerly line of West 6th Street (99.00 feet wide); thence Easterly along the Southerly line of West St. Clair Avenue N.W. about 6.00 feet to a point; thence Southerly and parallel with the Westerly line of West 6th Street about 24.00 feet to a point; thence Easterly and parallel with West St. Clair Avenue N.W. about 3.00 feet to a point; thence Southerly and parallel with the Westerly line of West 6th Street about 63.00 feet to a point; thence Westerly and parallel with West St. Clair Avenue N.W. about 9.00 feet to the Westerly line of West 6th Street; thence

Northerly along the Westerly line of West 6th Street to the place of beginning.

Section 2. That said railing, gate, and planters will be constructed in the public right-of-way of West 6th Street at the locations aforesaid in Section 1, supra, and shall be constructed in accordance with plans and specifications approved by the City 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. 1305-96.

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 1606-8 East 38 Street to Gar W. Gee.

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. 102-29-031 as more fully described in Section 2 below, to Gar W. Gee.

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. 102-29-031

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 230 in James M. Hoyt and others' Allotment of part of Original Ten Acre Lots Nos. 117, 118 and 119, as shown by the recorded plat in Volume 1 of Maps, Page 33 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 38th Street and extending back between parallel lines 132 feet deep,

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. 1306-96.

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

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with various agencies for implementation of the Housing Opportunities for People with AIDS Program.

Whereas, this Council in Ordinance No. 138-96, passed March 11, 1996, authorized the Director of Community Development to apply for and accept a grant from the United States Department of Housing and Urban Development to conduct the Housing Opportunities for Persons with AIDS Program; and

Whereas, the Director of Community Development applied for and accepted said grant; and

Whereas, the Director of Community Development and the Director of Public Health have agreed that the Department of Public Health, because of its expertise and experience in dealing with the AIDS crisis, should administer the grant funds; and

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to enter into contract with various agencies to administer, operate and provide services for

implementation of the Housing Opportunities for People with AIDS Grant Program.

Section 2. That the responsibilities of the Department of Public Health for administering this Program shall be memorialized in a Memorandum of Understanding between it and the Department of Community Development.

Section 3. That the cost of said contracts shall be paid from Fund No. 13 SF 438.

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 Health, Community Development, Finance, Law; Committees on Public Health, Community and Economic Development, Finance.

Ord. No. 1307-96.

By Councilmen Robinson and Rokakis (by departmental request). An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1997 Federal Child Lead Poisoning Prevention Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$422,000, from Ohio Department of Health, to conduct the 1997 Federal Child Lead Poisoning Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1307-96-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 Health, Finance, Law; Committees on Public Health, Finance.

Ord. No. 1308-96.

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

An emergency ordinance authorizing the Director of Public Safety to enter into and execute a lease agreement for a portion of the fire alarm building located at Carnegie Avenue and Ontario Street with Western Reserve Fire Buffs Foundation, or its designee, for a term not to exceed twenty (20) years.

Whereas, the City of Cleveland has a fire alarm building at Carnegie Avenue and Ontario Street, a portion of which is not needed for public use for the next twenty years; and

Whereas, the Western Reserve Fire Buffs Foundation has proposed to lease the unneeded portion for a fire museum; 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 Director of Public Safety is authorized to enter into a lease agreement with the Western Reserve Fire Buffs Foundation, or its designee, for a portion of the fire alarm building located at Carnegie Avenue and Ontario Street which is determined to be not needed for public use during the term specified in Section 2 below.

Section 2. The term of the lease authorized pursuant to this ordinance shall not exceed twenty (20) years.

Section 3. All lands leased pursuant to this ordinance shall be leased at fair market value as determined by the Board of Control.

Section 4. The lease shall be prepared by the Director of Law and shall contain such additional terms and conditions as are required to protect the interest of the City.

Section 5. That the Directors of Public Safety and Law, and other appropriate City officials, are hereby authorized and directed to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized pursuant to this ordinance.

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

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

Ord. No. 1309-96.

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

An emergency ordinance to amend Section 135.063 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2326-85, passed September 16, 1985, relating to uniform maintenance allowances.

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

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

Section 1. That Section 135.063 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2326-85, passed September 16, 1985, is hereby amended to read as follows:

Section 135.063 Uniform Maintenance Allowances

The Director of Public Safety is hereby authorized to cause payment for a uniform maintenance allowance to employees in the classifications in the Safety Department for which the applicable collective bargaining agreement establishes a maintenance allowance, in the amount established in the agreements.

In addition, the Director of Public Safety is authorized to cause payment for a uniform allowance to employees in the following classifications in the amounts shown:

Classification	Annual Maintenance Allowance
(a) Police Chief	In the same amount as the amount established by collective bargaining agreement for Police; Supervisory
(b) Deputy Chief of Police	In the same amount as the amount established by collective bargaining agreement for Police; Supervisory
(c) Fire Chief	In the same amount as the amount established by collective bargaining agreement for Firefighters
(d) EMT Supervisors	In the same amount as the amount established by collective bargaining agreement for Emergency Medical Technicians
(e) Chief Dog Warden	In the same amount as the amount established by collective bargaining agreement for Dog Wardens

Section 2. That existing Section 135.063 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2326-85, passed September 16, 1985, is hereby repealed.

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

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

Ord. No. 1310-96.

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

An emergency ordinance to enact Sections 633.01, 633.02, 633.03, 633.04, and 633.99 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to obstruction marking and lighting for aviation safety.

Whereas, current federal law requires obstructions 200 feet or

higher to be equipped with aviation safety lighting and/or markings to promote aviation safety; and

Whereas, federal law also requires lighting and marking for some obstructions under 200 feet, depending on the proximity of the obstructions to airports; and

Whereas, the proliferation of cellular phones and personal pagers has resulted in a tremendous growth of unlighted and unmarked towers, antennas, and obstructions being constructed at a height just under 200 feet to meet the increasing demand of these conveniences; and

Whereas, these unlighted and unmarked towers, antennas, and obstructions constitute an extremely dangerous and potentially deadly menace to the Aviation Unit night patrol officers who fly at altitudes ranging from 100 feet to 300 feet above the ground, and jeopardize the safety of the citizens of Cleveland; and

Whereas, construction cranes left extended upward overnight pose a similar problem, particularly when no notice or warning has been made of the location of these cranes; and

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 633.01, 633.02, 633.03 and 633.99 thereof, to read, respectively, as follows:

**CHAPTER 633
OBSTRUCTION MARKING
AND LIGHTING**

Section 633.01 Definitions

As used in this Chapter:

(a) "Crane" shall mean a construction crane, derrick, rig or other construction equipment with parts that extend or may be elevated to a height of 50 feet or greater.

(b) "Lighting" means use of lighting systems that meet specified intensities, beam patterns, color, and flash rates as specified in the **Federal Aviation Administration Advisory Circular 70/7460-1H**.

(c) "Marking" means painting or coloring of an obstruction, as specified in the **Federal Aviation Administration Advisory Circular 70/7460-1H**.

(d) "Obstruction" shall mean a tower, antenna, or any temporary or permanent object, including all appurtenances and roof structures, that reaches an overall height of between 150 feet and 200 feet above ground level (AGL) or that exceeds any obstruction standard for objects under 200 feet contained in **14 C.F.R. pt. 77, subpt. C**.

(e) "Operator" means contractor or construction company directly in control of the crane or construction equipment.

Section 633.02 Installation Required; Notification Required; Federal Regulation

(a) No person shall own or construct a new or existing obstruction that exceeds an overall height of between 150 feet and 200 feet without aviation safety marking and obstruction lighting, as prescribed by the **Federal Aviation Administration Advisory Circular 70/7460-1H**

for structures between 150 feet and 200 feet AGL.

(b) No owner or operator of a crane shall leave a crane extended into the air overnight to a height of 50 feet or greater, unless the crane contains aviation safety marking and obstruction lighting as prescribed in the **Federal Aviation Administration Advisory Circular 70/7460-1H**, and without first notifying the Aviation Unit of the Cleveland Police Department of the location of the crane.

(c) This chapter does not apply to towers, antennas, roof structures, or other obstructions that exceed 200 feet, or to towers, antennas, roof structures, or other obstructions under 200 feet which are otherwise regulated by **14 C.F.R. pt. 77**.

Section 633.03 Governmental Agency Cooperation

The Mayor shall annually request such governmental and educational agencies having obstructions as defined in this Chapter within the City of Cleveland to cooperate and comply with this Chapter.

Section 633.04 Enforcement

The Commissioner of Building and Housing of the City shall have concurrent jurisdiction with the Chief of Police to inspect the installation of any aviation safety marking and obstruction lighting required pursuant to Section 633.02. If, upon inspection, a violation of Section 633.02 is found, the inspector shall issue a written notice of such violation to the owner requiring the owner to conform to Section 633.02 within twenty-one (21) calendar days of issuance of such notice.

Section 633.99 Penalty

Anyone who violates any provisions of Sections 633.02 or 633.03 shall be guilty of a minor misdemeanor. For a second offense such person is guilty of a misdemeanor of the fourth degree. On a third or subsequent offense, such person is guilty of a misdemeanor of the first degree. Each day of a continuing violation shall be deemed a separate offense.

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, City Planning Commission, Finance, Law; Committees on Public Safety, Legislation, City Planning.

Ord. No. 1311-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic signal and sign material and equipment, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

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 traffic signal and sign material and equipment in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. 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 20460)

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. 1312-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into contract without competitive bidding with Firearms Training Systems, Inc. for the purchase of an upgrade to the firearms training system, for the Division of Police, Department of Public Safety.

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 Firearms Training Systems, Inc. Therefore, the Director of Public Safety is hereby authorized to make a written contract with Firearms Training Systems, Inc. on the basis of its written proposal, for the purchase of an upgrade of the firearms training system, to include a primary simulation computer, multiple wireless weapons capability for up to four wireless weapons, laser disc player, external cable kit, buggy, integration and testing, software update, and shipping and insurance, on a unit basis, for the Division of Police, Department of Public Safety.

Section 2. That the cost of said

contract hereby authorized shall be paid from Fund 10 Sub Fund 025, Request No. 20095.

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. 1313-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the State of Ohio, Department of Alcohol and Drug Addiction Services for the 1997 FOCUS program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$100,000, from the State of Ohio, Department of Alcohol and Drug Addiction Services, to conduct the 1997 FOCUS program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1313-96-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 Health, Finance, Law; Committees on Public Health, Finance.

Ord. No. 1314-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with the Ohio Department of Public Health for performance of environmental assessments of the residences of Medicaid-covered children, for the Division of Environment, Department of Public Health.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to enter into a contract with the State of Ohio, Department of Health, under which the City will

perform environmental assessments for lead hazards in residences occupied by Medicaid-covered children during the period from July 1, 1996 through June 30, 1997. The contract shall provide that the City will receive compensation for performing such assessments, and the Director of Finance is hereby authorized to receive and accept such compensation on behalf of the City.

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

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

Ord. No. 1315-96.
By Councilmen Robinson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1997 Drug Prevention, Treatment & Intervention Program, and to enter into an agreement with said Board for the City to receive payments from the Medicaid program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$464,530, from the Alcohol and Drug Addiction Services Board of Cuyahoga County, to conduct the 1997 Drug Prevention, Treatment and Intervention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1315-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Health is hereby authorized to enter into an Agreement with the Alcohol and Drug Addiction Services Board of Cuyahoga County for the City to receive payments from the Medicaid programs for alcohol and drug addiction services provided by the City.

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

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

Ord. No. 1316-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 158-96, passed March 4, 1996, relating to the purchase by contract of maintenance for a mainframe computer system and associated appurtenances.

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. 158-96, passed March 4, 1996, is hereby amended to read as follows:

Section 1. That the Director of Finance is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: maintenance for a computer mainframe system and associated subsystems, for a one (1) year term commencing upon execution of a contract with an option, exercisable by the Director of Finance, to renew for an additional consecutive one-year term, and cancellable upon thirty days' written notice by said director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Information Systems Services, Department of Finance.

Section 2. That existing Section 1 of Ordinance No. 158-96, passed March 4, 1996, is hereby repealed.

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

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

Ord. No. 1317-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing the City of Cleveland's participation in state contracts awarded by the Ohio Department of Administrative Services, Office of State Purchasing.

Whereas, Ohio's Cooperative Purchasing Act (Am. Sub. H.B. No. 100), was signed into law on December 4, 1985; and

Whereas, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authority, regional airport authority, or port authority and school districts to participate in contracts of the State of Ohio, Department of Administrative Services, Office of State Purchasing for the purchase of supplies, services, equipment and certain materials; and

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

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

Section 1. That the Director of Finance hereby requests authority in the name of the City of Cleveland

to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into for the purchase of supplies services, equipment and certain materials pursuant to Revised Code Section 125.04.

Section 2. That the Director of Finance is hereby authorized to agree in the name of the City of Cleveland to be bound by all contract terms and conditions as the Department of Administrative Service, Office of State Purchasing prescribes. Such terms and conditions may include a reasonable fee to cover the administrative costs which the Department of Administrative Services incurs as a result of City of Cleveland participation in a contract. Further, that the Director of Finance does hereby agree to be bound by all such terms and conditions.

Section 3. That the Director of Finance is hereby authorized to agree in the name of the City of Cleveland to directly pay the vendor, under each such state contract in which it participates, for items it receives pursuant to the contract, and the Director of Finance does hereby agree to directly pay the vendor.

Section 4. That the Clerk of Council is hereby directed to transmit a certified copy of this ordinance to the Office of State Purchasing for filing in that office.

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 Finance, Law; Committee on Finance.

Ord. No. 1318-96.
By Councilman Rokakis.
An emergency ordinance to vacate a portion of Ardoyne Avenue, S.W., hereinafter described.

Whereas, on the 13th day of February, 1995 the Council of the City of Cleveland adopted Resolution No. 2262-94 declaring its intention to vacate a portion of Ardoyne Avenue S.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 2262-94 has been served upon the owners of all the property abutting Ardoyne Avenue S.W., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 12th day of July, 1996, the Board of Revision of Assessments approved the vacation of Ardoyne Avenue S.W., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Ardoyne Avenue S.W. hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of Ardoyne Avenue S.W., (40 feet wide), and its Northerly and Southerly turn-outs extending Easterly from the Easterly line of West 15th Street to its Easterly terminus be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power and Safety Signal equipment. The description of easement is as follows:

That portion of Ardoyne Avenue S.W., described as follows:

Ardoyne Avenue S.W., (40 feet wide) and its Northerly and Southerly turn-outs extending Easterly from the Easterly line of West 15th Street to its Easterly terminus.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Light and Power and the Director of the Department of Public Safety of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Ardoyne Avenue S.W., herein provided by sending him a copy of this Ordinance.

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

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

Ord. No. 1319-96.

By Councilmen Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to construct heavy duty signs, including but not limited to hardware, elements, materials, and installation if necessary, for the City Planning Commission.

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 the City Planning Commission is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to construct heavy duty signs to be placed in the various Historic Districts, including but not limited to hardware, elements, materials, and installation if necessary, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the City Planning Commission.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 006, Request No. 20462.

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 City Planning Commission, Finance, Law; Committees on City Planning, Finance.

Ord. No. 1320-96.

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

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

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of rehabilitating, renovating or otherwise improving McCafferty Health Center, including all necessary appurtenances incidental thereto, for the Department of Parks, Recreation and Properties, 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 Parks, Recreation and Properties 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 Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract one or more architects, engineers and/or asbestos consultants or one or more firms of architects, engineers and/or asbestos 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 implement the improvement authorized in Section 2 of this ordinance.

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such

employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties 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 Parks, Recreation and Properties, and certified by the Director of Finance.

Section 4. That the cost of said improvement and professional services hereby authorized shall be paid from Fund No. 20 SF 331, Request No. 20561.

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 Parks, Recreation and Properties, City Planning Commission, Finance, Law; Committees on Public Parks, Property and Recreation, City Planning, Finance.

Ord. No. 1321-96.

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

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

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, Thermagon, Inc. (the "Enterprise") has proposed to expand their facility at 3256 West 25th Street in the City of Cleveland; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

Section 1. That this Council hereby approves the application of Thermagon, Inc., or its designee(s), for enterprise zone incentives on the basis that Thermagon, Inc. is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Thermagon, Inc., or its designee(s), to provide for a ten (10) year abatement for certain tangible personal property taxes as an incentive to expand their facility at 3256 West 25th Street in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the term as set forth in the Executive Summary contained in File No. 1321-96-A.

Section 4. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Ord. No. 1377-96.

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept a Section 108 Loan from the United States Department of Housing and Urban Development in order to provide economic assistance for the acquisition and rehabilitation of a historic apartment building located at 4925 Payne Avenue; and to enter into contract with Nouvelle Espoir Arcade Apartments, L.P., or its designee, to provide Community Development assistance for said development.

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

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

Section 1. That the Director of Community Development is hereby authorized to apply for and accept a loan in the amount of One Million Five Hundred Thirty Three Thousand Five Hundred Dollars (\$1,533,500.00) from the United States Department of Housing and Urban Development ("HUD") Section 108 Loan Program ("108 Loan"), for the purposes set forth in the application and according thereto.

Section 2. That the Director of

Community Development is hereby authorized to file all papers and execute all documents necessary to enter into contract with HUD, pledge any and all collateral necessary to secure repayment thereof under the 108 Loan agreement (including without limitation future Community Development Block Grant funds), and receive the funds; and that said funds be and they hereby are appropriated for the purposes of providing economic assistance for the acquisition and rehabilitation of a historic apartment building located at 4925 Payne Avenue, as more specifically set forth in the application for said 108 Loan.

Section 3. That the application for said 108 Loan, File No. 1377-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 4. That the Director of Community Development is hereby authorized to enter into contract with Nouvelle Espoir Arcade Apartments, L.P., or its designee, to provide Community Development assistance to partially finance the acquisition and rehabilitation of a historic apartment building located at 4925 Payne Avenue, payable out of the loan proceeds accepted in accordance with Section 1 of this ordinance.

Section 5. That the terms of said loan shall be determined by the Director of Community 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.

Section 6. That the costs of said contract shall not exceed One Million Five Hundred Thirty Three Thousand Five Hundred Dollars (\$1,533,500.00), and shall be paid from Fund No. 13 SF 839.

Section 7. That the Director of Community 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 8. That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 13 SF 839.

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

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

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

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

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 1322-96.

By Councilman Patton.
An emergency resolution urging the Ohio General Assembly to repeal Revised Code Section 3761.03, related to damages in case of lynching, and Revised Code Section 3761.09, related to limitations of action for lynching.

Whereas, this Council believes that a lynching is and was among the most heinous and offensive crimes that can or could be committed against the person of another; and

Whereas, a lynching that does not result in the death of the victim is the equivalent of an attempted murder, and a lynching that does result in the death of the victim is the equivalent of a murder; and

Whereas, since an unsuccessful lynching is the equivalent of attempted murder, there is no rational reason for distinguishing the damages available to persons who survive a lynching from the damages available to victims of attempted murder; and

Whereas, since a successful lynching is the equivalent of murder, there is no rational reason for limiting the commencement of actions to two years when there is no such limitation of actions for murder; and

Whereas, Revised Code Sections 3761.03 and 3761.09 probably were implemented at a time when lynching of African Americans was in vogue and not generally frowned upon the the state legislatures around the country; and

Whereas, in today's climate where church bombings and other racially motivated hate crimes have escalated to alarming rates, this Council feels it is appropriate to repeal Sections 3761.03 and 3761.09, and any other anti-reconstruction era statutes which may have been enacted by the Ohio General Assembly; and

Whereas, this resolution constitutes an emergency measure providing for the health, safety, and welfare of the citizens of the State of Ohio; now, therefore,

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

Section 1. That this Council urges the Ohio General Assembly to repeal Revised Code Section 3761.03, relating to damages in case of lynching, and Revised Code Section 3761.09, relating to limitations of action for lynching.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to State Senator Jeff Johnson.

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

**Res. No. 1323-96.
By Councilman Smith (by request).**

An emergency resolution declaring the intention to vacate a portion of West 37th Place.

Whereas, this Council is satisfied that there is good cause for vacating a portion of West 37th Place, as hereinafter described, and

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

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

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

Being all that portion of WEST 37TH PLACE (10.00 feet wide), extending Southerly from the First Unnamed Alley (width varies) South of Lorain Avenue (66.00 feet wide), to the Easterly prolongation of the Southerly line of Sublot Number 106 in Sargent and Dixon's Re-Subdivision, as shown by the recorded plat in Volume 2 of Maps, Page 43 of Cuyahoga County Records.

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

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

**Res. No. 1324-96.
By Councilman McGuirk.**

An emergency resolution urging the Director of Public Utilities to negotiate with CEI and its parent company Centerior Energy Corp. to acquire all equipment and properties owned by CEI within the boundaries of the City of Cleveland that would benefit Cleveland Public Power.

Whereas, Cleveland Public Power is involved in a \$450 Million expansion of its system in the City of Cleveland; and

Whereas, CEI's parent company, Centerior Energy Corp., is in terrible financial trouble as fully documented to the Public Utilities Commission of Ohio; and

Whereas, Cleveland Public Power's expansion in the City of Cleveland is creating a duplication of electrical services in the areas of the electrical provider's expansion; and

Whereas, given CEI's repeated slow response time to complaints of street light outages and downed electrical poles, Cleveland Public Power will provide better service response to the citizens of Cleveland; and

Whereas, Cleveland Public Power's acquisition of certain of CEI's equipment and properties will benefit both electrical providers by eliminating duplication of services, saving CPP money in its expansion operations and helping CEI's bottom line with such acquisition of its assets.

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

Section 1. That this Council strongly urges the Director of Pub-

lic Utilities of the City of Cleveland, for the reasons stated in the preambles to this Ordinance, to undertake all activities necessary to acquire all equipment and properties owned by CEI and Centerior Energy Corp. in the City of Cleveland that would benefit Cleveland Public Power in its expansion of services within the City boundaries.

Section 2. That the Clerk of Council transmit copies of this resolution to the Chairman of the Public Utilities Commission of Ohio.

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

**Ord. No. 1247-96.
By Councilman Coats.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Ward 10 Festival Committee to stretch banners on Eddy Road at St. Clair Ave., E. 140th St. at I-90, St. Clair Ave. at Coit Road, 18235 Green Road, and at E. 152nd St. and St. Clair Ave. for the period from July 19, 1996 to August 19, 1996, inclusive, publicizing the Ward 10 Community Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Ward 10 Festival Committee to install, maintain and remove banners on Eddy Road at St. Clair Ave., E. 140th St. at I-90, St. Clair Ave. at Coit Road, 18235 Green Road, and at E. 152nd St. and St. Clair Ave. for the period from July 19, 1996 to August 19, 1996, inclusive. Said banners shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Motion to suspend rules. Charter

and statutory provisions and place on final passage.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1325-96.
By Mayor White.**

An emergency ordinance approving the collective bargaining agreement with International Brotherhood of Electrical Workers, Local 38.

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with International Brotherhood of Electrical Workers, Local 38, as set forth in File No. 1325-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Percentage Increase	Effective Date of Increase
Two percent (2%)	April 1, 1995
Three percent (3%)	April 1, 1996
Three percent (3%)	April 1, 1997

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1326-96.
By Mayor White.**

An emergency ordinance approving the collective bargaining agreement with Plumbers Local 55.

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with Plumbers Local 55, as set forth in File No. 1326-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Percentage Increase	Effective Date of Increase
Two percent (2%)	April 1, 1995
Three percent (3%)	April 1, 1996
Three percent (3%)	April 1, 1997

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1327-96.

By Mayor White.

An emergency ordinance approving the collective bargaining agreement with City and County Waste Paper Drivers, Local 244.

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with City and County Waste Paper Drivers, Local 244, as set forth in File No. 1327-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Percentage Increase	Effective Date of Increase
Two percent (2%)	April 1, 1995
Three percent (3%)	April 1, 1996
Three percent (3%)	April 1, 1997

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1328-96.

By Mayor White.

An emergency ordinance approving the collective bargaining agreement with Municipal Foreman and Laborers Union, Local 1099 (CRAFTS).

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with Municipal Foreman and Laborers Union, Local 1099 (CRAFTS), as set forth in File No. 1328-96-A, for the period from

April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Percentage Increase	Effective Date of Increase
Two percent (2%)	April 1, 1995
Three percent (3%)	April 1, 1996
Three percent (3%)	April 1, 1997

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1329-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Brunswick & Son Florist, or its designee, to provide economic development assistance to construct a facility at 10550 Carnegie 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 Brunswick & Son Florist, or its designee, to provide economic development assistance to partially finance the construction of a facility at 10550 Carnegie Avenue, Cleveland, Ohio, which will allow Brunswick & Son Florist to relocate from 9650 Carnegie Avenue, Cleveland, Ohio.

Section 2. That the terms of said financial assistance shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1329-96-A.

Section 3. That the costs of said contract shall not exceed One Hundred Thousand Dollars (\$100,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 22269.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal

regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1330-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing the Mayor to accept grants from the Ohio Public Works Commission for the rehabilitation of Cornell Road, Arlington Street, East 55th Street and Bessemer Avenue.

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 Mayor is hereby authorized to accept a grant in the approximate amount of \$1,446,400.00, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Cornell Road from Euclid Avenue to Murray Hill Road; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

Section 2. That the project grant agreement, File No. 1330-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the approximate amount of \$361,600.00, to be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21799.

Section 3. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$2,657,600.00, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Arlington Avenue from East 123rd Street to East 125th Street; and East 123rd Street (from Superior Avenue to Arlington Street); and East 125th Street (from Arlington Street to St. Clair Avenue); that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

Section 4. That the project grant

agreement, File No. 1330-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the approximate amount of \$664,400.00, to be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21800.

Section 5. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$5,015,200.00, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating East 55th Street from Blanche Avenue to Woodland Avenue; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

Section 6. That the project grant agreement, File No. 1330-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the approximate amount of \$1,253,800.00, to be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21797.

Section 7. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$2,657,600.00, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Bessemer Avenue from East 65th Street to East 88th Street; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

Section 8. That the project grant agreement, File No. 1330-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the approximate amount of \$620,600.00, to be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21798.

Section 9. That this ordinance is hereby declared to be an emergency

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1331-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).**

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1209-96, passed June 18, 1996, relating to the sale of real property located at 1890 and 1884 East 70th Street.

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

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

Section 1. That the title and Section 1 of Ordinance No. 1209-96, passed June 18, 1996, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1890 and 1884 East 70th Street to **Alexandria Johnson Boone**.

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and supplies is hereby authorized to sell Permanent Parcel No(s). 118-07-044 and 118-07-045, as more fully described in Section 2 below, to **Alexandria Johnson Boone**.

Section 2. That the existing title and Section 1 of Ordinance No. 1209-96, passed June 18, 1996, are hereby repealed.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1332-96.
By Councilmen Jackson and Rokakis (by departmental request).
An emergency ordinance to amend Section 1 of Ordinance No. 623-96, passed May 20, 1996, relating to the Storefront Renovation 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 Section 1 of Ordinance No. 623-96, passed May 20, 1996, is hereby amended to read as follows:

Section 1. That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of **\$773,000** from Fund No. 14 SF 022, Request No. 21675 for the operation of the Storefront Renovation Program for all related services including: to enter into rebate contracts with program applicants and to reimburse eligible administrative costs to local development corporations for implementation of the program.

Section 2. That existing Section 1 of Ordinance No. 623-96, passed May 20, 1996, is hereby repealed.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1333-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 49916 for site improvements to the Fairfax Recreation Center, with R. DiLillo & Co., for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make the following alterations and modifications in Contract No. 49916 with DiLillo & Co., for site improvements to the Fairfax Recreation Center, for the Department of Parks, Recreation and Properties.

Additions to Original Items:

Item #A3	Classified Fill Material (100 CY @ \$20.00/CY)	\$2,000.00
Item #A4	Rock Excavation (100 CY @ \$30.00/CY)	3,000.00
Item #A5	Additional Stone Material (100 CY @ \$25.00/CY)	2,500.00
Item #A6	Additional Excavation (100 CY @ \$10.00/CY)	1,000.00
Item #A7	Construction Sign (1 Ea. @ \$1625.00Ea.)	1,625.00
Item #A12	Breakthrough Connection (1 Ea. @ \$750.00Ea.)	750.00
Item #A19	Yard Drain (1 Ea. @ \$400.00/Ea.)	600.00
Item #A22	8" PVC Pipe (340 LF @ \$25.50/LF)	8,670.00
Item #A25	Underdrainage 4" (1000 LF @ \$3.00/LF)	3,000.00

Item #A26	Sheathing & Bracing (4 MBM @ \$550.00/MBM)	2,200.00
Item #A27	Fill Sand (100 Tons @ \$10.00/Ton)	1,000.00
Item #A28	4" Concrete (2460 SF @ \$3.00/SF)	7,380.00
Item #A32	6x20 Curb (260 LF @ \$20.00/LF)	5,200.00
Item #A33	Integral Curb (85 LF @ \$9.00/LF)	765.00
Item #A34	12x18 Curb (520 LF @ \$22.00/LF)	11,440.00
Item #A39	Stone Base (100 LF @ \$25.00/CY)	2,500.00
Item #A44	6' Chain Link Fence (738 LF @ \$18.30/LF)	13,505.40
Item #A51	Trash Receptacle (2 Ea. @ \$400.00 Ea.)	800.00
Item #A52	Wood Bench (4 Ea. @ \$750.00 Ea.)	3,000.00
Item #A60	Custom Park Sign (1 Ea. @ \$3700.00 Ea.)	3,700.00
Item #A63	Acer rubrum (1 Ea. @ \$355.00 Ea.)	355.00
Item #A65	Cercidiphyllum japonica (3 Ea. @ \$483.00 Ea.)	1,449.00
Item #A72	Pyrus calleryana 'Cleveland Select' (2 Ea. @ \$275.00 Ea.)	550.00
Item #A73	Pyrus calleryana 'Redspire' (3 Ea. @ \$275.00 Ea.)	825.00
Item #A75	Tilia cordata (2 Ea. @ \$288.00 Ea.)	576.00
Total Additions to Contract:		<u>\$78,390.40</u>

New Items for Subsidiary - Fairfax Recreation Center

Item #A85	Demolition/Grading/Site Prep (LS @ \$9960.00)	9,960.00
Item #A86	Subgrade Repair (LS @ \$4700.00)	4,700.00
Item #A87	Precase Catch Basin (3 Ea. @ \$900.00 Ea.)	2,700.00
Item #A88	3" Asphalt (1096 SY @ \$19.00/SY)	20,824.00
Item #A89	Colorcoat (1096 SY @ \$4.60/SY)	5,041.60
Item #A90	Linemarking (LS @ \$1,320.00)	1,320.00
Item #A91	10' Chain Link Fence (520 LF @ \$27.75/LF)	14,430.00
Item #A92	Basketball Standards (4 Ea. @ \$2650.00 Ea.)	<u>10,600.00</u>
Total New Items:		<u>\$69,575.60</u>

Original Contract Amount	\$ 437,933.18
Subsidiary Additions & New Items	+ <u>147,966.00</u>
TOTAL REVISED CONTRACT AMOUNT	\$ 585,899.18

which alteration has been recommended in writing by the said Director of Parks, Recreation and Properties, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Parks, Recreation and Properties and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$147,966.00, to be paid from Fund No. 20 SF 323.

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 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1334-96.

By Councilman Miller.

An emergency ordinance to vacate portions of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road hereinafter described.

Whereas, on the 29th day of April, 1996 the Council of the City of Cleveland adopted Resolution No. 167-96 declaring its intention to vacate portions of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 167-96 has been served upon the owners of all the property abutting West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 12th day of July, 1996, the Board of Revision of Assessments approved the vacation of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied

that there is good cause for vacating West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of West 204th Street, (50.00 feet wide), extending Northerly from the Northerly right-of-way of Hillside Road S.W., (60.00 feet wide), to the Southerly right-of-way of Grayhill Road S.W. (50.00 feet wide), AND

All that portion of West 205th Street, (50.00 feet wide), extending Northerly from the Northerly right-of-way of Hillside Road S.W., (60.00 feet wide), to its intersection with Grayhill Road S.W. (50.00 feet wide), AND

All that portion of Bacon Avenue S.W. (50.00 feet wide), extending Westerly from the Westerly right-of-way of West 205th Street (50.00 feet wide) to its Westerly terminus, said point also being the Westerly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records, AND

All that portion of Hillside Road

S.W. (60.00 feet wide), extending Westerly from the Easterly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records, to its Westerly terminus, said point also being the Westerly line of the aforesaid Hillside Subdivision, AND

All that portion of Grayhill Road S.W. (50.00 feet wide), extending Westerly from the Easterly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records, to its intersection with West 205th Street (50.00 feet wide), be and the same are hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, herein provided by sending him a copy of this Ordinance.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1335-96.

By Councilman Miller.

An emergency ordinance to vacate portions of Westport Avenue, West 180th Street, West 181st Street, and Sally Avenue, S.W., hereinafter described.

Whereas, on the 29th day of April, 1996 the Council of the City of Cleveland adopted Resolution No. 166-96 declaring its intention to vacate portions of Westport Avenue, West 180th Street, West 181st Street, and Sally Avenue S.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 166-96 has been served upon the owners of all the property abutting Westport Avenue, West 180th Street, West 181st Street, and Sally Avenue S.W., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 12th day of July, 1996, the Board of Revision of Assessments approved the vacation of Westport Avenue, West 180th Street, West 181st Street, and Sally Avenue S.W., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, Council is satisfied that there is good cause for vacating Westport Avenue West 180th Street, West 181st Street, and Sally Avenue S.W., hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of Westport Avenue S.W., (54.00 feet wide), extending Easterly from the Northerly prolongation of the easterly line of State Highway No. 713, also known as the Berea Freeway to its easterly terminus at its intersection with the westerly line of Harwel Road S.W. (80.00 feet wide), AND

All that portion of West 180th Street, (50.00 feet wide) extending Northerly from the Northerly line of Westport Avenue S.W., (54.00 feet wide), to the Northerly line of the Kroehle Company's Westport Subdivision as shown by the Recorded Plat in Volume 111, Page 39 of Cuyahoga County Records, AND

All that portion of West 181st Street (50.00 feet wide), and its Easterly and Westerly turnouts extending Northerly from the Northerly line of Sally Avenue S.W. (50.00 feet wide), to the Southerly line of Westport Avenue S.W. (54.00 feet wide), AND

All that portion of Sally Avenue S.W. (50.00 feet wide), extending Easterly from the Northerly prolongation of the Easterly line of Sublot Number 5 in the Westport Subdivision Number 2 as recorded in Volume 161, Page 25 of Cuyahoga County Records to its Easterly terminus, be and the same are hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Water and Heat equipment. The description of easement is as follows:

That portion of Westport Avenue S.W., (54.00 feet wide), extending Easterly from the Northerly prolongation of the easterly line of State Highway No. 713, also known as the Berea Freeway to its easterly terminus at its intersection with the westerly line of Harwel Road S.W. (80.00 feet wide), AND

All that portion of West 180th Street, (50.00 feet wide), extending Northerly from the Northerly line of Westport Avenue S.W., (54.00 feet wide), to the Northerly line of the Kroehle Company's Westport Subdivision as shown by the Recorded Plat in Volume 111, Page 39 of Cuyahoga County Records, AND

All that portion of West 181st Street (50.00 feet wide), and its Easterly and Westerly turnouts extending Northerly from the Northerly line of Sally Avenue S.W. (50.00 feet wide), to the Southerly line of Westport Avenue S.W. (54.00 feet wide), AND

All that portion of Sally Avenue S.W. (50.00 feet wide), extending Easterly from the Northerly prolongation of the Easterly line of Sublot Number 5 in the Westport Subdivision Number 2 as recorded in Volume 161, Page 25 of Cuyahoga County Records to its Easterly terminus.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Water and Heat of the City of Cleveland

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Westport Avenue, West 180th Street, West 181st Street, and Sally Avenue S.W., herein provided by sending him a copy of this Ordinance.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1336-96.

By Councilman Paulenske (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to the Cort Shoe Development Limited Partnership in order for their tenant, Spy Bar, to erect an entranceway awning to their building which will encroach into the public right-of-way of West 6th Street.

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

of a municipal department; now, therefore,

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the consent of the Director of Public Service to the Cort Shoe Development Limited Partnership, 1261-65 West 6th Street, Cleveland, Ohio 44113; its successors and assigns, to construct, use and maintain an entranceway awning on their building at 1261-65 West 6th Street, for their first floor tenant, "Spy Bar", which awning will encroach into the right-of-way of West 6th Street, at the locations more fully described as follows:

LEGAL DESCRIPTION FOR ENTRANCEWAY AWNING FOR SPY BAR/W. 6TH ST.

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

Beginning at a point on the Easterly line of West 6th Street (99.00 feet wide), 273.47 feet Southerly from the Southerly line of West Lakeside Avenue (99.00 feet wide); thence Westerly parallel with the Southerly line of West Lakeside Avenue, 16.00 feet; thence Southerly and parallel with the Easterly line of West 6th Street, 7.00 feet; thence Easterly and parallel with the Southerly line of West Lakeside Avenue 16.00 feet to the Easterly line of West 6th Street; thence Northerly along the Easterly line of West 6th Street, 7.00 feet to the place of beginning.

Section 2. That this awning is to be placed in the public right-of-way of West 6th Street 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1337-96.

By Councilman Paulenske.

An emergency ordinance to vacate a portion of Hazard Court N.E., hereinafter described.

Whereas, on the 13th day of May, 1996 the Council of the City of Cleveland adopted Resolution No. 322-96 declaring its intention to vacate a portion of Hazard Court N.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 322-96 has been served upon the owners of all the property abutting Hazard Court N.E., affected by said Resolution,

notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 12th day of July, 1996, the Board of Revision of Assessments approved the vacation of Hazard Court N.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Hazard Court N.E., hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of Hazard Court N.E. (width varies), located between East 21st Street (66.00 feet wide), and East 22nd Street (66.00 feet wide), be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Water and Heat equipment. The description of easement is as follows:

That portion of Hazard Court N.E. (width varies), located between East 21st Street (66.00 feet wide), and East 22nd Street (66.00 feet wide).

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Water and Heat of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Hazard Court N.E., here-in provided by sending him a copy of this Ordinance.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1338-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance to extend the retirement dates of Officer Emil A. Cielec and Sergeant John Kaminski for a one year period, for the Division of Police, Department of Public Safety.

Whereas, Section 135.07 of the Codified Ordinances of Cleveland, Ohio, 1976, provides that members of the Division of Police in the Department of Public Safety, attaining the age of sixty-five years, upon written request of the Police Chief, shall continue on active duty on a year-

to-year basis subject to the approval of the Department of Public Safety and this Council; and

Whereas, Patrolman Emil Cielec and Sergeant John Kaminski possess great wealth of knowledge and expertise and have proven invaluable in attaining the goals of the Bureau of Traffic and the Homicide Unit, respectively; and

Whereas, pursuant to Ordinance No. 952-95, this Council granted a second one-year retirement extension to Patrol Officer Emil A. Cielec and that extension will expire on August 19, 1996, which is the eve of Patrol Officer Emil A. Cielec's sixty-seventh birthday; and

Whereas, the Director of Public Safety has approved the continuation on active duty by Patrolman Emil Cielec and Sergeant John Kaminski for a period of one year; 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 Sergeant John Kaminski of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on July 29, 1996, and that such continuation is hereby approved by this Council.

Section 2. That Patrolman Emil Cielec of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 20, 1996, and that such continuation is hereby approved by this Council.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1339-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance to amend Section 2 of Ordinance No. 146-95, passed March 6, 1995, relating to a contract with Ameritech Advanced Data Services of Ohio, Inc.

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. 146-95, passed March 6, 1995 is hereby amended to read as follows:

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. **13 SF 422 and 13 SF 360, Request No. 21819.**

Section 2. That existing Section 2 of Ordinance No. 146-95, passed March 6, 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1340-96.

By Councilman Rokakis.

An emergency ordinance to amend Section 1 of Ordinance No. 722-96, passed April 22, 1996, relating to the granting of an easement to Chiuchiarelli Construction, Inc./Colabianchi Construction, Inc.

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. 722-96, passed April 22, 1996, is hereby amended to read as follows:

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that an easement interest in the property described in File No. **722-96-B** is no longer needed for public use.

Section 2. That existing Section 1 of Ordinance No. 722-96, passed April 22, 1996, is hereby repealed.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1341-96.

By Councilman Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Cleveland Play House to stretch small flags on various utility poles on Carnegie Ave., between E. 83rd St. and E. 86th Street, and on Euclid Ave., between E. 83rd St. and E. 86th St., for the period from August 1, 1996 to September 1, 1996, inclusive, publicizing various Play House events.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Cleveland Play House to install, maintain and remove small flags on

various utility poles on Carnegie Ave., between E. 83rd St. and E. 86th Street, and on Euclid Ave., between E. 83rd St. and E. 86th St., for the period from August 1, 1996 to September 1, 1996, inclusive. Said small flags shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which small flags will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said small flags and said small flags shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1342-96.

By Councilman Jackson.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Theresa Church to stretch a banner on Kinsman Avenue, between East 73rd Street and East 75th Street, for the period from August 3, 1996 to August 14, 1996, inclusive, publicizing its Gospel Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to St. Theresa Church to install, maintain and remove a banner on Kinsman Avenue, between East 73rd Street and East 75th Street, for the period from August 3, 1996 to August 14, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

from and after the earliest period allowed by law.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1343-96.

By Councilman Melena.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Our Lady of Mt. Carmel Church to stretch small flags on various light poles on Detroit Ave., between W. 58th St. and W. 75th St., and a banner on Detroit Ave. in front of the church for the period from July 1, 1996 to July 15, 1996, inclusive, publicizing its Annual Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Our Lady of Mt. Carmel Church to install, maintain and remove small flags on various light poles on Detroit Ave., between W. 58th St. and W. 75th St., and a banner on Detroit Ave. in front of the church for the period from July 1, 1996 to July 15, 1996, inclusive. Said small flags and banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which small flags and banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said small flags and banner and said small flags and banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1344-96.

By Councilman Patton.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to SirRah House and McDonald's to stretch a banner at Lee Road and Judson Drive for the period from July 21, 1996 to August 21, 1996, inclusive, publicizing its 7th Annual Rib Burn-Off.

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 notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to SirRah House and McDonald's to install, maintain and remove a banner at Lee Road and Judson Drive for the period from July 21, 1996 to August 21, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1345-96.

By Councilmen Robinson and Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the 11th Congressional District Caucus to stretch banners on Kinsman Avenue in the vicinity of Martin Luther King Blvd. and on Stokes Blvd. east of Cedar Avenue for the period from August 5, 1996 to September 4, 1996, inclusive, publicizing its Labor Day Picnic.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the 11th Congressional District Caucus to install, maintain and remove banners on Kinsman Avenue in the vicinity of Martin Luther King Blvd. and on Stokes Blvd. east of Cedar Avenue for the period from August 5, 1996 to September 4, 1996, inclusive. Said banners shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners will be hung must be

obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1346-96.
By Councilman Smith (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to SPACES Gallery to construct, use and maintain two (2) banners (to be attached to CEI Utility Poles by separate permit), and which banners will encroach into the public right-of-way of the Superior Viaduct and West 24th Street.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the consent of the Director of Public Service to SPACES Gallery, 2220 Superior Viaduct, Cleveland, Ohio 44113; its successors and assigns, to construct, use and maintain two (2) banners for a collaborative art exhibit to identify "Urban Evidence" which will be attached to Cleveland Electric Illuminating Company Utility Poles (by separate permit), and which banners will remain in place for the period approximately from August 12, 1996 to October 27, 1996, and will encroach into the public right-of-way of the Superior Viaduct and West 24th Street by the plans submitted to the Council of the City of Cleveland File No. 1346-96-A, and at the locations more fully described as follows:

Situated in the City of Cleveland, Cuyahoga County, and known as being the following:

1.) The first utility pole located on the northwest corner of the Superior Viaduct and West 24th Street.

2.) The second utility pole located on the south side of the Superior Viaduct across from the SPACES' Gallery Building. (See plans submitted to The Council of the City of Cleveland, File No. 1346-96-A).

Section 2. That these banners are to be placed in the public right-of-way of the Superior Viaduct and West 24th Street, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction and also as shown in The Council of the City of Cleveland File No. 1346-96-A.

Section 3. That nothing herein contained shall create the right or grant permission from any

owner/owners of the utility poles for their use to place brackets, or other devices for attaching banners to said utility poles, at the locations described aforesaid and by the plans and specifications contained in The Council of the City File No. 1346-96-A.

Section 4. 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 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1347-96.
By Councilman Smith.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 14 (Phillip Priester - 3201 West 25th Street).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 14; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 14 at the locations specified: Phillip Priester - 3201 West 25th Street.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read

third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1348-96.
By Councilman Smith.
An emergency ordinance authorizing certain persons to engage in peddling in Ward 14 (Phillip Priester - 1720 West 25th Street).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 14; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 14 at the locations specified: Phillip Priester - 1720 West 25th Street.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1349-96.
By Councilmen Willis, Lewis and Patmon.

An emergency ordinance consenting and approving the issuance of a permit for a "Health Trek '96" Race on September 7, 1996, sponsored by the American Cancer 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 a "Health Trek '96" Race, sponsored by the American Cancer Society, on September 7, 1996, beginning at Wade Oval to East Blvd. at the Garden Center, past the VA Hospital to Martin Luther King Jr. Drive, north to the East 88th Street ramp to Martin Luther King Jr. Drive, turn around

and return along the same route (doing this route twice), 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 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1350-96.

By Councilman Zone.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 19. (Ray Jones).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 19; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 19 at the locations specified: Ray Jones.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

Section 4. That this ordinance is hereby declared to be an emergency

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1351-96.

By Councilman Zone.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 19. (Phillip Priester - 10700 Lorain Avenue).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 19; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 19 at the locations specified: Phillip Priester - 10700 Lorain Avenue.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1372-96.

By Councilman Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract with Ohio Power Company for professional services and associated equipment and materials to provide engineering, service restoration, and other related services, on an as needed basis, to restore customer service during emergencies, 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 enter into contract with Ohio Power Company for professional services and associated equipment and materials necessary to provide engineering, service restoration and other related services, on an as needed basis, to restore service to Cleveland Public Power customers during emergency situations, for a period of ninety (90) days, on the basis of such provisions relating to emergency restoration of service contained in its proposal dated May 31, 1996, as are acceptable to the Directors of Public Utilities and Law, for the Division of Cleveland Public Power, Department of Public Utilities. The Council shall be notified whenever the services of Ohio Power Company are utilized to restore service to Cleveland Public Power customers pursuant to the contract authorized by this ordinance.

Section 2. That 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 of services 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 22104)

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 1375-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Sections 4, 8, 13, 14, 18, 19 and 41 of Ordinance No. 486-96, passed April 1, 1996, 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 4, 8, 13, 14, 18, 19 and 41 of Ordinance No. 486-96, passed April 1, 1996, are hereby amended to read, respectively, as follows:

Section 4. Employees of Council — Salary.

That the Clerk of Council, with the approval of the President of Council, shall fix the salary of the employees of Council within the limits established in the following schedule for each classification:

	Minimum	Maximum
1. Archivist.....	\$15,000.00	\$51,500.00
2. Chief of Consumer Affairs.....	17,593.45	56,650.00
3. Chief Legislative Secretary.....	17,593.45	51,500.00
4. Clerk's Deputy Assistant.....	17,593.45	51,500.00
5. Clerk's Assistant.....	\$14.65 per hour	\$16.17 per hour
6. Councilmanic Assistants (Part-Time).....	\$5.77 per hour	\$11.10 per hour
7. Council Receptionist.....	15,000.00	30,900.00
8. Director of Communications.....	20,108.26	56,650.00
9. First Assistant Clerk.....	20,109.43	51,500.00
10. Fiscal Officer.....	\$24.98 per hour	\$38.09 per hour
11. Fiscal Secretary.....	15,000.00	48,827.15
12. Information Systems Coordinator.....	17,593.00	61,800.00
23. Information Systems Manager.....	17,593.00	56,235.94
14. Legislative Assistants.....	15,000.00	41,200.00
15. Legislative Assistant/Administrative Secretary.....	15,000.00	48,827.15
16. Legislative Secretary.....	15,000.00	41,200.00
17. Office Administrator — Staff Director.....	17,593.45	61,800.00
18. Research Director.....	17,593.00	61,800.00
19. Sergeant-at-Arms.....	8,840.00	28,329.80

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

	Minimum	Maximum
1. Accountant I.....	\$ 6.36 per hour	\$14.24 per hour
2. Accountant II.....	\$ 7.06 per hour	\$15.63 per hour
3. Accountant III.....	\$ 7.96 per hour	\$17.32 per hour
4. Accountant Clerk I.....	\$ 4.81 per hour	\$11.54 per hour
5. Accountant Clerk II.....	\$ 5.46 per hour	\$12.47 per hour
6. Activities Therapist.....	\$ 9.15 per hour	\$10.97 per hour
7. AIDS Support Services Coordinator	\$10.49 per hour	\$12.27 per hour
8. Air Pollution Control, Engineer I	\$ 8.43 per hour	\$18.32 per hour
9. Air Pollution Control, Engineer II	\$ 8.96 per hour	\$19.30 per hour
10. Air Pollution Control, Engineer III	\$ 9.50 per hour	\$20.34 per hour
11. Air Pollution Engineer	\$12.04 per hour	\$14.30 per hour
12. Air Pollution Inspector I.....	\$ 9.48 per hour	\$14.73 per hour
13. Air Pollution Inspector II	\$ 7.53 per hour	\$16.44 per hour
14. Air Pollution Technician I	\$ 7.12 per hour	\$15.63 per hour
15. Air Pollution Technician II	\$ 7.53 per hour	\$16.44 per hour
16. Air Pollution Technician III	\$ 8.43 per hour	\$18.32 per hour
17. Airport Information Representative	\$ 8.56 per hour	\$11.97 per hour
18. Airport Operations Agent I	\$12.09 per hour	\$14.80 per hour
19. Airport Operations Agent II	\$15.18 per hour	\$17.42 per hour
20. Airport Safety Man	\$25,197.87	\$31,503.12
21. Architect	\$ 9.73 per hour	\$21.54 per hour
22. Assistant Buyer	\$ 6.71 per hour	\$14.95 per hour
23. Assistant City Planner	\$ 7.12 per hour	\$15.63 per hour
24. Assistant Civil Engineer	\$ 7.12 per hour	\$15.63 per hour
25. Assistant Electrical Engineer	\$ 7.12 per hour	\$15.63 per hour
26. Assistant Mechanical Engineer	\$ 7.12 per hour	\$15.63 per hour
27. Assistant Plan Examiner	\$ 7.53 per hour	\$16.44 per hour
28. Associate Programmer	\$ 7.55 per hour	\$16.75 per hour
29. Bacteriologist	\$ 7.96 per hour	\$17.32 per hour
30. Bill Collector	\$ 8.56 per hour	\$11.97 per hour
31. Building Inspector	\$12.17 per hour	\$15.89 per hour
32. Camera Room Operator	\$ 6.04 per hour	\$13.60 per hour
33. Caseworker I	\$ 5.73 per hour	\$13.00 per hour
34. Caseworker II	\$ 6.36 per hour	\$14.24 per hour
35. Cashier/Starter	\$ 6.36 per hour	\$14.24 per hour
36. Chemist	\$ 8.90 per hour	\$18.67 per hour
37. Chief Miscellaneous Investigator	\$ 7.53 per hour	\$16.44 per hour
38. Citizens Information Representative	\$ 6.04 per hour	\$13.60 per hour
39. Civil Engineer	\$ 9.50 per hour	\$21.54 per hour
40. Claims Examiner	\$ 7.53 per hour	\$16.44 per hour
41. Clerk Typist	\$ 7.62 per hour	\$ 8.92 per hour
42. Clinical Laboratory Assistant	\$ 6.36 per hour	\$13.60 per hour
43. Clinical Laboratory Technician I	\$ 7.12 per hour	\$15.63 per hour
44. Clinical Laboratory Technician II	\$ 7.37 per hour	\$16.75 per hour
45. Cocaine Treatment Counselor I	\$ 8.56 per hour	\$12.93 per hour
46. Cocaine Intake Specialist	\$ 9.95 per hour	\$11.64 per hour
47. Community Development Code Enforcement Inspector I	\$14.08 per hour	\$17.33 per hour

	Minimum	Maximum
48. Community Development Code Enforcement Inspector II	\$14.89 per hour	\$18.32 per hour
49. Community Development Code Enforcement Inspector III	\$15.70 per hour	\$19.30 per hour
50. Community Development Code Enforcement Inspector/Heating I	\$14.08 per hour	\$17.33 per hour
51. Community Development Code Enforcement Inspector/Heating II	\$14.89 per hour	\$18.32 per hour
52. Community Development Code Enforcement Inspector/Heating III	\$15.70 per hour	\$19.30 per hour
53. Community Development Code Enforcement Inspector/Refrigeration I	\$14.08 per hour	\$17.33 per hour
54. Community Development Code Enforcement Inspector/Refrigeration II	\$14.89 per hour	\$18.32 per hour
55. Community Development Code Enforcement Inspector/Refrigeration III	\$15.70 per hour	\$19.30 per hour
56. Community Development Code Enforcement Inspector/Trainee	\$ 9.97 per hour	\$13.98 per hour
57. Community Development Planner	\$ 9.87 per hour	\$20.72 per hour
58. Community Health Aide	\$ 4.81 per hour	\$11.54 per hour
59. Community Relations Representative I	\$ 6.04 per hour	\$13.60 per hour
60. Community Relations Representative II	\$ 7.53 per hour	\$16.44 per hour
61. Community Relations Representative III	\$ 9.51 per hour	\$20.34 per hour
62. Composing Equipment Operator	\$ 6.71 per hour	\$14.95 per hour
63. Computer Monitor Assistant	\$ 8.43 per hour	\$ 9.87 per hour
64. Computer Operator	\$ 7.53 per hour	\$16.44 per hour
65. Consumer Protection Specialist	\$ 5.73 per hour	\$13.00 per hour
66. Cook	\$ 9.73 per hour	\$11.25 per hour
67. Copy Center Operator	\$ 5.67 per hour	\$12.47 per hour
68. Cost Construction Estimator	\$ 8.34 per hour	\$16.00 per hour
69. Customer Service Representative	\$ 8.56 per hour	\$11.97 per hour
70. Data Control Clerk	\$ 5.24 per hour	\$11.98 per hour
71. Data Conversion Operator	\$ 8.48 per hour	\$10.84 per hour
72. Dental Assistant	\$ 4.71 per hour	\$11.31 per hour
73. Development Officer	\$ 8.96 per hour	\$19.29 per hour
74. Dietician	\$ 9.08 per hour	\$14.23 per hour
75. Drug and Alcohol Counselor	\$ 9.05 per hour	\$10.59 per hour
76. Electrical Engineer	\$ 9.50 per hour	\$21.54 per hour
77. Electronic Engineer	\$ 9.54 per hour	\$21.93 per hour
78. Elevator Inspector	\$12.16 per hour	\$17.33 per hour
79. Environmental Technician	\$10.91 per hour	\$13.01 per hour
80. Family Planning Clerk	\$ 7.22 per hour	\$ 9.98 per hour
81. Financial Analyst	\$ 7.12 per hour	\$15.63 per hour
82. Financial Counselor	\$ 7.94 per hour	\$16.44 per hour
83. Fuel System Technician	\$ 8.96 per hour	\$14.51 per hour
84. General Health Aide	\$ 4.81 per hour	\$11.54 per hour
85. General Storekeeper	\$ 7.96 per hour	\$17.32 per hour
86. Geriatric Outreach Worker	\$ 7.12 per hour	\$15.63 per hour
87. Guard	\$ 6.55 per hour	\$11.53 per hour
88. Head Cook	\$ 5.46 per hour	\$12.46 per hour
89. Head Storekeeper	\$ 7.11 per hour	\$15.64 per hour
90. Health Educator I	\$ 6.36 per hour	\$14.24 per hour
91. Health Educator II	\$ 7.12 per hour	\$15.63 per hour
92. Heating Inspector	\$12.16 per hour	\$15.89 per hour
93. HIV Educator	\$ 8.17 per hour	\$ 9.09 per hour
94. House Connection Inspector	\$10.31 per hour	\$13.29 per hour
95. House of Correction Guard	\$10.10 per hour	\$12.26 per hour
96. Housing Inspector	\$12.47 per hour	\$14.14 per hour
97. Human Resources Contract Specialist	\$ 9.73 per hour	\$21.53 per hour
98. Human Resources On-the-Job Training Specialist	\$10.21 per hour	\$18.31 per hour
99. Human Resources Planner	\$10.74 per hour	\$22.75 per hour
100. Human Resources Special Projects Coordinator	\$10.21 per hour	\$18.31 per hour
101. Income Tax Tracer	\$ 6.36 per hour	\$14.24 per hour
102. Industrial Hygiene Engineer	\$ 9.73 per hour	\$21.53 per hour
103. Industrial Nuisance Inspector	\$ 6.36 per hour	\$14.24 per hour
104. Information Control Analyst	\$ 6.81 per hour	\$14.92 per hour
105. Inspector of Weights and Measures	\$ 5.73 per hour	\$13.00 per hour
106. Institutional Guard	\$ 9.50 per hour	\$12.26 per hour
107. Instrument Repairman	\$ 8.21 per hour	\$14.23 per hour
108. Instrumentation Technician I	\$14.41 per hour	\$15.30 per hour
109. Instrumentation Technician II	\$16.08 per hour	\$16.85 per hour
110. Intake Specialist	\$ 4.81 per hour	\$11.54 per hour
111. Job Retraining Assistant	\$ 7.12 per hour	\$15.63 per hour
112. Junior Cashier	\$ 5.24 per hour	\$11.97 per hour
113. Junior Chemist	\$ 5.46 per hour	\$12.47 per hour
114. Junior City Planner	\$ 6.36 per hour	\$14.24 per hour

	Minimum	Maximum
115.	Junior Civil Engineer	\$ 6.36 per hour \$14.24 per hour
116.	Junior Clerk	\$ 8.46 per hour \$ 9.98 per hour
117.	Junior Draftsman	\$ 5.46 per hour \$12.47 per hour
118.	Junior Engineering Aide	\$ 5.46 per hour \$12.47 per hour
119.	Laboratory Assistant	\$ 6.04 per hour \$13.60 per hour
120.	Laboratory Helper	\$ 4.77 per hour \$10.75 per hour
121.	Landscape Architect	\$ 9.50 per hour \$20.34 per hour
122.	Lead Pressman	\$ 8.93 per hour \$15.84 per hour
123.	Life Guard	\$ 4.25 per hour \$ 9.33 per hour
124.	Life Guard Captain	\$ 7.14 per hour \$ 9.33 per hour
125.	Mechanical Engineer	\$ 9.50 per hour \$21.54 per hour
126.	Messenger	\$ 4.77 per hour \$10.75 per hour
127.	Meter Reader	\$10.95 per hour \$13.97 per hour
128.	Minority Business Consultant	\$11.15 per hour \$23.97 per hour
129.	Miscellaneous Investigator	\$ 5.46 per hour \$12.47 per hour
130.	Monitoring, Auditing and Evaluation Coordinator	\$13.65 per hour \$15.86 per hour
131.	Office Machine Operator	\$ 8.46 per hour \$10.46 per hour
132.	Offset Duplicating Machine Operator	\$ 5.46 per hour \$12.47 per hour
133.	On The Job Training Specialist	\$12.71 per hour \$15.33 per hour
134.	Park and Recreation Planner	\$ 9.51 per hour \$20.34 per hour
135.	Parking Attendant	\$ 6.31 per hour \$11.54 per hour
136.	Parking Meter Collector	\$ 6.32 per hour \$11.51 per hour
137.	Parking Meter Serviceman	\$11.64 per hour \$12.12 per hour
138.	Permit Processing Specialist	\$ 7.00 per hour \$ 9.66 per hour
139.	Pharmacist	\$10.74 per hour \$22.75 per hour
140.	Pharmacodependent Rehabilitation Counselor I	\$ 6.49 per hour \$11.04 per hour
141.	Pharmacodependent Rehabilitation Counselor II	\$ 7.57 per hour \$13.05 per hour
142.	Photographer	\$ 9.08 per hour \$15.63 per hour
143.	Photographic Laboratory Technician	\$ 6.80 per hour \$13.60 per hour
144.	Photo-Litho Operator	\$ 5.48 per hour \$12.47 per hour
145.	Physical Director	\$ 8.33 per hour \$14.06 per hour
146.	Plan Examiner	\$ 7.96 per hour \$18.60 per hour
147.	Play Director	\$ 4.25 per hour \$ 9.84 per hour
148.	Police Radio Technician	\$13.99 per hour \$15.13 per hour
149.	Pressman	\$ 7.89 per hour \$15.34 per hour
150.	Preventive Health Counselor	\$13.59 per hour \$15.90 per hour
151.	Preventive Health Educator	\$ 8.89 per hour \$10.68 per hour
152.	Principal Cashier	\$ 7.24 per hour \$16.75 per hour
153.	Principal Clerk	\$10.19 per hour \$14.24 per hour
154.	Print Shop Helper	\$ 9.06 per hour \$10.55 per hour
155.	Private Secretary	\$ 6.71 per hour \$14.95 per hour
156.	Program Analyst	\$16.64 per hour \$21.67 per hour
157.	Programmer	\$ 8.96 per hour \$19.30 per hour
158.	Programmer Analyst	\$ 9.73 per hour \$21.53 per hour
159.	Property Clerk	\$11.37 per hour \$23.99 per hour
160.	Psychiatric Social Worker	\$12.48 per hour \$15.58 per hour
161.	Psychologist I	\$10.74 per hour \$20.73 per hour
162.	Psychologist II	\$12.88 per hour \$24.44 per hour
163.	Public Health Nursing Aide	\$ 9.08 per hour \$ 9.96 per hour
164.	Public Health Sanitarian I	\$10.91 per hour \$13.31 per hour
165.	Public Health Sanitarian II	\$12.25 per hour \$14.90 per hour
166.	Public Health Sanitarian III	\$13.23 per hour \$15.54 per hour
167.	Public Health Sanitarian IV	\$8.78 per hour \$19.29 per hour
168.	Public Information Officer	\$ 7.38 per hour \$16.44 per hour
169.	Quality Assurance Analyst	\$ 8.96 per hour \$19.29 per hour
170.	Radio Dispatcher	\$14.81 per hour \$15.18 per hour
171.	Radio Technician	\$13.99 per hour \$15.13 per hour
172.	Receptionist	\$ 6.06 per hour \$11.00 per hour
173.	Records Manager	\$ 9.84 per hour \$11.53 per hour
174.	Recreation Aide	\$ 4.25 per hour \$ 7.68 per hour
175.	Recreation Instructor	\$ 4.81 per hour \$11.54 per hour
176.	Recreation Instructor I	\$ 5.24 per hour \$12.29 per hour
177.	Recreation Instructor II	\$ 5.46 per hour \$12.78 per hour
178.	Recreation Instructor III	\$ 6.83 per hour \$13.51 per hour
179.	Recreation Program Supervisor	\$ 6.83 per hour \$12.55 per hour
180.	Redevelopment Advisor	\$ 7.96 per hour \$17.32 per hour
181.	Redevelopment Coordinator	\$ 8.38 per hour \$19.30 per hour
182.	Refrigeration Inspector	\$12.17 per hour \$15.89 per hour
183.	Refugee Outreach Worker	\$ 8.40 per hour \$10.74 per hour
184.	Registered Animal Health Technician	\$ 7.94 per hour \$11.54 per hour
185.	Rehabilitation Advisor	\$ 6.71 per hour \$14.95 per hour
186.	Sanitarian Aide	\$ 9.92 per hour \$11.19 per hour
187.	Secretary	\$ 6.30 per hour \$12.47 per hour
188.	Secretary to Director of Consumer Affairs	\$ 9.51 per hour \$20.34 per hour
189.	Senior Assistant Architect	\$ 7.96 per hour \$17.32 per hour
190.	Senior Assistant City Planner	\$ 7.96 per hour \$17.32 per hour

	Minimum	Maximum
191. Senior Assistant Civil Engineer	\$ 7.96 per hour	\$17.32 per hour
192. Senior Assistant Electrical Engineer	\$ 7.96 per hour	\$17.32 per hour
193. Senior Assistant Mechanical Engineer	\$ 7.96 per hour	\$17.32 per hour
194. Senior Assistant Traffic Engineer	\$ 7.96 per hour	\$17.32 per hour
195. Senior Bacteriologist	\$ 6.71 per hour	\$14.95 per hour
196. Senior Cashier	\$ 6.36 per hour	\$14.24 per hour
197. Senior Chemist	\$ 7.53 per hour	\$16.44 per hour
198. Senior Clerk	\$ 8.79 per hour	\$12.47 per hour
199. Senior Computer Operator	\$ 8.96 per hour	\$19.30 per hour
200. Senior Data Conversion Operator	\$ 5.73 per hour	\$13.00 per hour
201. Senior Development Officer	\$12.63 per hour	\$25.33 per hour
202. Senior Draftsman	\$ 6.36 per hour	\$14.24 per hour
203. Senior Engineering Draftsman and Photographer	\$ 7.12 per hour	\$15.63 per hour
204. Senior Information Control Analyst	\$ 7.38 per hour	\$16.44 per hour
205. Senior Laboratory Technician	\$10.86 per hour	\$12.72 per hour
206. Senior Landscape Architect	\$ 9.73 per hour	\$21.53 per hour
207. Senior Site Inspector - Demolition	\$ 8.43 per hour	\$18.31 per hour
208. Sewer Service Man	\$12.80 per hour	\$13.59 per hour
209. Site Inspector	\$ 7.53 per hour	\$16.44 per hour
210. Social Worker for Homeless	\$13.82 per hour	\$16.17 per hour
211. Starter (Golf)	\$ 4.49 per hour	\$ 9.55 per hour
212. S.T.D. Clerk	\$ 7.88 per hour	\$ 9.23 per hour
213. Stenographer I	\$ 8.35 per hour	\$10.49 per hour
214. Stenographer II	\$ 9.21 per hour	\$11.70 per hour
215. Stenographer III	\$ 7.37 per hour	\$13.00 per hour
216. Stock Clerk	\$ 5.46 per hour	\$12.84 per hour
217. Storekeeper	\$ 6.36 per hour	\$14.64 per hour
218. Street Obstruction Inspector	\$ 6.04 per hour	\$13.60 per hour
219. Surveyor	\$ 8.96 per hour	\$19.30 per hour
220. Tax Auditor I	\$ 7.12 per hour	\$15.63 per hour
221. Tax Auditor II	\$ 7.96 per hour	\$17.32 per hour
222. Technical Specialist	\$ 7.53 per hour	\$16.44 per hour
223. Technical Specifications Writer	\$ 9.08 per hour	\$17.33 per hour
224. Telephone Operator	\$ 5.24 per hour	\$11.97 per hour
225. Telephone Supervisor	\$ 5.46 per hour	\$12.47 per hour
226. Timekeeper	\$ 5.46 per hour	\$12.47 per hour
227. Traffic Engineer	\$ 9.50 per hour	\$20.34 per hour
228. Traffic Sign and Marking Technician	\$11.69 per hour	\$12.47 per hour
229. Typist	\$ 8.48 per hour	\$10.84 per hour
230. Urban Planning and Development Technician	\$ 5.73 per hour	\$13.00 per hour
231. Utility Adjuster	\$ 9.09 per hour	\$13.80 per hour
232. Vector Control Assistant	\$ 8.90 per hour	\$10.41 per hour
233. Veteran's Counselor	\$ 7.38 per hour	\$14.15 per hour
234. Water Hydraulic Repairman	\$12.80 per hour	\$13.59 per hour
235. Water Meter Repairman	\$12.80 per hour	\$13.96 per hour
236. Water Pipe Repairman.....	\$11.59 per hour	\$13.96 per hour
237. Water Serviceman	\$ 9.05 per hour	\$11.59 per hour
238. Water System Construction Inspector	\$10.48 per hour	\$17.32 per hour

Section 13. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Security Officer	\$ 9.50 per hour	\$14.73 per hour

Section 14. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Maintenance Man	\$11.97 per hour	\$13.34 per hour
2. Concrete Mixer Driver	\$14.82 per hour	\$16.88 per hour
3. Dog Warden	\$11.04 per hour	\$12.30 per hour
4. Ground Maintenance Truck Driver II	\$12.34 per hour	\$14.12 per hour
5. Hostler	\$ 9.80 per hour	\$10.93 per hour
6. Parking Enforcement Officer	\$ 9.74 per hour	\$10.84 per hour
7. Street Carry-all Driver	\$15.55 per hour	\$17.96 per hour
8. Street Maintenance Equipment Leader	\$16.15 per hour	\$18.00 per hour
9. Street Equipment Maintenance Specialist	\$15.55 per hour	\$17.32 per hour
10. Tanker Truck Driver	\$15.55 per hour	\$17.87 per hour
11. Tow Truck Operator	\$11.80 per hour	\$13.52 per hour
12. Traffic Controller	\$ 9.73 per hour	\$10.84 per hour
13. Truck Driver	\$12.50 per hour	\$14.30 per hour
14. Waste Collection Driver	\$12.33 per hour	\$14.11 per hour
15. Waste Collection Roll-Off Driver.....	\$15.52 per hour	\$17.66 per hour

Section 18. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Chief Electrical Inspector	\$30,822.89	\$36,065.51
2. Community Development Code Enforcement Inspector/Electrical I	\$14.40 per hour	\$17.33 per hour
3. Community Development Code Enforcement Inspector/Electrical II	\$15.20 per hour	\$18.32 per hour
4. Community Development Code Enforcement Inspector/Electrical III	\$16.01 per hour	\$19.29 per hour
5. Electrical Inspector	\$29,217.91	\$34,187.56

Section 19. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Chief Plumbing Inspector	\$30,822.89	\$36,065.51
2. Assistant Plumbing Inspector	\$18,839.70	\$29,604.30
3. Community Development Code Enforcement Inspector/Plumbing I	\$14.40 per hour	\$17.33 per hour
4. Community Development Code Enforcement Inspector/Plumbing II	\$15.20 per hour	\$18.32 per hour
5. Community Development Code Enforcement Inspector/Plumbing III	\$16.01 per hour	\$19.29 per hour
6. Plumbing Inspector	\$29,217.91	\$34,187.56

Section 41. Hourly Rate-Crafts

Compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	Effective Date	Minimum	Maximum
1. Asbestos Worker	5-1-92	\$21.46	\$26.83
2. Asphalt Construction Foreman	5-1-96	17.69	26.53
3. Asphalt Raker	5-1-96	16.96	25.44
4. Asphalt Tamper	5-1-96	16.96	25.44
5. Boiler Maker	6-1-92	22.71	28.39
6. Bricklayer	5-1-92	21.22	26.52
7. Bricklayer Foreman	5-1-92	22.22	27.52
8. Bricklayer Helper	5-1-96	17.42	26.13
9. Carpenter	5-1-92	21.54	26.93
10. Carpenter Foreman	5-1-92	22.54	28.18
11. Carpenter Apprentice	5-1-92	5.97	16.43
12. Cement Finisher	5-1-92	22.34	27.67
13. Cement Finisher Foreman	5-1-92	23.34	26.74
14. Construction Equipment Operator - Group A	5-1-92	21.44	26.68
15. Construction Equipment Operator - Group B	5-1-92	21.32	26.53
16. Construction Equipment Operator - Group C	5-1-92	21.04	26.30
17. Construction Equipment Operator - Oiler - Group F	5-1-92	16.38	20.47
18. Curb Cutter	5-1-96	17.34	26.01
19. Electrical Worker	5-1-92	22.70	28.37
20. Electrical Worker Foreman	5-1-92	23.70	30.47
21. Glazier	5-1-92	21.52	26.90
22. Ironworker	5-1-92	22.77	28.46
23. Ironworker Foreman	5-1-92	23.77	29.71
24. Jackhammer Operator	5-1-96	16.96	25.44
25. Master Mechanic	5-1-92	21.84	27.18
26. Overhead Floodlight Maintenance Man	5-1-92	21.19	26.49
27. Painter	5-1-92	20.65	25.81
28. Painter - Apprentice	5-1-92	6.95	14.89
29. Painter Foreman	5-1-92	21.65	26.51
30. Paver	5-1-96	17.19	25.79
31. Paving Foreman	5-1-96	17.69	26.53
32. Pipefitter (Welder)	5-1-92	23.73	29.66
33. Pipefitter Foreman	5-1-92	24.73	30.66
34. Plasterer	5-1-92	20.67	25.84
35. Plumber (Welder)	5-1-92	23.30	29.13
36. Plumber Foreman	5-1-92	24.30	30.13
37. Roofer	5-1-92	21.54	26.12
38. Sheet Metal Worker	5-1-92	22.51	28.14
39. Sheet Metal Worker Foreman	5-1-92	23.51	29.14
40. Sign Painter	5-1-94	22.55	25.61
41. Sign Painter Unit Leader	5-1-94	23.55	26.61
42. Spray Painter	5-1-94	20.22	23.34
43. Superintendent of Construction Equipment	5-1-96	17.69	26.53

Section 2. That existing Sections 4, 8, 13, 14, 18, 19 and 41 of Ordinance No. 486-96, passed April 1, 1996, are hereby repealed.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

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

Res. No. 1352-96.

By Councilman Britt.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 8624 Cedar Avenue, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 3657326, Asma Ibrahim Inc., dba Foodland Market, 8624 Cedar Avenue, first floor and basement, Cleveland, Ohio 44106, to Permit No. 9879118, Zainas Inc., dba All American Food Market, 8624 Cedar Avenue, first floor and basement, 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. 3657326, Asma Ibrahim Inc., dba Foodland Market, 8624 Cedar Avenue, first floor and basement, Cleveland, Ohio 44106, to Permit No. 9879118, Zainas Inc., dba All American Food Market, 8624 Cedar Avenue, first floor and basement,

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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1353-96.

By Councilman Britt.

An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 8404 Carnegie Avenue, and repealing Res. No. 382-96, objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 8404 Carnegie Avenue by Res. No. 382-96, adopted March 4, 1996; and

Whereas, this Council wishes to withdraw its objection to the above issuance and consents to said issuance; 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 issuance of a C1 Liquor Permit to 8404 Carnegie Avenue be and the same is hereby withdrawn and Res. No. 382-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1354-96.

By Councilman Britt.

An emergency resolution withdrawing objection to the transfer of location of a D3A Liquor Permit to 12117 Mayfield Road, and repealing Res. No. 1225-96, objecting to said transfer of location.

Whereas, this Council objected to the transfer of location of a D3A Liquor Permit to 12117 Mayfield Road by Res. No. 1225-96, adopted June 18, 1996; and

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

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

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

Section 1. That objection to the transfer of location of a D3A Liquor Permit to 12117 Mayfield Road be and the same is hereby withdrawn and Res. No. 1225-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of location thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1355-96.

By Councilman Lewis.

An emergency resolution objecting to the issuance of a C1 and C2 Liquor Permit to 9200 Wade Park Avenue, Unit C90-100.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 and C2 Liquor Permit to Permit No. 9349510-0005, Wak Grocery Inc., 9200 Wade Park Avenue, Unit C90-100, 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 and C2 Liquor Permit to Permit No. 9349510-0005, Wak Grocery Inc., 9200 Wade Park Avenue, Unit C90-100, 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1356-96.

By Councilman Johnson.

An emergency resolution objecting to the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit to 3071-77 East 123rd Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit from Permit No. 9617054, Wilkins Don James & Associates Inc., 3065-71 E. 123rd Street, Cleveland, Ohio 44120, to Permit No. 4580028, Kendrick Lounge Inc., dba Club 123, 3071-77 East 123rd 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 ownership and location of a D1, D2, D3 and D3A Liquor Permit from Permit No. 9617054, Wilkins Don James & Associates Inc., 3065-71 E. 123rd Street, Cleveland, Ohio 44120, to Permit No. 4580028, Kendrick Lounge Inc., dba Club 123, 3071-77 East 123rd 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1357-96.

By Councilman Johnson.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3258 East 140th Street.

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. 79992070005, 7002 Market Inc., dba Chuck's Food Deal, 3258 East 140th

Street, Cleveland, Ohio 44120, to Permit No. 4443227, Kaiser Food Market Inc., dba Annie's Food Mart, 3258 East 140th 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 ownership of a C1 and C2 Liquor Permit from Permit No. 79992070005, 7002 Market Inc., dba Chuck's Food Deal, 3258 East 140th Street, Cleveland, Ohio 44120, to Permit No. 4443227, Kaiser Food Market Inc., dba Annie's Food Mart, 3258 East 140th 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1359-96.**By Councilman Miller.****An emergency resolution objecting to the issuance of a C1 Liquor Permit to 13408 Enterprise 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. 3920144, Holiday Italian Sausage Inc., dba Holiday Grill, 13408 Enterprise Avenue, Cleveland, Ohio 44135; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 3920144, Holiday Italian Sausage Inc., dba Holiday Grill, 13408 Enterprise Avenue, Cleveland, Ohio 44135, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1360-96.**By Councilman Paulenske.****An emergency resolution objecting to the stock transfer of a D5 and D6 Liquor Permit to 711-15 Vincent Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D5 and D6 Liquor Permit to Permit No. 8859739, Theatrical Quarters Inc., 711-15 Vincent Avenue, first floor and basement, Cleveland, Ohio 44114; 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 stock transfer of a D5 and D6 Liquor Permit to Permit No. 8859739, Theatrical Quarters Inc., 711-15 Vincent Avenue, first floor and basement, Cleveland, Ohio 44114, 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1361-96.**By Councilman Patton.****An emergency resolution objecting to the issuance of a C1 Liquor Permit to 13800 Harvard 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. 0066473, Adham Inc., dba Adham Food Market, 13800 Harvard Avenue, Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 0066473, Adham Inc., dba Adham Food Market, 13800 Harvard Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1362-96.

By Councilman Polensek.
An emergency resolution objecting to the transfer of location of a D4 and D6 Liquor Permit to 15617 Waterloo Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a D4 and D6 Liquor Permit from Permit No. 411896900521, IBPOE of W. Lodge, 0052, Spirit of Ohio, 1970-76 East 55th Street, first floor and basement, Cleveland, Ohio 44103, to Permit No. 4118969-00522, IBPOE of W. Lodge, 0052, Spirit of Ohio, 15617 Waterloo Avenue, Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a D4 and D6 Liquor Permit from Permit No. 411896900521, IBPOE of W. Lodge, 0052, Spirit of Ohio, 1970-76 East 55th Street, first floor and basement, Cleveland, Ohio 44103, to Permit No. 4118969-00522, IBPOE of W. Lodge, 0052, Spirit of Ohio, 15617 Waterloo Avenue, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to

transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1363-96.

By Councilman Polensek.
An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 1035 East 185th Street and gas pumps, and repealing Res. No. 388-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 1035 East 185th Street and gas pumps by Res. No. 388-96, adopted March 4, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 1035 East 185th Street and gas pumps be and the same is hereby withdrawn and Res. No. 388-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1364-96.

By Councilman Robinson.
An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3344 East 116th Street, and repealing Res. No. 663-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 3344 East 116th Street by Res. No. 663-96, adopted April 15, 1996; and

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

transfer of ownership and consents to said transfer of ownership; and

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3344 East 116th Street be and the same is hereby withdrawn and Res. No. 663-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1365-96.

By Councilman Robinson.
An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 10408-12 Union Avenue, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 0418591, Della Baltimore, 10408-12 Union Avenue, first floor and basement, Cleveland, Ohio 44105, to Permit No. 7108302, B. Jean Pugh, dba DBS Lounge, 10408-12 Union Avenue, first floor and basement, 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 preserva-

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 0418591, Della Baltimore, 10408-12 Union Avenue, first floor and basement, Cleveland, Ohio 44105, to Permit No. 7108302, B. Jean Pugh, dba DBS Lounge, 10408-12 Union Avenue, first floor and basement, 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1366-96.

By Councilman Rokakis.

An emergency resolution objecting to the stock transfer of a C2 and C2X Liquor Permit to 3548 Fulton Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a C2 and C2X Liquor Permit to Permit No. 8043118, Sharare Inc., DBA Kwik Chek Deli & Food Mart, 3548 Fulton Road, Cleveland, Ohio 44109; and

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

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

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

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

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it

substantially interferes with public decency, sobriety, peace or good order; and

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

Whereas, this resolution constitutes an emergency measure 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 stock transfer of a C2 and C2X Liquor Permit to Permit No. 8043118, Sharare Inc., DBA Kwik Chek Deli & Food Mart, 3548 Fulton Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1367-96.

By Councilman Rokakis.

An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 5200 Memphis Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 88362900005, Telstar Inc., dba Cameo Lounge, 5200 Memphis Avenue, Cleveland, Ohio 44144, to Permit No. 7315819, Revenue Inc., 5200 Memphis Avenue, Cleveland, Ohio 44109; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement

officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 88362900005, Telstar Inc., dba Cameo Lounge, 5200 Memphis Avenue, Cleveland, Ohio 44144, to Permit No. 7315819, Revenue Inc., 5200 Memphis Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1368-96.

By Councilman Rybka.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 4233-35 East 71st Street, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 0775002, Bobanmar Inc., dba Bob's Bar, 4233-35 East 71st Street first floor and basement, Cleveland, Ohio 44105, to Permit No. 4409933, Jukebox Junction Inc., 4233-35 East 71st Street, first floor and basement, 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 oper-

ated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 0775002, Bobanmar Inc., dba Bob's Bar, 4233-35 East 71st Street first floor and basement, Cleveland, Ohio 44105, to Permit No. 4409933, Jukebox Junction Inc., 4233-35 East 71st Street, first floor and basement, 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1369-96.

By Councilman Westbrook.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 8806 Almira 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. 8737258-0015, Deborah L. Swet, DBA Liberty Deli Mart, 8806 Almira Avenue, 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 issuance of a C1 Liquor Permit to Permit No. 8737258-0015, Deborah L. Swet, DBA Liberty Deli Mart, 8806 Almira Avenue, 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1370-96.

By Councilman Willis.
An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 11500-06 St. Clair Avenue, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and

D3A Liquor Permit from Permit No. 89462410002, Tish S. Jackson Inc., dba Michele's Lounge, 11500-06 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44108, to Permit No. 0121093-0010, Dawud Ali, 11500-06 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 89462410002, Tish S. Jackson Inc., dba Michele's Lounge, 11500-06 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44108, to Permit No. 0121093-0010, Dawud Ali, 11500-06 St. Clair Avenue, first floor and basement, 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Res. No. 1371-96.

By Councilmen Melena, Coats and Miller.

An emergency resolution urging the Administration to purchase back support belts for all waste collectors, for the Division of Waste Collection and Disposal, Department of Public Service.

Whereas, this Council believes that the City of Cleveland has the finest waste collection program in all of Northeast Ohio and that we should do everything within our power to make it easier for waste collectors to do their job; and

Whereas, it has come to the attention of this Council that the use of back support belts by waste collectors will reduce the risk of back injuries and make their job easier and safer; and

Whereas, the average cost of these back support belts is approximately \$10 to \$15 each; and

Whereas, because of the minimal cost of back support belts, the Administration will save money in the long run by reducing the use of sick time and the filing of worker's compensation claims resulting from back related injuries; 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 this Council urges the Administration to purchase back support belts for all waste collectors, for the Division of Waste Collection and Disposal, Department of Public Service.

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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

Councilman Paulenske left the meeting.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 481-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football program.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 708-96.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to execute an easement granting to the Northeast Ohio Regional Sewer District certain easement rights to property located at East 55th Street between Blanche and Linton Avenue and Brookside Park Drive East of Fulton Parkway Road, and declaring said easement rights no longer needed for public use.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 858-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7508 Superior Avenue rear of 7508 Superior Avenue, 7502 Superior Avenue, rear of 7502 Superior Avenue, 7510 Superior Avenue, 7516 Superior Avenue, 1320 East 76 Place, 1316 East 76 Place and 1314 East 76 Place to Auto Zone, Incorporated.

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

1. In Section 4, line 3, between "appropriate" and the period, insert **"and have been reviewed and approved by the chairman of the Council's Committee on Community and Economic Development and the member of Council in whose ward the property is located"**.

Amendment agreed to.

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

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

Ord. No. 865-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4032 West 23rd Street to Carol A. Santora.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 867-96.

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

An emergency ordinance to appropriate property for the clearance and redevelopment, according to the West 25th-Lorain Community Development Plan, of the blighted area designated as Bridge/Carroll Action Area.

Approved by Directors of Commu-

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 868-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3606 East 61st Street to Broadway Area Housing Coalition.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 931-96.

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

An emergency ordinance to appropriate property located at 15900 Lake Shore Boulevard (partial taking) and 16013-15 Damon Avenue for the public purpose of expanding the Humphrey Park Facility.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1021-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to accept money from the Board of Commissioners of Cuyahoga County to share in the cost of asbestos abatement and demolition of the Criminal Court Building with the City of Cleveland.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1026-96.

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

An emergency ordinance authorizing the Director of Economic Development to expend Economic Development Initiative Grant and Urban Enterprise Grant funds for administration of the Empowerment Zone Program, as amended; and to enter into all contract and related documents with Hough Area Partners in Progress, Glenville Development Corporation, Fairfax Renaissance Development Corporation, and Midtown Corridor, or their designees, for implementation of the Empowerment Zone Program, as amended.

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

1. Add a new Section 4 to read as follows:

"Section 4. That the Director of Economic Development is hereby directed to provide a written statement to the Cleveland City Council on or before September 15, 1997, and on or before September 15 in each year thereafter, detailing the expenditures made pursuant to Section 1 of this ordinance."

2. Renumber existing Section 4 to new **"Section 5"**.

Amendments agreed to.

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

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

Ord. No. 1031-96.

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 maintain combination sewer and catch basin cleaners, for the Division of Water Pollution Control, Department of Public Utilities.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1032-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide video inspection services of the City's sewers.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1033-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to rehabilitate one catch basin cleaning machine, including but not limited to replacing the body and other improvements, for the Division of Water Pollution Control, Department of Public Utilities.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1045-96.

By Councilman Smith (by request).

An emergency ordinance designating the Brooks-Figueroa House as a Cleveland Landmark.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1102-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 12. Nays 5. Those voting yea were Councilmen: Britt, Coats, Jackson, Lewis, Melena, Patmon, Robinson, Rybka, Smith, Westbrook, White, Willis. Those voting nay were Councilmen: McGuirk, Miller, O'Malley, Polensek, Zone. Absent: Councilmen Johnson, Patton, Paulenske, Rokakis.

Ord. No. 1103-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1161-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites in Buckeye neighborhood on Crestwood, Grandview, Shale, Hulda and Auburn Avenues to Buckeye Area Development Corporation or its designee.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1163-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed thirty five computers and not to exceed four printers, for the Division of Engineering and Construction, Department of Public Service.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1167-96.

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

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

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recom-

mended by Committees on Community and Economic Development, City Planning, Finance.

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1168-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 46292, for Gateway North Garage with Donley's Inc., for the Department of Parks, Recreation and Properties.

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

The rules were suspended. Yeas 16. Nays 0. Read third time. Passed. Yeas 14. Nays 2. Those voting yea were Councilmen: Britt, Coats, Jackson, McGuirk, Melena, Miller, Patmon, Robinson, Rybka, Smith, Westbrook, White, Willis, Zone. Those voting nay were Councilmen: Lewis, Polensek. Absent: Councilmen Johnson, O'Malley, Patton, Paulenske, Rokakis.

Ord. No. 1169-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 46581, for Gateway East Garage parking controls with Reserve Electric Company, for the Department of Parks, Recreation and Properties.

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

The rules were suspended. Yeas 16. Nays 0. Read third time. Passed. Yeas 14. Nays 2. Those voting yea were Councilmen: Britt, Coats, Jackson, McGuirk, Melena, Miller, Patmon, Robinson, Rybka, Smith, Westbrook, White, Willis, Zone. Those voting nay were Councilmen: Lewis, Polensek. Absent: Councilmen Johnson, O'Malley, Patton, Paulenske, Rokakis.

Ord. No. 1170-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 46968, for Gateway North Garage security system with Precision Electric Company, for the Department of Parks, Recreation and Properties.

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

The rules were suspended. Yeas 16. Nays 0. Read third time. Passed. Yeas 14. Nays 2. Those voting yea were Councilmen: Britt, Coats, Jackson, McGuirk, Melena, Miller, Patmon, Robinson, Rybka, Smith, Westbrook, White, Willis, Zone. Those voting nay were Councilmen: Lewis, Polensek. Absent: Councilmen Johnson, O'Malley, Patton, Paulenske, Rokakis.

Ord. No. 1171-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance autho-

rizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 46525, for Gateway East Garage pedestrian bridge with Singleton Construction Company, for the Department of Parks, Recreation and Properties.

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

The rules were suspended. Yeas 16. Nays 0. Read third time. Passed. Yeas 14. Nays 2. Those voting yea were Councilmen: Britt, Coats, Jackson, McGuirk, Melena, Miller, Patmon, Robinson, Rybka, Smith, Westbrook, White, Willis, Zone. Those voting nay were Councilmen: Lewis, Polensek. Absent: Councilmen Johnson, O'Malley, Patton, Paulenske, Rokakis.

Ord. No. 1172-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation, and Properties to accept an annual grant of cash or equipment for a period of three years from the NFL Charities for use in Cleveland Muni Football Association programs and various City recreation programs, and to enter into contracts with the Cleveland Muni Football Association and other agencies for implementation of these programs.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1173-96.

By Councilman Lewis (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to the Ministerial Day Care Association to encroach into the public right-of-way on Superior Avenue with Banners, to be attached to utility poles (by separate permit), for the period beginning July 15, 1996 to September 30, 1996, to announce the Grand Opening of The Superior Head Start Academy.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1185-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of replacing the Edgewater pump station, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1188-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance to amend Section 11 of Ordinance No. 1071-93, passed June 7, 1993, as amended by Ordinance No. 2017-94, passed October 24, 1994, relating to the designated funding source.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 16. Nays 1. Those voting yea were Councilmen: Britt, Coats, Jackson, Lewis, McGuirk, Melena, Miller, O'Malley, Patmon, Polensek, Robinson, Smith, Westbrook, White, Willis, Zone. Those voting nay were Councilman: Rybka. Absent: Councilmen Johnson, Patton, Paulenske, Rokakis.

Ord. No. 1189-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Bowman Distribution, or its designee, to provide economic development assistance to partially finance the acquisition of furniture, fixtures and equipment needed to relocate and update their corporate headquarters to The Erievue Tower, Cleveland, Ohio 44114.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

Ord. No. 1191-96.

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

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 47134, for Gateway North Garage electrical utility duct with Harrington Electric Company, for the Department of Parks, Recreation and Properties.

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

The rules were suspended. Yeas 16. Nays 0. Read third time. Passed. Yeas 14. Nays 2. Those voting yea were Councilmen: Britt, Coats, Jackson, McGuirk, Melena, Miller, Patmon, Robinson, Rybka, Smith, Westbrook, White, Willis, Zone. Those voting nay were Councilmen: Lewis, Polensek. Absent: Councilmen Johnson, O'Malley, Patton, Paulenske, Rokakis.

Ord. No. 1194-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to accept a grant from the United States Department of Health and Human Services for the Healthy Start Initiative Program to be conducted by the City of Cleveland and various other agencies, to enter into contracts with other intended grant recipients and to enter into contracts to implement the program.

Approved by Directors of Public Health, Finance, Law; Recommended

ed by Committees on Public Health, Finance.

The rules were suspended. Yeas 17. Nays 0. Read third time. Passed. Yeas 17. Nays 0.

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 835-96.

By Councilman Zone (by request). An emergency resolution declaring the intention to vacate a portion of West 121st Street.

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

The rules were suspended. Yeas 17. Nays 0. Read third time. Adopted. Yeas 17. Nays 0.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried, that the absence of Councilmen Johnson, Patton, Paulenske, and Rokakis be, and is hereby authorized.

MOTION

The Council adjourned at 9:00 p.m. to meet on Wednesday, August 14, 1996.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

July 17, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, July 17, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Director Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Absent: None.

Others: Willie Williamson, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 470-96.

By Director Hyer.

Resolved by the Board of Control of the City of Cleveland, that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of

June, 1996 in the amount of \$49,391.85, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent: Director Staib.

Resolution No. 471-96.

By Director Hyer.

Resolved, by the Board of Control of the City of Cleveland that the bid of Sherwin Williams Company for an estimated quantity of Paint and Paint Materials (Group I) Items 1, 2, 4 thru 11, 16 thru 18, 21 thru 39, 42, 44, 47 thru 69, 72, 74 thru 79, 81 thru 85, 86 and 88 (including \$3,000.00 for special paint and materials) (Group III) All Items for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 21st day of June, 1996, pursuant to the authority of Ordinance No. 642-96, passed May 13, 1996, which on the basis of the estimated quantity would amount to One Hundred Sixteen Thousand Eight Hundred Fifty-Three and 56/100 Dollars, (\$116,853.56), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 78920

which shall be certified against such contract in the sum of Six Thousand Dollars and no/100 Dollars, (\$6,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent: Director Staib.

Resolution No. 472-96.

By Director Hyer.

Resolved, by the Board of Control of the City of Cleveland that the bid of Hough Supply & Speciality Company for an estimated quantity of Paint and Paint Materials (Group I) Items 3, 20, 40, 41, 43, 45, 46, 70, 71 and 73, for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 21st day of June, 1996, pursuant to the authority of Ordinance No. 642-96, passed May 13, 1996, which on the basis of the estimated quantity would amount to Fifteen Thousand Five Hundred Seventy and 06/100 Dollars, (\$15,570.06), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 78921

which shall be certified against such contract in the sum of Eight Hundred Dollars and 00/100 Dollars, (\$800.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent: Director Staib.

Resolution No. 473-96.

By Director Hyer.

Resolved, by the Board of Control of the City of Cleveland that the bid of Baker Vehicle Systems, Incorporated for an estimated quantity of Jacobson Mower Parts (All Items) (Less 10% trade discount) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 15th day of July, 1996, pursuant to the authority of Ordinance No. 643-96, passed May 13, 1996, which on the basis of the estimated quantity would amount to Thirty Thousand and 00/100 Dollars, (\$30,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance 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. 84014

which shall be certified against such contract in the sum of Two Thousand and 00/100 Dollars, (\$2,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent: Director Staib.

Resolution No. 474-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Wesco Distribution, Inc. for an estimated quantity of PVC Conduit and Fittings, item nos. 1 thru 124, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract, received on the 23rd day of May, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976,

which on the basis of the estimated quantity would amount to Seventy-Three Thousand Two Hundred Six and 60/100 Dollars, (\$73,206.60), (2% 10 Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 85375

which shall be certified against such contract in the sum of Four Thousand Dollars, (\$4,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent: Director Staib.

Resolution No. 475-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland, that the bid of Danis Heavy Construction Company for the public improvement of Crown Waterworks Rehabilitation and Expansion, Phase III, including a contingency allowance of \$2,000,000.00 for the Division of Water, Department of Public Utilities, received on June 5, 1996, pursuant to the authority of Ordinance No. 965-93, passed July 14, 1993, upon a unit basis, for the improvement in the aggregate amount of Forty Eight Million Five Hundred Seventy Thousand Dollars, (\$48,570,000.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it resolved by the Board of Control of the City of Cleveland that the following subcontractors to Danis Heavy Construction Company for the above-mentioned public improvement hereby are approved:

SUBCONTRACTORS	WORK
Choice Construction	General Const. & Demolition 15.4% (MBE)
Artisan Electric	Distribution Control System 7.0% (FBE)
Burkshire Construction	Const., Concrete & Masonry 4.7% (FBE)
Ohio Diversified Services	Excavation Work 6.2% (MBE)

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman,

Hamilton, Nolan, Acting Director Balraj, Director Axelrod.
Nays: None.
Absent: Director Staib.

Resolution No. 476-96.

By Director Cunningham.
Resolved by the Board of Control of the City of Cleveland that the bid of Sweepster, Inc. for the following: Two (2) airport runway brooms for the Various Divisions of the Department of Port Control, received on the 24th day of May, 1996, pursuant to the authority of Ordinance No. 764-95, passed June 12, 1995 which on the basis of order quantity would amount to \$453,000.00 is hereby approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: Director Staib.

Resolution No. 477-96.

By Director Cunningham.
Resolved, by the Board of Control of the City of Cleveland that the bid of Concord Road Equipment Mfg., Inc. for the following: one (1) material spreader for the Various Divisions of the Department of Port Control, received on the 24th day of May, 1996, pursuant to the authority of Ordinance No. 956-92, passed June 8, 1992, which on the basis of order quantity would amount to \$9,367.00 is hereby approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into contract for such items.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: Director Staib.

Resolution No. 478-96.

By Director Guzman.
Resolved, by the Board of Control of the City of Cleveland that the bid of Hy-Grade Corporation for an estimated quantity of SSITack Coat (All Items) (Price 53¢ per gallon) for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 20th day of June, 1996, pursuant to the authority of Ordinance No. 200-96, passed April 1, 1996, which on the basis of the estimated quantity would amount to approximately Fifty Three Thousand and no/100 Dollars, (\$53,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 84441 which shall be certified against such contract in the sum of Twenty Six Thousand Five Hundred and no/100 Dollars, (\$26,500.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the

City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: Director Staib.

Resolution No. 479-96.

By Director Guzman.
Resolved, by the Board of Control of the City of Cleveland that the bid of Crown Battery Manufacturing Company, Inc., for an estimated quantity of Automotive and Truck Batteries (All Items) Price list #L-5 Dated 9/15/95 - less 3% off list price 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 14th day of June, 1996, pursuant to the authority of Ordinance No. 477-96, passed April 29, 1996, which on the basis of the estimated quantity would amount to approximately Eighty Seven Thousand Ninety Seven and 71/100 Dollars, (\$87,097.71), (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. 091795 which shall be certified against such contract in the sum of Nine Thousand and no/100 Dollars, (\$9,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: Director Staib.

Resolution No. 480-96.

By Director Guzman.
Resolved, by the Board of Control of the City of Cleveland that the bid of Baker Vehicle Systems, Inc. for an estimated quantity of Cushman Equipment Parts and Labor (All Items) (Trade discount Less 5%. Labor rate \$44.00 per Hour) (Cushman/Ransomes 1995 Master Part Price List #P405000 11/15/94, #426000 10/2/95 and #406001) 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 21st day of June, 1996, pursuant to the authority of Ordinance No. 478-96, passed April 29, 1996, which on the basis of the estimated quantity would amount to approximately Eighty Thousand and no/100 Dollars, (\$80,000.00), (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. 091804 which shall be certified against such contract in the sum of Nine Thousand and no/100 Dollars, (\$9,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: Director Staib.

Resolution No. 481-96.

By Director Denihan.
Whereas by Resolution No. 412-96, adopted June 19, 1996, pursuant to the authority of Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Board of Control approved the bid of Schwarz Uniform Corporation as the lowest and best for the purchase of Uniform Clothing, item numbers 1, 8, 10, 11, 12, 15, 18, 19, 20, 21, 22, 23, 24, 30, 43, 44, 45, 46, 49, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 67, 78, 79, 80, 81, 89, 90, 92, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 120, 121, 122, 126, 127, and 129, for the Division of Police, Department of Public Safety; and

Whereas, in said Resolution No. 412-96, item number 66 was omitted; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 412-96, adopted June 19, 1996, affirming and approving the bid of Schwarz Uniform Corporation as the lowest and best for the purchase of Uniform Clothing hereby is amended by adding Item number "66" to the list of items to be awarded.

Be it further resolved that all other provisions of said Resolution No. 412-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: Director Staib.

Resolution No. 482-96.

By Director Spellman.
Whereas, pursuant to Ordinance No. 483-94, passed by the Council of the City of Cleveland on April 8, 1994, the Director of Parks, Recreation and Properties was authorized and directed to employ by contract a food and beverage concessionaire to provide food and beverage concession services at Highland Golf Course for a period not to exceed three (3) years; and

Whereas, pursuant to the authority of Board of Control Resolution 155-95 adopted March 1, 1995, on March 15, 1995, the Director of

Parks, Recreation and Properties entered into a Concession Agreement with J & F Catering ("Concessionaire"), based upon its proposal to pay the City a minimum of \$50,000.00 or 25% of gross revenues, whichever was greater, for the period ending December 31, 1995; and

Whereas, the Director on behalf of the City, exercised the City's option to renew the Concession Agreement for an additional twelve (12) month period, allowing J & F Catering to continue its concession operations at Highland Golf Course through April of 1996; and

Whereas, due to J & F Catering's default under the Agreement by failing to remit the required concession fees, the Director terminated the Concession Agreement, effective May 31, 1996;

Whereas, since June 1, 1996 during this peak summer season, the City of Cleveland has been operating the food and beverage concession at Highland Golf Course on a temporary basis in an effort to provide this necessary amenity for the benefit of the general public until a new concessionaire can be obtained for the balance of the golf season; and

Whereas, the Director has received a proposal from Golden Grill Inc. to assume operation of the food and beverage concession at Highland Golf Course effective July 19, 1996, for a concession fee of 10.5% of gross revenues; and

Whereas, the City desires to enter into a concession agreement with Golden Grill Inc. to relieve the burden on the City of operating the food concession and to mitigate the City's damage caused by the defaulting previous concessionaire; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 483-94, passed by the Council of the City of Cleveland on April 18, 1994, and in consideration of the default of the previous concessionaire, the Director is authorized and directed to enter into a concession agreement with Golden Grill Inc. for the operation of a food and beverage concession at Highland Park Golf Course for a term commencing July 19, 1996 and expiring December 31, 1996, for a concession fee of 10.5% of gross revenues.

Be it further resolved that said concession agreement shall be prepared by the Director of Law and shall contain such provisions as she deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent: Director Staib.

Resolution No. 483-96.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 115-03-055, southerly half, located at 14211 Nell Avenue in Ward 10; and

Whereas, Section 183.021 of the

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

Whereas, Barbara Jean Gray, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Barbara Jean Gray for the sale and development of Permanent Parcel No. 115-03-055, southerly half, located at 14211 Nell Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 484-96.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 115-03-055, northerly half, located at 14211 Nell Avenue in Ward 10; and

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

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

Whereas, the following conditions exist:

1. The member of Council from Ward 10 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Thomas Lanier for the sale and development of Permanent Parcel No. 115-03-055, northerly half, located at 14211 Nell Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 485-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 132-04-005 under said Land Reutilization Program; and

Whereas, Ordinance No. 1022-96 passed June 18, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Broadway Area Housing Coalition has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1022-96 passed June 18, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an official deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 132-04-005, as further described in said Ordinance, to Broadway Area Housing Coalition, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 486-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 002-36-158 under said Land Reutilization Program; and

Whereas, Ordinance No. 934-96 passed June 10, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Dean Ducato has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 934-96 passed June 10, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an official deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 002-36-158, as further described in said Ordinance, to Dean Ducato, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent:None.

Resolution No. 487-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 003-37-038 under said Land Reutilization Program; and

Whereas, Ordinance No. 933-96 passed June 10, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Gary M. Marich and Jill E. Huston Marich have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 933-96 passed June 10, 1996 by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Gary M. Marich and Jill E. Huston Marich for the sale and development of Permanent Parcel No. 003-37-038 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent:None.

Resolution No. 488-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 103-22-052 under said Land Reutilization Program; and

Whereas, Ordinance No. 537-96 passed June 10, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Greater Cleveland Habitat for Humanity, Inc. has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 537-96 passed June 10, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an official deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 103-22-052, as further described in said Ordinance, to Greater Cleveland Habitat for Humanity, Inc., for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent:None.

Resolution No. 489-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 103-30-120 under said Land Reutilization Program; and

Whereas, Ordinance No. 536-96 passed June 10, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Central Nehemiah Development Partnership has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of

Ordinance No. 536-96 passed June 10, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an official deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 103-30-120, as further described in said Ordinance, to Central Nehemiah Development Partnership, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent:None.

Resolution No. 490-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 019-19-064 under said Land Reutilization Program; and

Whereas, Ordinance No. 373-96 passed May 13, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Sebastian J. Kannamthanam has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 373-96 passed May 13, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an official deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 019-19-064, as further described in said Ordinance, to Sebastian J. Kannamthanam, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent:None.

Resolution No. 491-96.

By Director Hamilton.

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

Whereas, City has acquired Per-

manent Parcel No. 004-09-023 under said Land Reutilization Program; and

Whereas, Ordinance No. 369-96 passed May 13, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Patricia A. Kowalski has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 369-96 passed May 13, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an official deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 004-09-023, as further described in said Ordinance, to Patricia A. Kowalski, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved the consideration for said parcel shall be \$400.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 492-96.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcels Nos. 007-04-037 and 007-04-038 under said Land Reutilization Program; and

Whereas, Ordinance No. 321-96, passed May 13, 1996 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Johnny F. and Joann Belt have proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 321-96, passed May 13, 1996 by the Cleveland City Council, the Mayor is hereby authorized and the Commissioner of Purchases and Supplies is hereby directed to execute an Official Deed for and on behalf of the City of Cleveland with Johnny F. and Joann Belt for the sale and development of Permanent Parcels Nos. 007-04-037 and 007-04-038 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cun-

ningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 493-96.

By Director Warren.

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1094-95, passed by the Cleveland City Council on June 19, 1995, D.B. HARTT, INC. is hereby selected upon the nomination of the Director of Economic Development from a list of qualified consultants, determined after a full and complete canvass by said director, as the firm to be employed by contract 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 implement development of the East 80th and Kinsman neighborhood in the City of Cleveland.

Be it further resolved that the Director of Economic Development is hereby authorized to enter into a written contract with D.B. HARTT, INC., based upon its proposal to the City dated June 23, 1995, which contract shall provide that the compensation to said consultant shall be \$25,000, shall be prepared by the Director of Law, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Acting Directors Simmonds, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Balraj, Director 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, AUGUST 5, 1996

9:30 A.M.

Calendar No. 96-119: 3203 Natchez Ave., S.W.

Paul Scheurman, owner, to enclose the 24' x 8' second floor open front porch of the 24' x 35' two story frame two family dwelling house on a 40' x 107' lot located in a Two Family District at 3203 Natchez Ave.; said proposed enclosure to be contrary to the setback encroachment provisions of Section 357.13 of the Codified Ordinances.

Calendar No. 96-122: 10202 Lorain Ave.

BP Oil Co., owner, c/o Brian Duffy, to rebuild the existing non-conforming service station/food store by erecting a new sales building, installing new underground storage tanks, new fuel dispensers, etc. on the 145' x 174' irregular shaped corner lot located in a General Retail District and Two Family District on the northwest corner of West Blvd. and Lorain Ave. at 10202 Lorain Ave.; said service station/food store usage being contrary to the residence use limitations of Section 337.03 and a portion of the accessory off-street parking and the fuel island canopy to be located with the setbacks along West Blvd. contrary to the setback encroachment provisions of Sections 357.06, 357.07 and 357.14 of the Codified Ordinances.

Calendar No. 96-124: 724 Prospect Ave., S.E.

Jerome H. Schmelzer, trustee, owner, and Harris & Hill, Ltd., tenant, c/o Gregg S. Levy, to use as a brewery, with wholesale and retail sales, a portion of the lower level and first floor of the 35' x 138' two story masonry building on a 35' x 138' (avg.) through lot located in a General Retail District at 724 Prospect Ave. and extending through to Huron Rd.; said use as a brewery being contrary to the retail limitations of Section 343.11 of the Codified Ordinances.

Calendar No. 96-125: 10522 Edgewater Dr., N.W.

Paul S. Novosel, owner, to erect a 33' x 22' one story private garage, 16' x 22' storage shed, 30' of 6' high masonry wall and 6' x 4' guard house toward the rear of a 145' x 370' (avg.) irregular shaped lot located in a Limited One Family District at 10522 Edgewater Dr.; said proposed private garage and storage shed to be located on the front half of the lot contrary to Section 337.23 and said proposed private garage to be located too close to a potential building site to the east at 10510 Edgewater Dr. contrary to Section 353.05 of the Codified Ordinances.

Calendar No. 96-126: 5901 Storer Ave. S.W.

Frank Valente, owner, to convert to a dwelling unit for a total of four dwelling units the storeroom of the 42' x 40' two story store and three dwelling unit building on a 46' x 90' irregular shaped corner lot located in a General Retail District on the southwest corner of W. 58 St. and Storer Ave. at 5901 Storer Ave.;

the west sideyard being 0' instead of 8' as required by Section 357.09 of the Codified Ordinances.

Calendar No. 96-129: 16301 Parkgrove Ave., N.E.

Erick H. Walton, owner, to erect approximately 60' of 6' high plastic fence to partially enclose the front yard of the 37.5' x 104' lot located in a Two Family District with a two story frame two family dwelling house located thereon and known as 16301 Parkgrove Ave.; said fence to be contrary to the 4 1/2' high maximum of Section 357.13 of the Codified Ordinances.

10:30 A.M.

Calendar No. 96-132: 2455 Hamilton Ave., N.E.

Bay Metals Inc., owner, c/o Frank Pillari, and Volunteers of America, tenant, c/o Dennis Kresak, to convert to a dormitory (shelter for the homeless) with food service and accessory offices the 225' x 62' one story warehouse building on a 461' x 119' lot located in a C-Semi-Industry District at 2455 Hamilton Ave.; said building to be located 177' from the General Industry District to the north instead of 200' therefrom as required for a residence use by Section 345.03 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, JULY 22, 1996

At the Meeting of the Board of Zoning Appeals, on Monday, July 15, 1996, the following appeals were heard by the Board, and decided on Monday, July 22, 1996.

The following appeals were **Granted:**

Calendar No. 96-101: 3970 Lee Rd., S.E.

Lee Rd. Baptist Church, owner, c/o W. E. Sanders, to erect a two story 40' x 87' addition and a 8' x 72' addition.

Calendar No. 96-108: 560 E. 103rd Street

Mabel Lee Hogan, owner to enclose the 24' 6" x 6' 10" open front porch.

The following appeals were **Refused:**

Calendar No. 96-98: 11308 Edgewater Drive, N.W.

Jeane Hagan, owner, to erect an 8' x 25' one story, for sunroom.

Calendar No. 96-105: 1641 E. 55th Street

Corinthian Missionary Baptist Church, owner, c/o Roosevelt Brown, to attach a 8' x 4' double-faced illuminated sign.

Calendar No. 96-107: 13729 Crossburn Ave., S.W.

Wilma Conley, owner, to attach a 10' x 14' carport.

The following appeals were **Postponed** to August 19, 1996:

Calendar No. 96-94: 4492 State Rd., S.W.

Calendar No. 96-109: 7509 Denison Ave., S.W.

ANTHONY COSTANZO,
Secretary

**REPORT OF THE BOARD
OF BUILDING STANDARDS
AND BUILDING APPEALS**

NO MEETING

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, AUGUST 7, 1996

One (1) Police Armored Security Vehicle Apparatus and Necessary

Appurtenances, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 918-96, passed by the Council of the City of Cleveland, June 18, 1996.

July 17 and July 24, 1996

THURSDAY, AUGUST 8, 1996

Invermere Avenue and East 188th Street Sanitary Sewer Replacement, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 111-93, passed by the Council of the City of Cleveland, February 8, 1993.

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 AT THE OFFICE OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO ON FRIDAY, JULY 26, 1996, 9:30 A.M. BIDDERS WHO DO NOT ATTEND THE PRE-BID MEETING WILL NOT BE CONSIDERED.**

Graffiti Removal, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 761-96, passed by the Council of the City of Cleveland, June 10, 1996.

July 17 and July 24, 1996

FRIDAY, AUGUST 9, 1996

Nine (9) Intermediate Size Station Wagons, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1228-95, passed by the Council of the City of Cleveland, January 29, 1996.

Computer Supplies, for the Division of Information System Services, Department of Finance, as authorized by Ordinance No. 1042-96, passed by the Council of the City of Cleveland, June 18, 1996.

Four (4) Chassis with Crew Cabs and Special Utility Bodies, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1228-95, passed by the Council of the City of Cleveland, January 29, 1996.

July 17 and July 24, 1996

FRIDAY, AUGUST 9, 1996

Four (4) Cabs and Chassis With Special Utility Bodies, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1228-95, passed by the Council of the City of Cleveland, January 29, 1996.

Lease of A Medical Mobil Unit, for the Division of Health (HF/HS), Department of Public Health, as authorized by Ordinance No. 1039-96, passed by the Council of the City of Cleveland, June 18, 1996.

July 24 and July 31, 1996

WEDNESDAY, AUGUST 14, 1996

Computer Equipment, for the Division of Health, Healthy Family/Healthy Start Program, Department of Public Health, as authorized by Ordinance Nos. 1140-95 and 871-96, passed by the Council of the City of Cleveland, July 19, 1995 and June 10, 1996, respectively.

System Expansion, Residential Reforestation, Fall 1996, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, AUGUST 6, 1996 IN THE AUDITORIUM OF THE PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE AT 10:00 A.M.

July 24 and July 31, 1996

THURSDAY, AUGUST 15, 1996

Pumps, Small Engines and Saws, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

Three (3) Meter Test Benches, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 313-96, passed by the Council of the City of Cleveland, May 6, 1996.

Two (2) Portable Light Towers, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 244-96, passed by the Council of the City of Cleveland, April 1, 1996.

July 24 and July 31, 1996

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 835-96.**

By Councilman Zone (by request). An emergency resolution declaring the intention to vacate a portion of West 121st Street

Whereas, this Council is satisfied that there is good cause for vacating a portion of West 121st Street, as hereinafter described, and

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

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

Section 1. That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being all that portion of: **WEST 121ST STREET** (50.00 feet wide), extending Southerly from the Southerly line of Elmwood Avenue N.W. (Width Varies), to the Northerly Limited Access Line of I-90.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1352-96.

By Councilman Britt.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 8624 Cedar Avenue, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 3657326, Asma Ibrahim Inc., dba Foodland Market, 8624 Cedar Avenue, first floor and basement, Cleveland, Ohio 44106, to Permit No. 9879118, Zainas Inc., dba All American Food Market, 8624 Cedar Avenue, first floor and basement, 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. 3657326, Asma Ibrahim Inc., dba Foodland Market, 8624 Cedar Avenue, first floor and basement, Cleveland, Ohio 44106, to Permit No. 9879118, Zainas Inc., dba All American Food Market, 8624 Cedar Avenue, first floor and basement, 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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1353-96.

By Councilman Britt.

An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 8404 Carnegie Avenue, and repealing Res. No. 382-96, objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 8404 Carnegie Avenue by Res. No. 382-96, adopted March 4, 1996; and

Whereas, this Council wishes to withdraw its objection to the above issuance and consents to said issuance; 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 issuance of a C1 Liquor Permit to 8404 Carnegie Avenue be and the same is hereby withdrawn and Res. No. 382-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance 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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1354-96.

By Councilman Britt.

An emergency resolution withdrawing objection to the transfer of location of a D3A Liquor Permit to 12117 Mayfield Road, and repealing Res. No. 1225-96, objecting to said transfer of location.

Whereas, this Council objected to the transfer of location of a D3A Liquor Permit to 12117 Mayfield Road by Res. No. 1225-96, adopted June 18, 1996; and

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

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

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

Section 1. That objection to the transfer of location of a D3A Liquor Permit to 12117 Mayfield Road be and the same is hereby withdrawn and Res. No. 1225-96, containing said

objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of location thereof.

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1355-96.

By Councilman Lewis.

An emergency resolution objecting to the issuance of a C1 and C2 Liquor Permit to 9200 Wade Park Avenue, Unit C90-100.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 and C2 Liquor Permit to Permit No. 9349510-0005, Wak Grocery Inc., 9200 Wade Park Avenue, Unit C90-100, 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 and C2 Liquor Permit to Permit No. 9349510-0005, Wak Grocery Inc., 9200 Wade Park Avenue, Unit C90-100, 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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1356-96.

By Councilman Johnson.

An emergency resolution objecting to the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit to 3071-77 East 123rd Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit from Permit No. 9617054, Wilkins Don James & Associates Inc., 3065-71 E. 123rd Street, Cleveland, Ohio 44120, to Permit No. 4580028, Kendrick Lounge Inc., dba Club 123, 3071-77 East 123rd 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 ownership and location of a D1, D2, D3 and D3A Liquor Permit from Permit No. 9617054, Wilkins Don James & Associates Inc., 3065-71 E. 123rd Street, Cleveland, Ohio 44120, to Permit No. 4580028, Kendrick Lounge Inc., dba Club 123, 3071-77 East 123rd 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.

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1357-96.

By Councilman Johnson.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3258 East 140th Street.

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. 79992070005, 7002 Market Inc., dba Chuck's Food Deal, 3258 East 140th Street, Cleveland, Ohio 44120, to Permit No. 4443227, Kaiser Food Market Inc., dba Annie's Food Mart, 3258 East 140th 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 trans-

fer of ownership of a C1 and C2 Liquor Permit from Permit No. 79992070005, 7002 Market Inc., dba Chuck's Food Deal, 3258 East 140th Street, Cleveland, Ohio 44120, to Permit No. 4443227, Kaiser Food Market Inc., dba Annie's Food Mart, 3258 East 140th 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.

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1359-96.

By Councilman Miller.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 13408 Enterprise 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. 3920144, Holiday Italian Sausage Inc., dba Holiday Grill, 13408 Enterprise Avenue, Cleveland, Ohio 44135; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 3920144, Holiday Italian Sausage Inc., dba Holiday Grill, 13408 Enterprise Avenue, Cleveland, Ohio 44135, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1360-96.

By Councilman Paulenske.

An emergency resolution objecting to the stock transfer of a D5 and D6 Liquor Permit to 711-15 Vincent Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D5 and D6 Liquor Permit to Permit No. 8859739, Theatrical Quarters Inc., 711-15 Vincent Avenue, first floor and basement, Cleveland, Ohio 44114; 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 Direc-

tor of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the stock transfer of a D5 and D6 Liquor Permit to Permit No. 8859739, Theatrical Quarters Inc., 711-15 Vincent Avenue, first floor and basement, Cleveland, Ohio 44114, 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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1361-96.

By Councilman Patton.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 13800 Harvard 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. 0066473, Adham Inc., dba Adham Food Market, 13800 Harvard Avenue, Cleveland, Ohio 44105; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Direc-

tor 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. 0066473, Adham Inc., dba Adham Food Market, 13800 Harvard Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1362-96.

By Councilman Polensek.

An emergency resolution objecting to the transfer of location of a D4 and D6 Liquor Permit to 15617 Waterloo Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a D4 and D6 Liquor Permit from Permit No. 411896900521, IBPOE of W. Lodge, 0052, Spirit of Ohio, 1970-76 East 55th Street, first floor and basement, Cleveland, Ohio 44103, to Permit No. 4118969-00522, IBPOE of W. Lodge, 0052, Spirit of Ohio, 15617 Waterloo Avenue, Cleveland, Ohio 44110; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Sec-

tion 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 location of a D4 and D6 Liquor Permit from Permit No. 411896900521, IBPOE of W. Lodge, 0052, Spirit of Ohio, 1970-76 East 55th Street, first floor and basement, Cleveland, Ohio 44103, to Permit No. 4118969-00522, IBPOE of W. Lodge, 0052, Spirit of Ohio, 15617 Waterloo Avenue, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1363-96.

By Councilman Polensek.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 1035 East 185th Street and gas pumps, and repealing Res. No. 388-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 1035 East 185th Street and gas pumps by Res. No. 388-96, adopted March 4, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 1035 East 185th Street and gas pumps be and the same is hereby withdrawn and Res. No. 388-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1364-96.

By Councilman Robinson.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3344 East 116th Street, and repealing Res. No. 663-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 3344 East 116th Street by Res. No. 663-96, adopted April 15, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3344 East 116th Street be and the same is hereby withdrawn and Res. No. 663-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1365-96.

By Councilman Robinson.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 10408-12 Union Avenue, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 0418591, Della Baltimore, 10408-12 Union Avenue, first floor and basement, Cleveland, Ohio 44105, to Permit No. 7108302, B. Jean Pugh, dba DBS Lounge, 10408-12 Union Avenue, first floor and basement, 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 D5 Liquor Permit from Permit No. 0418591, Della Baltimore, 10408-12 Union Avenue, first floor and basement, Cleveland, Ohio 44105, to Permit No. 7108302, B. Jean Pugh, dba DBS Lounge, 10408-12 Union Avenue, first floor and basement, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1366-96.

By Councilman Rokakis.

An emergency resolution objecting to the stock transfer of a C2 and C2X Liquor Permit to 3548 Fulton Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a C2 and C2X Liquor Permit to Permit No. 8043118, Sharare Inc., DBA Kwik Chek Deli & Food Mart, 3548 Fulton Road, Cleveland, Ohio 44109; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement

officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

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

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

Whereas, this resolution constitutes an emergency measure 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 stock transfer of a C2 and C2X Liquor Permit to Permit No. 8043118, Sharare Inc., DBA Kwik Chek Deli & Food Mart, 3548 Fulton Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1367-96.

By Councilman Rokakis.

An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 5200 Memphis Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 88362900005, Telstar Inc., dba Cameo Lounge, 5200 Memphis Avenue, Cleveland, Ohio 44144, to Permit No. 7315819, Revenue Inc., 5200 Memphis Avenue, Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 88362900005, Telstar Inc., dba Cameo Lounge, 5200 Memphis Avenue, Cleveland, Ohio 44144, to Permit No. 7315819, Revenue Inc., 5200 Memphis Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1368-96.

By Councilman Rybka.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 4233-35 East 71st Street, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 0775002, Bobanmar Inc., dba Bob's Bar, 4233-35 East 71st Street first floor and basement, Cleveland, Ohio 44105, to Permit No. 4409933, Jukebox Junction Inc., 4233-35 East 71st Street, first floor and basement, Cleveland, Ohio 44105; and

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard

of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 0775002, Bobanmar Inc., dba Bob's Bar, 4233-35 East 71st Street first floor and basement, Cleveland, Ohio 44105, to Permit No. 4409933, Jukebox Junction Inc., 4233-35 East 71st Street, first floor and basement, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1369-96.
By Councilman Westbrook.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 8806 Almira 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. 8737258-0015, Deborah L. Swet, DBA Liberty Deli Mart, 8806 Almira Avenue, 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 inter-

ests 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. 8737258-0015, Deborah L. Swet, DBA Liberty Deli Mart, 8806 Almira Avenue, 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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1370-96.
By Councilman Willis.
An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 11500-06 St. Clair Avenue, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 89462410002, Tish S. Jackson Inc., dba Michele's Lounge, 11500-06 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44108, to Permit No. 0121093-0010, Dawud Ali, 11500-06 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 89462410002, Tish S. Jackson Inc., dba Michele's Lounge, 11500-06 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44108, to Permit No. 0121093-0010, Dawud Ali, 11500-06 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1371-96.
By Councilmen Melena, Coats and Miller.

An emergency resolution urging the Administration to purchase back support belts for all waste collectors, for the Division of Waste Collection and Disposal, Department of Public Service.

Whereas, this Council believes that the City of Cleveland has the finest waste collection program in all of Northeast Ohio and that we should do everything within our power to make it easier for waste collectors to do their job; and

Whereas, it has come to the attention of this Council that the use of back support belts by waste collectors will reduce the risk of back injuries and make their job easier and safer; and

Whereas, the average cost of these back support belts is approximately \$10 to \$15 each; and

Whereas, because of the minimal cost of back support belts, the Administration will save money in the long run by reducing the use of sick time and the filing of worker's compensation claims resulting from back related injuries; 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 this Council urges the Administration to purchase back support belts for all waste collectors, for the Division of Waste Collection and Disposal, Department of Public Service.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 481-96.
By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football 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 Parks, Recreation and Properties is hereby authorized and directed to enter into contract with the Cleveland Municipal Football Association to conduct a City-wide football program, in an amount not to exceed \$43,000, payable from Fund No. 01-70-04-0380, Request No. 21397.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 708-96.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to execute an easement granting to the Northeast Ohio Regional Sewer District certain easement rights to property located at East 55th Street between Blanche and Linton Avenue and Brookside Park Drive East of Fulton Parkway Road, and declaring said easement rights no longer needed for public use.

Whereas, the Northeast Ohio Regional Sewer District ("NEORS") has requested the Director of Parks, Recreation and Properties to convey certain easement rights in property located at East 55th Street between Blanche and Linton Avenue and Brookside Park Drive East of Fulton Parkway Road; and

Whereas, the Cleveland Metropolitan, the Lessee of the property from the City, is aware of and in agreement with the granting of the easement by the City; and

Whereas, the easement rights to be granted are no longer needed for public use; and

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

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

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

(Insert legal)

Section 2. That the easement shall be non-exclusive and the purpose of the easement shall be construction of an easterly biosolid force main and Big Creek Interceptor Rehabilitation.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described (non-exclusive) easement interest to NEORS at a price not less than fair market value as determined by the Board of Control.

Section 4. That the duration of the easement shall be permanent; that the easement may include reasonable access rights; that the easement shall not be assignable except with the approval of the Director; that the easement shall require the grantee to indemnify the City, provide reasonable insurance, maintain any grantee improvements located within the easement, and pay any applicable taxes and assessments.

Section 5. That the conveyance referred to above shall be made by Official Deed of Easement prepared by Director of Law and executed by the Director of Parks, Recreation and Properties on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to protect the interests of the parties.

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

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 858-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7508 Superior Avenue rear of 7508 Superior Avenue, 7502 Superior Avenue, rear of 7502 Superior Avenue, 7510 Superior Avenue, 7516 Superior Avenue, 1320 East 76 Place, 1316 East 76 Place and 1314 East 76 Place to Auto Zone, Incorporated.

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 Nos. 106-04-015, 106-04-096, 106-04-099, 106-04-097, 106-05-001, 106-05-002, 106-05-134, 106-05-135, and 106-05-136, more fully described in Section 2 below, to Auto Zone, Inc.

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

P.P. No. 106-04-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 345, and bounded and described as follows: Beginning on the Southerly line of Superior Avenue, N. E. at its intersection with the Westerly line of James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records; thence Westerly 46 feet along the said Southerly line of Superior Avenue, N. E. to a point; thence Southerly 126 feet parallel with the Westerly line of the said James Decker's Subdivision to a point; thence Easterly 46 feet parallel with the said Southerly line of Superior Avenue, N. E. to a point in the Westerly line of the said James Decker's Subdivision; thence Northerly 126 feet along the Westerly line of the said James Decker's Subdivision to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 106-04-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot Number 345 and bounded and described as follows: Beginning on the Southerly line of Superior Avenue, N. E. at its intersection with the Westerly line of James Decker's Subdivision of part of Original 100 Acre Lot Number 345 as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records; thence Southerly 126 feet along the Westerly line of the said James Decker's Subdivision to a point for the principal place of beginning; thence Westerly 46 feet parallel with the said Southerly line of Superior Avenue, N. E. to a point; thence Southerly about 55.91 feet parallel with the Westerly line of the said James Decker's Subdivision to a point in the Southerly line of a parcel of land conveyed to Edward V. Matiska by deed dated June 30, 1947, and recorded in Volume 6296, Page 55 of Cuyahoga County Records; thence Easterly about 46.03 feet along the Southerly line of land so conveyed to Edward V. Matiska to a point in the Westerly line of said James Decker's Subdivision; thence Northerly about 57.35 feet along the Westerly line of the said James Decker's Subdivision to the principal place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 106-04-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot Number 345 and bounded and described as follows: Beginning on the Southerly line of Superior Avenue N. E. at its intersection with the Westerly line of James Decker's Subdivision of part of Original 100 Acre Lot Number 345 as shown by the recorded plat in volume 20 of Maps, Page 10 of Cuyahoga County Records; thence Westerly 46 feet along the said Southerly line of Superior Avenue, N. E. to a point for the principal place of beginning; thence Westerly 40 feet along the said Southerly line of Superior Avenue N. E. to a point thence Southerly 120 feet parallel with the Westerly line of said James Decker's Subdivision to a point; thence Easterly 40 feet parallel with the said Southerly line of Superior Avenue N. E. to a point; thence Northerly 120 feet parallel with the Westerly line of said James Decker's Subdivision to the principal place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 106-04-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 345, and bounded and described as follows: Beginning on the Southerly line of Superior Avenue, N. E. at the Northwesterly corner of a parcel of land conveyed to Edward V. Matiska by deed dated June 30, 1947 and recorded in Volume 6296, Page 55 of Cuyahoga County Records; thence Southerly 120 feet along the Westerly line of land so conveyed to Edward V. Matiska, to a point for the principal place of beginning; thence Easterly about 82.31 feet parallel with the said Southerly line of Superior Avenue, N. E. to a point distant Westerly 46 feet at right

angles from the Westerly line of James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records; thence Southerly about 61.91 feet parallel with the Westerly line of said James Decker's Subdivision to a point in the Southerly line of land conveyed to Edward V. Matiska, as aforesaid; thence Westerly about 82.63 feet along the Southerly line of land so conveyed to Edward V. Matiska to the Southwesterly corner thereof; thence Northerly about 59.32 feet along the Westerly line of land so conveyed to Edward V. Matiska to the principal place of beginning, be the same more or less, but subject to all legal highways the Southerly line of Superior Avenue, N. E. at the Northwesterly corner of a parcel of land conveyed to Edward V. Matiska by deed dated June 30, 1947 and recorded in Volume 6296, Page 55 of Cuyahoga County Records; thence Southerly 120 feet along the Westerly line of land so conveyed to Edward V. Matiska, to a point for the principal place of beginning; thence Easterly about 82.31 feet parallel with the said Southerly line of Superior Avenue, N. E. to a point distant Westerly 46 feet at right angles from the Westerly line of James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records; thence Southerly about 61.91 feet parallel with the Westerly line of said James Decker's Subdivision to a point in the Southerly line of land conveyed to Edward V. Matiska, as aforesaid; thence Westerly about 82.63 feet along the Southerly line of land so conveyed to Edward V. Matiska to the Southwesterly corner thereof thence Northerly about 59.32 feet along the Westerly line of land so conveyed to Edward V. Matiska to the principal place of beginning, be the same more or less, but subject to all legal highways

P.P. No. 106-05-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 69 in James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records, and being 42.50 feet front on the Southerly side of Superior Avenue, N. E., and extending back 110 feet on the Westerly line, 110 feet on the Easterly line and having a rear line of 41.99 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 106-05-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 68 in James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records, and being 42.50 feet front on the Southerly side of Superior Avenue, N. E., and extending back of equal width 110 feet along the Westerly line of East 76th Street, (formerly Superior Place), as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 106-05-134

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio (Parcel No. 1) and known as being Sublot No. 73 in James Decker's Subdivision of part of Original 100 Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records and being 26.76 feet front on the Westerly side of East 76th Place (formerly Superior Place) and extending back 84.13 feet on the Northerly line; 84.50 feet on the Southerly line and having a rear line of 17.86 feet, as appears by said plat. (Parcel No. 2) and known as being part of Sublot No. 72 in James Decker's Subdivision of part of Original 100 Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records and bounded and described as follows: Beginning on the Westerly line of East 76th Place at the Southeastery corner of said Sublot No. 72; thence Northerly along said Westerly line of East 76th Place 12.04 feet; thence Westerly on a line parallel with the Southerly line of said Sublot No. 72, 84.18 feet to the Westerly line of said Sublot No. 72, thence Southerly along said Westerly line of said Sublot No. 72, 12.04 feet to the Southwesterly corner of said Sublot No. 72; thence Easterly along the Southerly line of said Sublot No. 72 to the place of beginning, be the same more or less but subject to all legal legal highways.

P.P. No. 106-05-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 15.76 feet of Sublot No. 71 and the Northerly part of Sublot No. 72 in James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records and together forming a parcel of land, bounded and described as follows:

Beginning on the Westerly side of East 76th Place at a point distant Northerly measured along said Westerly side, 12.04 feet from the Southeastery corner of Sublot No. 72; thence Northerly along the Westerly side of East 76th Place, 30.46 feet to a point distant Northerly measured along said Westerly side, 15.75 feet from the Southeastery corner of Sublot No. 71; thence Westerly parallel with the Southerly line of Sublot No. 71, 84.25 feet to the Westerly line of Sublot No. 72; thence Southerly along said Westerly line and along the Westerly line of Sublot No. 72, 30.46 feet to its intersection with a line drawn Westerly and parallel with the Southerly line of Sublot No. 72 from the place of beginning; thence Easterly along said parallel line 84.18 feet to the place of beginning, as appears by the survey of Robert H. Krause, Sr., Registered Surveyor, dated September 10, 1952 be the same more or less, but subject to all legal highways.

P.P. No. 106-05-136

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 70 and the Northerly 11 feet of Sublot No. 71, in James Decker's Allotment of Part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records, and together forming a

parcel of land 37.75 feet front on the Westerly side of East 76th Place, (formerly known as Superior Place,) 84.49 feet deep on the Northerly line, 84.30 feet deep on the Southerly line and 37.75 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 and have been reviewed and approved by the chairman of the Council's Committee on Community and Economic Development and the member of Council in whose ward the property is located.

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

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 865-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4032 West 23rd Street to Carol A. Santora.

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

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

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

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

Section 1. That pursuant to Sec-

tion 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 009-03-013, as more fully described in Section 2 below, to Carol A. Santora.

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

P.P. No. 009-03-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 7 in the Hannah Estate Company and Bridgeview Park Allotment No. 2 of part of Original Brooklyn Township Lot No. 64, as shown by the recorded plat in Volume 95 of Maps, Page 8 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 23rd Street and extending back 115.95 feet deep on the Northerly line, 120.74 feet deep on the Southerly line and being 40.29 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.

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 867-96.

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

An emergency ordinance to appropriate property for the clearance and redevelopment, according to the West 25th-Lorain Community Development Plan, of the blighted area designated as Bridge/Carroll Action Area.

Whereas, the Council of the City of Cleveland, by Resolution No. 721-96, passed _____, declared the necessity and intention of appropriating the fee simple property interests herein described for the clearance and redevelopment, according to the West 25th-Lorain Community

Development Plan, of the blighted area designated as Bridge/Carroll Action Area; and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such property; and

Whereas, this ordinance constitutes an emergency measure required for the immediate preservation of the public health and safety, in that the existing conditions constitute a menace to public property, health and safety; now, therefore,

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

Section 1. That for the public purpose of carrying out the West 25th-Lorain Community Development Plan for the elimination of blight and the prevention of the recurrence of blight in the Bridge/Carroll Action Area, through clearance and redevelopment, the following described fee simple interests be and the same hereby are appropriated:

2600 Carroll Avenue

Permanent Parcel No. 003-38-058
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 456 and 457 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70, as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records, and together forming a parcel of land, bounded and described as follows:

Beginning in the Northwesterly side of Carroll Avenue, N.W. (50 feet wide) at a point distant Northeasterly, measured along said Northwesterly side, 1.14 feet from the most Southerly corner of Sublot No. 457;

Thence Northeasterly along the Northwesterly side of Carroll Avenue, N.W., 95.06 feet to the most Easterly corner of a parcel of land conveyed to Elsie Young and Robert S. Young by deed dated November 23, 1949, and recorded in Volume 6860, Page 235 of Cuyahoga County Records;

Thence Northwesterly along the Northeasterly line of said parcel so conveyed to Elsie Young and Robert S. Young, 107.50 feet to the Southeasterly side of Carroll Court N.W.; Thence Southwesterly along said Southeasterly side, 95.05 feet to a point distant Northeasterly measured along said Southeasterly side, 1.15 feet from the most Westerly corner of Sublot No. 457;

Thence Southeasterly 107.50 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Law be and she hereby is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests hereinbefore described.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 868-96.
By Councilmen Rybka, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3606 East 61st Street to Broadway Area Housing Coalition.

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. 132-01-106, as more fully described in Section 2 below, to Broadway Area Housing Coalition.

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. 132-01-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 328 in Hubbard Cook, Trustee Subdivision of part of Original One Hundred Acre Lot Nos. 317 and 321 as shown by the recorded plat in Volume 6 of Maps, Page 21 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 61st Street and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 931-96.
By Councilmen Polensek, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance to appropriate property located at 15900 Lake Shore Boulevard (partial taking) and 16013-15 Damon Avenue for the public purpose of expanding the Humphrey Park Facility.

Whereas, the Council of the City of Cleveland, by Resolution No. _____, passed _____,

declared the necessity and intention of appropriating the fee simple property interests herein described for expanding the Humphrey Park Facility; and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such 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 for the public purpose of expanding the Humphrey Park Facility, the following described fee simple interest be and the same hereby is appropriated:

16013 DAMON AVENUE
 (VACANT LOT)

PPN: 113-13-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 12.5 feet of Sublot No. 416 and all of Sublot No. 415 in the Eastwood Subdivision of part of Original Euclid Township, Tract No. 16, as shown by the recorded plat in Volume 31, Page 27 of Cuyahoga County Records, and together forming a parcel of land 37.5 feet front on the Northerly side of Damon Avenue, formerly Nansen Street, and extending back 101.31 feet on the Easterly line, 101.40 feet on the Westerly line, and having a rear line of 37.5 feet, as appears by said plat be the same more or less but subject to all legal highways.

15900 LAKE SHORE
 BOULEVARD
 (PARTIAL TAKING)

PPN: 113-13-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Euclid Township Tract No. 16, and being part of lands conveyed to Montlack Management Co. by deed dated November 14, 1986 and recorded in Volume 86-7446 Pg. 37 of Cuyahoga County Records, further bounded and described as follows:

Beginning at the Northeast corner

of Sublot 413 in the Eastwood Subdivision of a part of Original Euclid Township Tract No. 16 as shown by the recorded Plat in Volume 31 of Maps, Page 27 of Cuyahoga County Records, said point also being the Southeast corner of said lands conveyed to Montlack Management Co.;

Thence North 89° 52' 00" West along the Northerly line of said Eastwood Subdivision, also being the Southerly line of said land conveyed to Montlack Management Co., 53.47 feet to a point being the Northwesterly corner of Sublot 414 in said Subdivision;

Thence North 00° 00' 00" East through said land conveyed to Montlack Management Co. 148.70 feet to a point;

Thence North 70° 05' 53" East through said land conveyed to the Montlack Management Co., 57.26 feet to a point on the Easterly line of said land conveyed to Montlack Management Co., also being the Southwesterly corner of lands conveyed to Euclid Beach Plaza Association, by deed dated March 2, 1988 and recorded in Volume 88-0877 Pg. 67 of Cuyahoga County Records, and the Northwesterly corner of lands conveyed to the City of Cleveland, by deed dated August 17, 1967 and recorded in Volume 10674, Pg. 493 of Cuyahoga County Records;

Thence South 00° 07' 35" West along the Easterly line of said land conveyed to Montlack Management Co., also being the Westerly line of said land conveyed to The City of Cleveland, 168.32 feet to the principal place of beginning, and containing 8503.00 sq. ft. of land, be the same more or less, but subject to all legal highways.

Bearings herein are to an assumed meridian and are used to indicate angles only.

Section 2. That the Director of Law be and hereby is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interest hereinbefore described.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1021-96.
By Councilmen Jackson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Community Development to accept money from the Board of Commissioners of Cuyahoga County to share in the cost of asbestos abatement and demolition of the Criminal Court Building with the City of Cleveland.

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

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

Section 1. That the Director of Community Development is hereby authorized to accept money from the Board of Commissioners of Cuyahoga County in an amount not to exceed \$350,000, to share in the cost

of asbestos abatement and demolition of the Criminal Court Building to be performed by the City of Cleveland pursuant to Section 137.161 of the Codified Ordinances of Cleveland, Ohio, 1976. The Director is further authorized to file all papers and execute all documents necessary to receive the funds accepted pursuant to this ordinance and, upon acceptance of the funds by the Director, they shall be appropriated for the purposes set forth in this ordinance.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1026-96.
By Councilmen Lewis, Patton, Britt, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to expend Economic Development Initiative Grant and Urban Enterprise Grant funds for administration of the Empowerment Zone Program, as amended; and to enter into all contract and related documents with Hough Area Partners in Progress, Glenville Development Corporation, Fairfax Renaissance Development Corporation, and Midtown Corridor, or their designees, for implementation of the Empowerment Zone Program, as amended.

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 and execute all contracts and all necessary documents with Hough Area Partners in Progress, Glenville Development Corporation, Fairfax Renaissance Development Corporation, and Midtown Corridor, or their designees, for the purpose of implementing the Empowerment Zone Program, as amended.

Section 2. That the Director of Economic Development is hereby authorized to expend Economic Development Initiative Grant and Urban Enterprise Community Grant funds for administration of the Program.

Section 3. That the aggregate costs of expenditures authorized by this ordinance shall not exceed Three Million Two Hundred Fifty Thousand Dollars (\$3,250,000.00), and shall be paid from Fund Nos. 18 SF 005, 18 SF 006, and 18 SF 008, Request No. 22256.

Section 4. That the Director of Economic Development is hereby directed to provide a written statement to the Cleveland City Council on or before September 15, 1997, and on or before September 15 in each year thereafter, detailing the expenditures made pursuant to Section 1 of this ordinance.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1031-96.
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 maintain combination sewer and catch basin cleaners, for the Division of Water Pollution Control, 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 and maintain combination sewer and catch basin cleaners in the estimated sum of \$70,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, 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 11013)

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1032-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide video inspection services of the City's sewers.

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 employ by contract one or more video inspection consultants or one or more firms of video inspection 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 perform all operations required to execute the internal inspection of the City's sewers, including but not limited to providing all labor, materials, accessories, equipment, tools, transportation, services and technical competence.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 54 SF 001, Request No. 11011.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1033-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to rehabilitate one catch basin cleaning machine, including but not limited to replacing the body and other improvements, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to rehabilitate one catch basin cleaning machine, including but not limited to replacing the body and other improvements, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division

of Water Pollution Control, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 11012.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1045-96.
By Councilman Smith (by request).

An emergency ordinance designating the Brooks-Figueroa House as a Cleveland Landmark.

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of the Brooks-Figueroa House as a landmark; and

Whereas, the owner of the Brooks-Figueroa House has been properly notified of the proposed designation and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Brooks-Figueroa House as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That the Brooks-Figueroa House, whose street address in the City of Cleveland is 4721 Franklin Boulevard, N.W., also known as Cuyahoga County Auditor's permanent parcel number 002-36-023 and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1102-96.
By Councilmen Coats and Rokakis (by departmental request).

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21051)

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1103-96.
By Councilmen Coats and Rokakis (by departmental request).

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

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

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

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

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

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

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1161-96.
By Councilmen Britt, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites in Buckeye neighborhood on Crestwood, Grandview, Shale, Hulda and Auburn Avenues to Buckeye Area Development Corporation or its designee.

Whereas, the City of Cleveland adopted and implemented 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. 128-01-002, as more fully described in Section 2 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-002
Situating in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being Sublot No. 132 in the Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records and being 36.78 feet front on the Southeastern side of Woodhill Road, S.E., and extending back 104.44 feet on the Northernly line, 118.55 feet on the Southernly line, and having a rear line of 34.01 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-011, as more fully described in Section 4 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 85 in Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the Southwest corner of said Subdivision 85; thence running Northernly along the Easternly line of Woodhill Road, S.E., 37.90 feet; thence Easterly, 167.73 feet to the Easternly line thereof; thence Southernly along the Easternly line of said Sublot No. 85, 35 feet to the Southeastern corner thereof; thence Westernly along the Southernly line of said Sublot No. 85, 182.26 feet the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-012, as more fully described in Section 6 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-012

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 2 in the Luna Heights Subdivision of part of Original One Hundred Acre Lot No. 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Southernly line of Grandview Avenue, S.E., at a point 70 feet Westernly from the Northeastern corner of said Sublot No. 2; thence Westernly along the Southernly line of Grandview Avenue, S.E., 48.87 feet to the intersection of the Southernly line of Grandview Avenue, S.E., with the Southeasternly line of Woodhill Road, S.E.; thence Southwesternly along the Southeasternly line of Woodhill Road, S.E., about 70.50 feet to a point which is five feet Northernly at right angle distance from the

Southernly line of said Sublot No. 2; thence Easterly parallel with the Southernly line of said Sublot No. 2, 75.86 feet to a point, 70 feet Westernly of the Easternly line of said Sublot No. 2; thence Northernly parallel with the Easternly line of said Sublot No. 2, 65 feet the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-013, as more fully described in Section 8 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 1 and part of Sublot No. 2 in the Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records and bounded and described as follows:

Beginning in the line of Woodhill Road, S.E., at the Southwest corner of said Sublot No. 1; thence Easterly along the Southernly line of said Sublot No. 1, 162.47 feet the Southeast corner thereof; thence Southernly along the Easternly line of said Sublot No. 1, 35 feet to the Northeast corner thereof; thence Westernly along the Northernly line of said Sublot No. 1, 35 feet; thence Northernly at right angles to said Northernly line of Sublot No. 1, 5 feet; thence Westernly parallel with said Northernly line of Sublot No. 1 and 5 feet Northernly at right angles therefrom, about 110.86 feet to the Easternly line of Woodhill Road, S.E., about 43.19 feet the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Easement recorded in Volume 7470, Page 576 of Cuyahoga County Records.

Subject to Easement recorded in Volume 7619, Page 3 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 128-01-016 and 128-01-017, as more fully described in Section 10 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-016 and 128-01-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 425 and part of Block A in Z.M. and S. Bigelow's Allotment of part of Original One Hundred Acre Lot No. 425 and 426, as shown by the recorded plat in Volume 9 of Maps, Page 15 of Cuyahoga County Records and

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

Beginning on the Southeasternly line of Woodhill Road, S.E., (80 feet wide) at this point of intersection with the Northeasternly line of Shale Avenue, S.E., (50 feet wide), then Northeasternly along said Southeasternly line of Woodhill Road, S.E., 38.84 feet to the Southwesternly corner of land conveyed to Rose Diamond deed dated March 19, 1928 and recorded in Volume 3595, Page 559 of Cuyahoga County Records, thence Westernly along the Southernly line of land so conveyed to Rose Diamond, 129.14 feet the Westernly line of land conveyed to Jozsef and Helen Horvath by deed dated March 11, 1922 and recorded in Volume 2613, Page 543 of Cuyahoga County Records, thence Southernly along said Westernly line of land so conveyed to Jozsef and Helen Horvath about 36 feet to the Northernly line of said Block A, thence Easterly along said Northernly line of Block A about 119.71 feet to the Northwesternly corner of land conveyed to Gizella Meiny by deed dated March 20, 1928 and recorded in Volume 3594, Page 224 of Cuyahoga County Records, thence Southernly along the Westernly line of land so conveyed to Gizella Meiny, 97 feet to the Northernly line of Shale Avenue, S.E., as aforesaid, thence Northeasternly along said Northeasternly line of Shale Avenue, S.E., about 280.12 feet to the place of beginning and part of the above described premises being further known as part of Sublot No. 1 in Henry H. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426, be the same more or less, but subject to all legal highways.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-039, as more fully described in Section 12 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-039

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot Nos. 418 and 426 and bounded and described as follows:

Beginning on Original Ten Acre Lot, Southernly line of Hulda Avenue, S.E., 45 feet wide (said Southernly line being parallel to and distant 108 feet Northernly, measured at right angles from the Northernly line of land conveyed to W.W. Waller by deed recorded in Volume 138, parallel 243 of Cuyahoga County Records) at a point 660 feet Easternly from its point of intersection with the Easternly line of Woodhill Road, S.E., thence Southernly at right angles to Hulda Avenue, S.E., 108 feet to the Northernly line of land so conveyed to W.W. Waller; thence Easterly along said Northernly line of land so conveyed to W.W. Waller as aforesaid, 40 feet; thence Northernly at right angles to Hulda Avenue, S.E., 108 feet to the Southernly line of Hulda Avenue, S.E., thence Westernly along said Southernly line of Hulda Avenue, S.E., 40 feet to the place of beginning, and being further known as Sublot No. 12 in

Henry H. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426, be the same more or less, but subject to all legal highways.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-044, as more fully described in Section 14 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot Nos. 418 and 426 and bounded and described as follows:

Beginning on the Southerly line of Hulda Avenue, S.E., as conveyed to the City of Cleveland for street purposes, by deed dated May 1, 1897 and recorded in Volume 668, Page 376 of Cuyahoga County Records, at a point distant Easterly, measured along said Southerly line, 460 feet from its point of intersection with the Easterly line of Woodhill Road, S.E.; thence Easterly along said Southerly line of Hulda Avenue, S.E., 40 feet; thence Southerly at right angles to the Southerly line of Hulda Avenue, S.E., 108 feet, thence Westerly parallel with the Southerly line of Hulda Avenue, S.E., 40 feet; thence Northerly 108 feet to the place of beginning, and being further known as Sublot No. 12 in Henry H. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-046, as more fully described in Section 16 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot Nos. 418 and 426, bounded and described as follows:

Beginning on the Southerly line of Hulda Avenue, S.E., (formerly Westlake Avenue), the Southerly line of which is parallel with and 108 feet Northerly from the Northerly line of land deeded by R.H. Leonard to W.W. Waller, March 1, 1866, at a point on said Southerly line of Hulda Avenue, S.E., 380 feet Easterly from the intersection with the Easterly line of Woodhill Road, (formerly Woodland Hills Avenue); thence Easterly along the Southerly line of Hulda Avenue, S.E., 40 feet; thence Southerly at right angles to Hulda Avenue, S.E., 108 feet to the Northerly line of land deeded by R.H. Leonard to W.W. Waller; thence Westerly along said last named line, 40 feet; thence, 108 feet

to the place of beginning, and being further known as Sublot No. 10 in Henry H. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-049, as more fully described in Section 18 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot Nos. 418 and 426, bounded and described as follows:

Beginning on the Southerly line of Hulda Avenue, (formerly known as Westlake Avenue) a proposed Street 45 feet wide, the Southerly line which is parallel to and 108 feet North of the Northerly line of land deeded by R.H. Leonard to W.W. Waller, March 1, 1866, at a point on said Southerly line of Hulda Avenue, 260 feet Easterly from the intersection with the Easterly line of Woodhill Road, (formerly known as Woodland Hills Avenue); thence Easterly along the Southerly line of Hulda Avenue, 40 feet; thence Southerly at right angles to Hulda Avenue, 108 feet to the Northerly line of land so deeded to Waller; thence Westerly along the Northerly line of land so deeded to Waller, 40 feet; thence Northerly 108 feet to the place of beginning, and being further known as Sublot No. 7 in Henry H. Johnson's proposed Subdivision of a part of Original One Hundred Acre Lot Nos. 418, 417, 425 and 426 be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-050, as more fully described in Section 20 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-050

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot Nos. 418 and 426 and bounded and described as follows:

Beginning on the Southerly line of Hulda Avenue, S.E., said Southerly line being parallel to and distant 108 feet Northerly measured at right angles from the Northerly line of land conveyed to W.W. Waller by deed recorded in Volume 138, Page 243 of Cuyahoga County Records at a point on said Southerly line distant 220 feet Easterly from its point of intersection with the Easterly line of Woodhill Road, S.E.; thence Easterly along said Southerly line of Hulda Avenue, S.E., 40 feet;

thence Southerly at right angles with said Southerly line of Hulda Avenue, S.E., 108 feet to the Northerly line of land conveyed to W.W. Waller; thence Westerly along the Northerly line of land conveyed to W.W. Waller, 40 feet; thence Northerly 108 feet to the place of beginning, and being further known as Sublot No. 6 in Henry M. Johnson proposed Subdivision.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-051, as more fully described in Section 22 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426 and bounded and described as follows:

Beginning on the Southerly line of Hulda Avenue, S.E., (said Southerly line be parallel to and distant 108 feet Northerly, measured at right angles, from the Northerly line of land conveyed by R.H. Leonard to W.W. Waller by deed recorded in Volume 138, Page 243 of Cuyahoga County Records, at a point on said Southerly line distant 180 feet Easterly from its point of intersection with Easterly line of Woodhill Road, S.E., thence Easterly along said Southerly line of Hulda Avenue, S.E., 40 feet; thence Southerly at right angles with said Southerly line of Hulda Avenue, S.E., 108 feet to the Northerly line of land so conveyed to Waller; thence Westerly along the Northerly line of land so conveyed to Waller, 40 feet; thence Northerly 108 feet to the place of beginning, and being further known as Sublot No. 5 in Henry H. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426. Subject to zoning ordinances, if any.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-052, as more fully described in Section 24 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot Nos. 417 and 425, bounded and described as follows:

Beginning on the Southerly line of Hulda Avenue, S.E., (formerly Westlake Avenue) as conveyed to the City of Cleveland for street purposes by deed dated May 1, 1897 and recorded in Volume 668, Page 376 of Cuyahoga County Records, at a point distant Easterly measured along said Southerly line of Hulda Avenue, S.E., 140 feet from its intersection with the Easterly line of Woodhill Road, S.E., (formerly Woodland Hills Avenue); thence

Easterly along the Southerly line of Hulda Avenue, S.E., 40 feet; thence Southerly at right angles to the Southerly line of Hulda Avenue, S.E., 108 feet; thence Westerly parallel with the Southerly line of Hulda Avenue, S.E., 40 feet; thence Northerly in a direct line 108 feet to the place of beginning, being further known as Sublot No. 4 in Henry H. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426, be the same more or less, but subject to all legal highways.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-057, as more fully described in Section 26 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-057

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 418 and beginning on the Northerly line of Hulda Avenue, S.E., 241.69 feet Easterly from the Southeastery line of Woodhill Road, S.E.; thence Easterly along said Northerly line of Hulda Avenue, S.E., 40 feet; thence Northerly at right angles with said Northerly line of Hulda Avenue, S.E., 99.21 feet to the Northerly line of land conveyed to Raymond E. Leonard by deed dated April 1, 1848, and recorded in Volume 42, Page 36 of Cuyahoga County Records; thence Westerly along the Northerly line of land conveyed to Raymond H. Leonard, 40 feet; thence Southerly 98.88 feet to the place of beginning and being further known as Sublot No. 86 in Henry E. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-059, as more fully described in Section 28 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-059

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

Beginning on the Northerly line of Hulda Avenue, S.E., (formerly Westlake Avenue) as established by deed to the City of Cleveland recorded in Volume 668, Page 376 of Cuyahoga County Records, at a point 321.69 feet Easterly from its intersection with the Easterly line of Woodhill Road, S.E.; thence Northerly at right angles to the Northerly line of Hulda Avenue, S.E., 99.54 feet to the Northerly line of land formerly owned by R.M. Leonard; thence Easterly along said

line of land Leonard's land 40.01 feet; thence Southerly parallel with the first described line 99.87 feet to the said Northerly line of Hulda Avenue, S.E.; thence Westerly along said line of Hulda Avenue, S.E., 40 feet to the place of beginning and being further known as Sublot No. 84 in Henry M. Johnson's Proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 425 and 426.

Subject to zoning ordinances, if any.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-060, as more fully described in Section 30 below, to Buckeye Area Development Corporation or its designee.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P.P. No. 128-01-060

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 83 in Henry H. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426; Beginning on the Northerly line of Hulda Avenue, S.E., (45 feet wide), at a point on said Northerly line, 361.69 feet Easterly from the its intersection with the Easterly line of Woodhill Road, (80 feet wide); thence Northerly at right angles to Hulda Avenue, S.E., 99.87 feet to the Northerly line of R.H. Leonard land; thence Easterly along said Northerly line of R.H. Leonard land, 40.01 feet to a point; thence Southerly at right angles with Hulda Avenue, S.E., 100.20 feet to the Northerly line of Hulda Avenue, S.E.; thence Westerly, along said Northerly line of Hulda Avenue, S.E., 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-062, as more fully described in Section 32 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-062

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

Beginning on the Northerly line of Hulda Avenue, S.E., (formerly Westlake Avenue) 45 feet wide, (said Northerly line being parallel with and 153 feet Northerly from the Northerly line of land deeded by R.H. Leonard to W.W. Waller on March 1, 1866), at a point on said Northerly line of Hulda Avenue, S.E., 441.69 feet Easterly from the Easterly line of Woodhill Road, S.E., (formerly Woodland Hills Avenue); thence Easterly along the said Northerly line of Hulda Avenue, S.E., 40 feet; thence Northerly at right angles to said Hulda Avenue, S.E., 100.86 feet to the Northerly line of land formerly owned by R.H. Leonard; thence Westerly along said

Leonard's Northerly line 40 feet to a stake; thence Southerly parallel with the Easterly line 100.53 feet to the place of beginning, and being further known as Sublot No. 81 in Henry H. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426, be the same more or less, but subject to all legal highways.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-063, as more fully described in Section 34 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-063

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

Beginning on the Northerly line of Hulda Avenue, S.E., (formerly Westlake Avenue), (said Northerly line being parallel to and 153 feet Northerly from the Northerly line of land deeded by R.H. Leonard to W.W. Waller on March 1, 1886) at a point on said Northerly line of Hulda Avenue, 481.69 feet Easterly from the Easterly line of Woodhill Road, (formerly Woodland Hills Avenue), said point also being the Southeastery corner of land conveyed to Sarah Harkavy by deed dated April 6, 1922, and recorded in Volume 2506 of deeds, Page 162 of Cuyahoga County Records; thence Easterly along Northerly line of Hulda Avenue, S.E., 40 feet to the Southwestery line of land conveyed to Carlos F. Lang and Velma A. Lang by deed dates September 17, 1947 and recorded in Volume 6422 of deeds, Page 139 of Cuyahoga County Records; thence Northerly along the Westerly line of said land conveyed to Lang, 106.19 feet to the Northwestery corner of land conveyed to said Lang; thence Westerly about 40 feet to the Northeastery corner of land conveyed to said Harkavy; thence Southerly along the Easterly line of land conveyed to said Harkavy 100.86 feet to the place of beginning, and being further known as Sublot No. 80 in Henry H. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425, be the same more or less, but subject to all legal highways.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-064, as more fully described in Section 36 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-01-064

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

Beginning on the Northerly line of Hulda Avenue, S.E., at a point 521.69

feet Easterly from its intersection with the Southeastly line of Woodhill Road, S.E., thence Easterly along the Northerly line of Hulda Avenue, S.E., 40 feet; thence Northerly at right angles to the Northerly line of Hulda Avenue, S.E., 101.51 feet to the Northerly line of land conveyed to Raymond H. Leonard by deed dated April 1, 1848 and recorded in Volume 42, Page 36 of Cuyahoga County Records; thence Westerly along the Northerly line of land so conveyed to Raymond H. Leonard, 40.0 feet; thence Southerly 101.19 feet to the place of beginning and being further known as Sublot No. 79 in Henry H. Johnson's proposed Subdivision of part of Original One Hundred Acre Lot Nos. 417, 418, 425 and 426.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-02-085, as more fully described in Section 38 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-02-085

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 58 in Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418, as shown by the recorded plat of said Subdivision in Volume 42 of Maps, Page 19 of Cuyahoga County Records. Said Sublot No. 58 has a frontage of 35 feet on the Northerly side of Grandview Avenue, S.E., and extends back between as appears by said plat, be the same more or less, but subject to all legal highways, line 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-02-086, as more fully described in Section 40 below, to Buckeye Area Development Corporation or its designee.

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

P.P. No. 128-02-086

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 59 in the Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418, as shown by the recorded plat of said Subdivision in Volume 42 of Maps, Page 19 of Cuyahoga County Records. Said Sublot No. 59 has a frontage of 35 feet on the Northerly side of Grandview Avenue, S.E., and extends back of equal width 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 41. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-088, as more fully described in Section 42 below, to Buckeye Area Development Corporation or its designee.

Section 42. That the real property

to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P.P. No. 128-01-088

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known Sublot No. 4 in the Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418 as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Grandview Avenue, S.E., and extending back between parallel lines 105 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-112, as more fully described in Section 44 below, to Buckeye Area Development Corporation or its designee.

Section 44. That the real property to be sold pursuant to Section 43 of this Ordinance is more fully described as follows:

P.P. No. 128-01-112

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 98 in Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Crestwood Avenue, S.E., and extending back of equal width 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 45. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-113, as more fully described in Section 46 below, to Buckeye Area Development Corporation or its designee.

Section 46. That the real property to be sold pursuant to Section 45 of this Ordinance is more fully described as follows:

P.P. No. 128-01-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 97 in Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Crestwood Avenue, S.E., and extending back between parallel lines 105 feet deep, be the same more or less, but subject to all legal highways.

Subject to an easement recorded in Volume 4811, Page 299 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

Section 47. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-119, as more fully described in Section 48 below, to Buckeye Area Development Corporation or its designee.

Section 48. That the real property

to be sold pursuant to Section 47 of this Ordinance is more fully described as follows:

P.P. No. 128-01-119

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 91 in Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Crestwood Avenue, S.E., and extending back of equal width 105 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 49. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-120, as more fully described in Section 50 below, to Buckeye Area Development Corporation or its designee.

Section 50. That the real property to be sold pursuant to Section 49 of this Ordinance is more fully described as follows:

P.P. No. 128-01-120

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 90 in Benham's Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418 as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records and being 40 feet front on the Southerly side of Crestwood Avenue, and extending back of equal width 105 feet as appears by said plat.

Subject to zoning ordinances, if any.

Section 51. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-122, as more fully described in Section 52 below, to Buckeye Area Development Corporation or its designee.

Section 52. That the real property to be sold pursuant to Section 51 of this Ordinance is more fully described as follows:

P.P. No. 128-01-122

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 40 feet of Sublot Nos. 130 and 131 in Luna Heights Subdivision of part of Original One Hundred Acre Lot No. 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records, together forming a parcel of land 40 feet front on the Northerly side of Crestwood Avenue, S.E., and extending back of equal width 80 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 53. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-01-123, as more fully described in Section 54 below, to Buckeye Area Development Corporation or its designee.

Section 54. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P.P. No. 128-01-123

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 133 in the Luna Heights Subdivision of part of Original One Hundred Acre Lot Nos. 417 and 418, as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Crestwood Avenue, S.E., and extending back 114.01 feet on the Westerly line, 114.02 feet on the Easterly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 55. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-02-184, as more fully described in Section 56 below, to Buckeye Area Development Corporation or its designee.

Section 56. That the real property to be sold pursuant to Section 55 of this Ordinance is more fully described as follows:

P.P. No. 128-02-184

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in Bigelow Allotment of part of Original One Hundred Acre Lot Nos. 425 and 426, as shown by the recorded plat in Volume 9 of Maps, Page 15 of Cuyahoga County Records, and being 50 feet front on the Northerly side of Shale Avenue, Southeast and extending back of equal width 126 feet, as appears by said plat.

Section 57. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 128-02-185, as more fully described in Section 58 below, to Buckeye Area Development Corporation or its designee.

Section 58. That the real property to be sold pursuant to Section 57 of this Ordinance is more fully described as follows:

P.P. No. 128-02-185

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 33-1/3 feet of Sublot No. 31 in Z.M. Bigelow's Subdivision of part of Original One Hundred Acre Lot Nos. 425 and 426, as shown by the recorded plat in Volume 9 of Maps, Page 15 of Cuyahoga County Records, and being 33-1/3 feet front on the Northerly side of Shale Street (now known as Shale Avenue Southeast) and extending back of equal width 126 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 59. 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 60. 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 61. 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 62. 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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1163-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed thirty five computers and not to exceed four printers, for the Division of Engineering and Construction, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed thirty five (35) computers and not to exceed four (4) printers to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Engineering and Construction, Department of Public Service.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-40-04-0414, Request No. 21890.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1167-96.

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

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

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

Whereas, the area located at Jennings Road is an area in which

housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

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

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

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

Section 1. That based upon information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area located at 4221 Jennings Road (Permanent Parcel No. 009-33-005 and 009-33-006) is a blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

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

Section 3. That the construction of approximately 110 new homes in attached units on a nine acre site in the Community Reinvestment Area is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of ten (10) years for 100% of the assessed taxes for the construction activities described above.

Section 4. That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 et seq. of the Ohio Revised Code and this ordinance. That this exemption from real property taxation is contingent upon all applicable requirements of Section 3735.65 et seq. of the Ohio Revised Code and this ordinance having been met.

Section 5. That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

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

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1168-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 46292, for Gateway North Garage with Donley's Inc., for the Department of Parks, Recreation and Properties.**

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make the following alterations and modifications in Contract No. 46292 with Donley's Inc. for the Gateway North Garage:

1. Amounts Recommended for Approval

A. Hazardous Materials Testing (CE-G7)

Additional amount of \$74 is required to test suspicious and potentially hazardous materials. Material found on an abandoned steam line was suspected to contain asbestos. The material was tested and found not to be hazardous.

B. Terminate Column Stubs. Remove Metal Guards (CE-G25)

A credit to the contract in the amount of \$879 was received as a result of the elimination of column stubs which were shown on the contract documents. The deletion of these stubs eliminated a potential driving hazard.

C. Delete Installation of Security Wiring Conduit (CE-G50)

A credit to the contract in the amount of \$3,781 was received as a result of eliminating security conduit specified to be installed as part of the Security Bid Package.

D. Relocation of Three Flagpoles (CE-G54)

Additional amount of \$6,603 is required to relocate three flagpoles from E. 4th Street to new location at the intersection of High Street and Ontario.

E. Chain Link Fence Around Sump Area (CE-G63)

Additional amount of \$4,518 were required to provide and install a five foot high chain link fence around the basement sump pit. This additional fence was the requirement to provide protection for the public.

F. Protective Railing (CE-G66)

Additional amounts of \$2,154 is required to provide and install additional safety guard rail between the poured-in-place concrete stairs and the exterior glass curtain wall. The addition of the rails provided the necessary safety protection required by City inspectors.

G. Delete Security Conduit to be Installed by Other Contractor (CE-G67)

A credit to the contract in the amount of \$4,260 was received as a

result of the deletion of security system rough-in items, installed as part of other work.

H. Rubble Removal (CE-G70)

Additional amount of \$17,199 is required to remove rubble along relocated Ontario Road. The rubble removal consisted of the removal and backfill of an abandoned vault. Donley's Inc. was instructed to do this work (outside of their work limits) as a result of the fast track nature of this work.

Total approved without qualifications	\$21,628
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2. Amounts recommended for approval for payment to contractors, but reimbursement of City should be pursued against Gateway or its consultants.

A. Additional Excavation (CE-G49)

Additional amount of \$585 is required to construct redesigned foundations. The size of buried utilities were shown incorrectly on the field survey, requiring modifications to the bridge foundation. These modifications required the contractor to provide additional excavation.

B. Mechanical Modifications (CE-G60)

Additional amount of \$5,722 is required to relocate and modify the mechanical ventilation system. The ductwork, return-air grille, flashing, and mechanical unit were required to be relocated and reworked to fit within the available clearance tolerances of the bridge. This situation should have been avoided during the design phase of the project.

C. Isolation Joint (CE-G69)

Additional amount of \$3,180 is required to install an isolation joint along column line C. This isolation joint was required to protect the Fourth Street Core wall from unexpected movement of the structure. This corrective action is required to avoid structural damage to the building, and should have eliminated in the design phase of the work.

D. Pedestrian Bridge Connection modifications (CE-G71)

Additional amount of \$2,793 is required to install the necessary roof flashing at the expansion joint between the Pedestrian Bridge and the Arena. Changes were required to the bridge as a result of changes made to the curtainwall of the Arena, therefore these cost should be charged to Gateway.

Total recommended for reimbursement:	\$12,280
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Total approved without qualifications	\$21,628
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Total recommended for reimbursement	12,280
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Total Recommended for Payment to the Contractor	\$34,917
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Original Contract Amount	\$ 10,242,690.00
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Subsidiary Addition	+ 34,917.00
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Revised Contract Amount	\$ 10,277,607.00
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which alteration has been recommended in writing by the said Director of Parks, Recreation and Properties, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Parks, Recreation and

Properties and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$34,917.00, to be paid from Fund No. 65 SF 004.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1169-96.
By Councilmen Johnson and Rokakis (by departmental request).**

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 46581, for Gateway East Garage parking controls with Reserve Electric Company, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make the following alterations and modifications in Contract No. 46581 with Reserve Electric Company for the Gateway East Garage parking controls:

1. Amounts Recommended for Approval

A. Conduit to Additional Coupon Readers (CE-G92)

Additional amount of \$876 is required to provide required electrical conduit to additional coupon readers purchased as part of other bid packages.

B. Gate Arm Modifications (CE-G99)

Additional amount of \$1,383 is required to modify the specified gate arms as required by the garage operator. The one piece gate arms were modified to be articulating arms which would extend further across the entrance lanes. This arrangement provides additional control.

C. ADA Ticket Booth Modifications (CE-G101)

Additional amount of \$501 is required to modify the ADA ticket booths. The booths were lowered to clear the existing opening. Field modifications were made to the ticket booth, which consisted of lowering the roof of the booth. These changes were made in the field to expedite the garage opening.

D. Modifications to Coupon Readers (CE-G103)

Additional amount of \$18,673 is required to adapt the specified hand held ticket readers to a permanently mounted, fixed-in-place configuration. This field modification was required by the Division of Parking.

E. Relocation of Traffic Signals and Cash Register Modifications (CE-G108)

Additional amount of \$3,478 is required to construct modifications to the Ticket Booth areas. Modifications to the traffic signals were

required by the Garage Operator. These modifications consisted of relocating the Red and Green Traffic Signals from the top of the ticket booths, to the side of the booths for better visibility. Modifications were also required to the cash registers to allow the manual operations of the gate arms and signals. These modifications were required by the garage Operators.

F. Back-charge to Modify Concrete Island at A.D.A. (CE-64) Ticket Booth

A credit to the contract in the amount of \$890 was charged for field modifications required to the concrete curbs under the A.D.A. ticket booth. The concrete island under the booth required modification to accommodate the unexpected door location on the ticket booth which was delivered. Therefore the cost of the necessary modifications to the concrete work were charge against this contract.

Total approved without qualifications	\$24,911
Remaining contingency allowance	250
Back-charge	890
	\$23,771

Original Contract Amount	\$ 589,000.00
Subsidiary Addition	+ 23,771.00
Revised Contract Amount	\$ 612,771.00

which alteration has been recommended in writing by the said Director of Parks, Recreation and Properties, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Parks, Recreation and Properties and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$23,771.00, to be paid from Fund No. 65 SF 003.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1170-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 46968, for Gateway North Garage security system with Precision Electric Company, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make the following alterations and modifications in Contract No. 46968

with Precision Electric Company for the Gateway North Garage security system:

1. Amounts Recommended for Approval

A. Elevator Security System (CE47)

Additional amount of \$2,298 is required to provide additional duress buttons within each elevator. This additional expense allows for the monitoring of each elevator by the security system when duress buttons are activated. The duress buttons were not included in the initial security package and had to be added.

B. Fiber Optic Interconnection (CE55)

Additional amount of \$90,844 is required to provide conduit and wiring and connections to the security equipment as required for proper equipment operation of the fiber optic security system. This re-routing and connections were required to sequence work and meet required timetables.

Total approved without qualifications	\$93,142
Remaining contingency allowance	(5,486)
	\$87,656

Original Contract Amount	\$ 217,900.00
Subsidiary Addition	+ 87,656.00
Revised Contract Amount	\$ 305,556.00

which alteration has been recommended in writing by the said Director of Parks, Recreation and Properties, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Parks, Recreation and Properties and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$87,656.00, to be paid from Fund No. 65 SF 004.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1171-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 46525, for Gateway East Garage pedestrian bridge with Singleton Construction Company, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make the following alterations and modifications in Contract No. 46525 with Singleton Construction Company for the Gateway East Garage pedestrian bridge:

1. Amounts Recommended for Approval

A. Footing Elevation Modification (CE-PB01)

Additional amount of \$3,606 is required to eliminate the obstruction of a fire hydrant at the west footing and a light pole base at the east footing.

B. Revise Soffit Expansion Joint Details (CE-PB02)

Additional amount of \$9,065 is required to close off the underside of the bridge from the sight lines of the East Garage and Arena windows.

C. Provide Additional Supply Air Ductwork (CE-PB04)

Additional amount of \$8,718 is required to provide insulation to the supply duct in the space beneath the bottom of the bridge floor and the exterior metal panels with Armaflex insulation.

D. Modification to Doors and Thresholds at East garage (CE-PB05)

Additional amount of \$1,000 is required to complete the installation of the bridge floor tile and expansion joint which abutted the East Garage floor.

E. Provide Conduit for Security System (CE-PB06)

Additional amount of \$641 is required to provide an empty conduit from the Arena to the East Garage in the open space beneath the bridge and to provide an outlet for security camera coverage on the bridge.

Total approved without qualifications	\$23,030
This project was inadvertently bid without an allowance. Therefore this Change Order consists of all of the projects Field Changes.	\$23,030

Original Contract Amount	\$ 922,000.00
Subsidiary Addition	+ 23,030.00
Revised Contract Amount	\$ 945,030.00

which alteration has been recommended in writing by the said Director of Parks, Recreation and Properties, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Parks, Recreation and Properties and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$23,030.00, to be paid from Fund No. 65 SF 003.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1172-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation, and Properties to accept an annual grant of cash or equipment for a period of three years from the NFL Charities for use in Cleveland Muny Football Association programs and various City recreation programs, and to enter into contracts with the Cleveland Muny Football Association and other agencies for implementation of these programs.

Whereas, pursuant to Ordinance

No. 303-96, passed March 8, 1996, Cleveland City Council required the NFL, within 30 days following the execution of certain agreements, to cause NFL Charities to contribute \$100,000 per year in cash or, if agreed to by the City, in equipment to the City for use in the Cleveland Muny Football Association programs; and

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

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

Section 1. That the Director of Parks, Recreation, and Properties (the "Director") is hereby authorized to accept from NFL Charities or its designee, an annual grant in the amount of \$100,000 over a three (3) year period for a total grant of \$300,000, or in lieu of all or some of the cash grant, the Director may accept a donation of equipment, provided it is of an equivalent dollar value as the cash grant, for the purpose of implementing Cleveland Muny Football Association programs and other City recreation programs.

Section 2. That any monies accepted pursuant to the authority in Section 1 of this Ordinance, shall be deposited into a separate grant fund.

Section 3. That the Director is hereby authorized to file all papers and execute all documents necessary to receive the funds under the grant or to receive the equipment in lieu of grant funds.

Section 4. That the Director is hereby authorized to apply said funds to City recreation programs, and to enter into contracts with the Cleveland Muny Football Association and other agencies or organizations to implement said programs.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1173-96.

By Councilman Lewis (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to the Ministerial Day Care Association to encroach into the public right-of-way on Superior Avenue with Banners, to be attached to utility poles (by separate permit), for the period beginning July 15, 1996 to September 30, 1996, to announce the Grand Opening of The Superior Head Start Academy.

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

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

Section 1. That the Director of Public Service is hereby authorized to issue a permit, revocable at the will of Council to the Ministerial Day Care Association, 12025 Shaker Boulevard, Cleveland, Ohio, its successors and assigns, to construct, use and maintain Banners to be attached to fourteen (14) Cleveland Public Power poles (by separate permit), to announce the Grand Opening of The Superior Head Start Academy. Said Banners, which may be assigned with prior consent of the Director of Public Service, will encroach into the public right-of-way of both the northerly and southerly sides of Superior Avenue between East 68th and East 72nd Streets, for the period beginning July 15, 1996 to September 30, 1996, at the locations more fully described as follows:

SUPERIOR AVE. - SOUTH SIDE, LOCATIONS OF BANNERS & POLE NUMBERS:

ADDRESS	POLE # & TYPE	ATTACHMENT
2nd St Light Pole W. of Giddings	KT11-30 - Steel	Banner
S.E. Corner of Giddings	KT11-32 - Steel	Banner
2nd St. Light Pole E. of Giddings	KT11-33 - Steel	Banner
3rd St. Light Pole E. of Giddings	KT11-34 - Steel	Banner
4th St Light Pole E. of Giddings	KT11-35 - Steel	Banner
S.W. Corner of Giddings	KT11-36 - Steel	Banner
2nd St. Light Pole E. of Addison	ST2-2 - Steel	Banner

SUPERIOR AVE. - NORTH SIDE, LOCATIONS OF BANNERS & POLE NUMBERS:

ADDRESS	POLE # & TYPE	ATTACHMENT
2nd St Light Pole W. of Giddings	KT11-46 - Steel	Banner
Opposite, S.E. Corner of Giddings	KT11-44 - Steel	Banner
2nd St. Light Pole E. of Giddings	KT11-43 - Steel	Banner
3rd St Light Pole E. of Giddings	KT11-42 - Steel	Banner
4th St. Light Pole E. of Giddings	KT11-41 - Steel	Banner
N.W. Corner Addison	KT11-40 - Steel	Banner
2nd St. Light Pole E. of E. 71 St.	ST1-2 - Steel	Banner

Section 2. That the Banners may be placed in the public right-of-way on Superior Avenue at the locations described in Section 1, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That this ordinance shall not be construed to create rights or grant permission to use or attach any hanging devices to the utility poles described in Section 1. Permission to use or attach hanging devices to the utility poles described in Section 1 must be secured directly from the owners of said utility poles.

Section 4. That the permit authorized herein 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 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1185-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of replacing the Edgewater pump station, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

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

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 11014.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1188-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance to amend Section 11 of Ordinance No. 1071-93, passed June 7, 1993, as amended by Ordinance No. 2017-94, passed October 24, 1994, relating to the designated funding source.

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 11 of Ordinance No. 1071-93, passed June 7, 1993, as amended by Ordinance No. 2017-94, passed October 24, 1994, is hereby amended to read as follows:

Section 11. That the cost of any expenditures authorized by this ordinance for any contract, including all public improvements, standard purchases, requirement contracts, acquisition of rights or interests in real property, and professional services, shall be paid from the funds and subfunds to which are

credited the proceeds of bonds and bond anticipation notes issued pursuant to Ordinance Nos. 1133-93 and 1003-95, and from the surplus fund and construction fund established under the trust indenture securing the City's Public Power System Improvement First Mortgage Revenue Bonds.

Section 2. That existing Section 11 of Ordinance No. 1071-93, passed June 7, 1993, as amended by Ordinance No. 2017-94, passed October 24, 1994, 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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1189-96.
By Councilmen Paulenske, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Bowman Distribution, or its designee, to provide economic development assistance to partially finance the acquisition of furniture, fixtures and equipment needed to relocate and update their corporate headquarters to The Erievue Tower, Cleveland, Ohio 44114.

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 Bowman Distribution, or its designee, to provide economic development assistance to partially finance the acquisition of furniture, fixtures and equipment needed to relocate and update their corporate headquarters to the Erievue Tower, Cleveland, Ohio 44114.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1189-96-A.

Section 3. That the costs of said contract shall not exceed Five Hundred Thousand Dollars (\$500,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 22271.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

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

tion 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.

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1191-96.
By Councilmen Paulenske, Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 47134, for Gateway North Garage electrical utility duct with Harrington Electric Company, for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make the following alterations and modifications in Contract No. 47134 with Harrington Electric Company for the Gateway North Garage electrical utility duct:

1. Amounts Recommended for Approval

A. C.P.P. Duct Bank Relocation (CE-G51)

Additional amount of \$22,357.21 is required to provide two (2) underground conduits from existing C.P.P. manhole at S.E. corner of site (E. 4th and Huron) to the existing marked manhole on Huron. The C.P.P. existing line fell within the new curb location as prescribed by the Huron Road Improvement Project. A new duct bank was required to be installed on a temporary basis to provide continuous service to the garage until such time that the Huron Rd. permanent duct bank was completed.

Total approved without qualifications	\$ 22,357.21
Balance of contingency	<u>(\$11,500.00)</u>
	\$ 10,857.21

Original Contract Amount	\$ 77,163.00
Subsidiary Addition	<u>+ 10,857.21</u>
Revised Contract Amount	\$ 88,020.21

which alteration has been recommended in writing by the said Director of Parks, Recreation and Properties, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the

Director of Parks, Recreation and Properties and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$10,857.21, to be paid from Fund No. 65 SF 004.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1194-96.
By Councilmen Robinson and Rokakis (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to accept a grant from the United States Department of Health and Human Services for the Healthy Start Initiative Program to be conducted by the City of Cleveland and various other agencies, to enter into contracts with other intended grant recipients and to enter into contracts to implement the program.

Whereas, pursuant to Ordinance Nos. 1257-91 and 2245-91, Council authorized the Director of the Department of Public Health to apply for and accept a grant for the City and other agencies to conduct the Healthy Start Initiative Program and to enter into contracts with various organizations and agencies for the development, implementation and operation of the Healthy Start Initiative Program (the "Program"); and

Whereas, the Program has been in operation for five (5) years, and additional funding is needed for the continued operation of the program in the future; and

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant from the United States Department of Health and Human Services to be given to the City for purposes of conducting the Healthy Start Initiative Program (the "Program") beyond its current expiration date of September 30, 1996, in accordance with the application which is on file with the Council in File No. 1194-96-A; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to file said application and to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

Section 2. That the application on file for the grant referred to in Section 1 of this ordinance, is made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Health is hereby authorized to enter into contracts with those organizations specified in the application for said grant, including the Metro Health System, Cleveland Neighborhood Health Services, Case

Western Reserve University, and other organizations and agencies, and to purchase such items as are necessary, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the development, operation and implementation of the Program.

Section 4. That the Director of Public Health is hereby authorized to enter into a contract or contracts for professional consultant services to plan and implement the Program.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1247-96.
By Councilman Coats.**

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Ward 10 Festival Committee to stretch banners on Eddy Road at St. Clair Ave., E. 140th St. at I-90, St. Clair Ave. at Coit Road, 18235 Green Road, and at E. 152nd St. and St. Clair Ave. for the period from July 19, 1996 to August 19, 1996, inclusive, publicizing the Ward 10 Community Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Ward 10 Festival Committee to install, maintain and remove banners on Eddy Road at St. Clair Ave., E. 140th St. at I-90, St. Clair Ave. at Coit Road, 18235 Green Road, and at E. 152nd St. and St. Clair Ave. for the period from July 19, 1996 to August 19, 1996, inclusive. Said banners shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1325-96.
By Mayor White.
An emergency ordinance approving the collective bargaining agreement with International Brotherhood of Electrical Workers, Local 38.**

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with International Brotherhood of Electrical Workers, Local 38, as set forth in File No. 1325-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Percentage Increase	Effective Date of Increase
Two percent (2%)	April 1, 1995
Three percent (3%)	April 1, 1996
Three percent (3%)	April 1, 1997

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

**Ord. No. 1326-96.
By Mayor White.
An emergency ordinance approving the collective bargaining agreement with Plumbers Local 55.**

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with Plumbers Local 55, as set forth in File No. 1326-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Percentage Increase	Effective Date of Increase
Two percent (2%)	April 1, 1995
Three percent (3%)	April 1, 1996
Three percent (3%)	April 1, 1997

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1327-96.
By Mayor White.
An emergency ordinance approving the collective bargaining agreement with City and County Waste Paper Drivers, Local 244.

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with City and County Waste Paper Drivers, Local 244, as set forth in File No. 1327-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Percentage Increase	Effective Date of Increase
Two percent (2%)	April 1, 1995
Three percent (3%)	April 1, 1996
Three percent (3%)	April 1, 1997

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

Passed July 17, 1996.
 Awaiting the approval or disapproval of the Mayor.

Ord. No. 1328-96.
By Mayor White.
An emergency ordinance approving the collective bargaining agreement with Municipal Foreman and Laborers Union, Local 1099 (CRAFTS).

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with Municipal Foreman and Laborers Union, Local 1099 (CRAFTS), as set forth in File No. 1328-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Percentage Increase	Effective Date of Increase
Two percent (2%)	April 1, 1995
Three percent (3%)	April 1, 1996
Three percent (3%)	April 1, 1997

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

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

Passed July 17, 1996.
 Awaiting the approval or disapproval of the Mayor.

Ord. No. 1329-96.
By Councilmen Britt, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Brunswick & Son Florist, or its designee, to provide economic development assistance to construct a facility at 10550 Carnegie 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 Brunswick & Son Florist, or its designee, to provide economic development assistance to partially finance the construction of a facility at 10550 Carnegie Avenue, Cleveland, Ohio, which will allow Brunswick & Son Florist to relocate from 9650 Carnegie Avenue, Cleveland, Ohio.

Section 2. That the terms of said financial assistance shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1329-96-A.

Section 3. That the costs of said contract shall not exceed One Hundred Thousand Dollars (\$100,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 22269.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

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

Passed July 17, 1996.
 Awaiting the approval or disapproval of the Mayor.

Ord. No. 1330-96.
By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing the Mayor to accept grants from the Ohio Public Works Commission for the rehabilitation of Cornell Road, Arlington Street, East 55th Street and Bessemer Avenue.

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 Mayor is hereby authorized to accept a grant in the approximate amount of \$1,446,400.00, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Cornell Road from Euclid Avenue to Murray Hill Road; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

Section 2. That the project grant agreement, File No. 1330-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the approximate amount of \$361,600.00, to be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21799.

Section 3. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$2,657,600.00, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Arlington Avenue from East 123rd Street to East 125th Street; and East 123rd Street (from Superior Avenue to Arlington Street); and East 125th Street (from Arlington Street to St. Clair Avenue); that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

Section 4. That the project grant agreement, File No. 1330-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the approximate amount of \$664,400.00, to be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21800.

Section 5. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$5,015,200.00, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating East 55th Street from Blanche Avenue to Woodland Avenue; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

Section 6. That the project grant agreement, File No. 1330-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of

the City of Cleveland to provide in cash matching funds in the approximate amount of \$1,253,800.00, to be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21797.

Section 7. That the Mayor is hereby authorized to accept a grant in the approximate amount of \$2,657,600.00, from the Ohio Public Works Commission, acting by and through its Director, to finance the capital improvement of rehabilitating Bessemer Avenue from East 65th Street to East 88th Street; that the Mayor is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds are hereby appropriated for the purposes set forth in the application for said grant.

Section 8. That the project grant agreement, File No. 1330-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the approximate amount of \$620,600.00, to be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21798.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1331-96.
By Councilmen Lewis, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1209-96, passed June 18, 1996, relating to the sale of real property located at 1890 and 1884 East 70th Street.

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

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

Section 1. That the title and Section 1 of Ordinance No. 1209-96, passed June 18, 1996, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1890 and 1884 East 70th Street to Alexandria Johnson Boone.

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and supplies is hereby authorized to sell Permanent Parcel No(s). 118-07-044 and 118-07-045, as more fully described in Section 2 below, to Alexandria Johnson Boone.

Section 2. That the existing title and Section 1 of Ordinance No. 1209-96, passed June 18, 1996, are hereby repealed.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1332-96.
By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 623-96, passed May 20, 1996, relating to the Storefront Renovation 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 Section 1 of Ordinance No. 623-96, passed May 20, 1996, is hereby amended to read as follows:

Section 1. That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of **\$773,000** from Fund No. 14 SF 022, Request No. 21675 for the operation of the Storefront Renovation Program for all related services including: to enter into rebate contracts with program applicants and to reimburse eligible administrative costs to local development corporations for implementation of the program.

Section 2. That existing Section 1 of Ordinance No. 623-96, passed May 20, 1996, is hereby repealed.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1333-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 49916 for site improvements to the Fairfax Recreation Center, with R. DiLillo & Co., for the Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make the following alterations and modifications in Contract No. 49916 with DiLillo & Co., for site improvements to the Fairfax Recreation Center, for the Department of Parks, Recreation and Properties.

Additions to Original Items:

Item #A3	Classified Fill Material (100 CY @ \$20.00/CY)	\$2,000.00
Item #A4	Rock Excavation (100 CY @ \$30.00/CY)	3,000.00
Item #A5	Additional Stone Material (100 CY @ \$25.00/CY)	2,500.00
Item #A6	Additional Excavation (100 CY @ \$10.00/CY)	1,000.00
Item #A7	Construction Sign (1 Ea. @ \$1625.00Ea.)	1,625.00
Item #A12	Breakthrough Connection (1 Ea. @ \$750.00Ea.)	750.00
Item #A19	Yard Drain (1 Ea. @ \$400.00/Ea.)	600.00
Item #A22	8" PVC Pipe (340 LF @ \$25.50/LF)	8,670.00
Item #A25	Underdrainage 4" (1000 LF @ \$3.00/LF)	3,000.00
Item #A26	Sheathing & Bracing (4 MBM @ \$550.00/MBM)	2,200.00
Item #A27	Fill Sand (100 Tons @ \$10.00/Ton)	1,000.00
Item #A28	4" Concrete (2460 SF @ \$3.00/SF)	7,380.00
Item #A32	6x20 Curb (260 LF @ \$20.00/LF)	5,200.00
Item #A33	Integral Curb (85 LF @ \$9.00/LF)	765.00
Item #A34	12x18 Curb (520 LF @ \$22.00/LF)	11,440.00
Item #A39	Stone Base (100 LF @ \$25.00/CY)	2,500.00
Item #A44	6' Chain Link Fence (738 LF @ \$18.30/LF)	13,505.40
Item #A51	Trash Receptacle (2 Ea. @ \$400.00 Ea.)	800.00
Item #A52	Wood Bench (4 Ea. @ \$750.00 Ea.)	3,000.00
Item #A60	Custom Park Sign (1 Ea. @ \$3700.00 Ea.)	3,700.00
Item #A63	Acer rubrum (1 Ea. @ \$355.00 Ea.)	355.00
Item #A65	Cercidiphyllum japonica (3 Ea. @ \$483.00 Ea.)	1,449.00

Item #A72	Pyrus calleryana 'Cleveland Select' (2 Ea. @ \$275.00 Ea.)	550.00
Item #A73	Pyrus calleryana 'Redspire' (3 Ea. @ \$275.00 Ea.)	825.00
Item #A75	Tilia cordata (2 Ea. @ \$288.00 Ea.)	576.00
Total Additions to Contract:		<u>\$78,390.40</u>

New Items for Subsidiary - Fairfax Recreation Center

Item #A85	Demolition/Grading/Site Prep (LS @ \$9960.00)	9,960.00
Item #A86	Subgrade Repair (LS @ \$4700.00)	4,700.00
Item #A87	Precase Catch Basin (3 Ea. @ \$900.00 Ea.)	2,700.00
Item #A88	3" Asphalt (1096 SY @ \$19.00/SY)	20,824.00
Item #A89	Colorcoat (1096 SY @ \$4.60/SY)	5,041.60
Item #A90	Linemarking (LS @ \$1,320.00)	1,320.00
Item #A91	10' Chain Link Fence (520 LF @ \$27.75/LF)	14,430.00
Item #A92	Basketball Standards (4 Ea. @ \$2650.00 Ea.)	<u>10,600.00</u>
Total New Items:		<u>\$69,575.60</u>

Original Contract Amount	\$ 437,933.18
Subsidiary Additions & New Items	+ <u>147,966.00</u>
TOTAL REVISED CONTRACT AMOUNT	\$ 585,899.18

which alteration has been recommended in writing by the said Director of Parks, Recreation and Properties, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Parks, Recreation and Properties and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$147,966.00, to be paid from Fund No. 20 SF 323.

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1334-96.
By Councilman Miller.
An emergency ordinance to vacate portions of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road hereinafter described.

Whereas, on the 29th day of April, 1996 the Council of the City of Cleveland adopted Resolution No. 167-96 declaring its intention to vacate portions of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 167-96 has been served upon the owners of all the property abutting West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 12th day of July, 1996, the Board of Revision of Assessments approved the vacation of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of West 204th Street, (50.00 feet wide), extending Northerly from the Northerly right-of-way of Hillside Road S.W., (60.00 feet wide), to the Southerly right-of-way of Grayhill Road S.W. (50.00 feet wide), AND

All that portion of West 205th Street, (50.00 feet wide), extending Northerly from the Northerly right-of-way of Hillside Road S.W., (60.00 feet wide), to its intersection with Grayhill Road S.W. (50.00 feet wide), AND

All that portion of Bacon Avenue S.W. (50.00 feet wide), extending Westerly from the Westerly right-of-way of West 205th Street (50.00 feet wide) to its Westerly terminus, said point also being the Westerly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records, AND

All that portion of Hillside Road S.W. (60.00 feet wide), extending Westerly from the Easterly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records, to its Westerly terminus, said point also being the Westerly line of the aforesaid Hillside Subdivision, AND

All that portion of Grayhill Road S.W. (50.00 feet wide), extending Westerly from the Easterly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records, to its intersection with West 205th Street (50.00 feet wide), be and the same are hereby vacated.

Section 2. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, herein provided by sending him a copy of this Ordinance.

Section 3. That this ordinance is hereby declared to be an emergency

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1335-96.
By Councilman Miller.
An emergency ordinance to vacate portions of Westport Avenue, West 180th Street, West 181st Street, and Sally Avenue, S.W., hereinafter described.

Whereas, on the 29th day of April, 1996 the Council of the City of Cleveland adopted Resolution No. 166-96 declaring its intention to vacate portions of Westport Avenue, West 180th Street, West 181st Street, and Sally Avenue S.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 166-96 has been served upon the owners of all the property abutting Westport Avenue, West 180th Street, West 181st Street, and Sally Avenue S.W., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 12th day of July, 1996, the Board of Revision of Assessments approved the vacation of Westport Avenue, West 180th Street, West 181st Street, and Sally Avenue S.W., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, Council is satisfied that there is good cause for vacating Westport Avenue West 180th Street, West 181st Street, and Sally Avenue

S.W., hereinafter described and that it will not be detrimental to the general interest and ought to be made: 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 all that portion of Westport Avenue S.W., (54.00 feet wide), extending Easterly from the Northerly prolongation of the easterly line of State Highway No. 713, also known as the Berea Freeway to its easterly terminus at its intersection with the westerly line of Harwel Road S.W. (80.00 feet wide), AND

All that portion of West 180th Street, (50.00 feet wide) extending Northerly from the Northerly line of Westport Avenue S.W., (54.00 feet wide), to the Northerly line of the Kroehle Company's Westport Subdivision as shown by the Recorded Plat in Volume 111, Page 39 of Cuyahoga County Records, AND

All that portion of West 181st Street (50.00 feet wide), and its Easterly and Westerly turnouts extending Northerly from the Northerly line of Sally Avenue S.W. (50.00 feet wide), to the Southerly line of Westport Avenue S.W. (54.00 feet wide), AND

All that portion of Sally Avenue S.W. (50.00 feet wide), extending Easterly from the Northerly prolongation of the Easterly line of Sublot Number 5 in the Westport Subdivision Number 2 as recorded in Volume 161, Page 25 of Cuyahoga County Records to its Easterly terminus, be and the same are hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Water and Heat equipment. The description of easement is as follows:

That portion of Westport Avenue S.W., (54.00 feet wide), extending Easterly from the Northerly prolongation of the easterly line of State Highway No. 713, also known as the Berea Freeway to its easterly terminus at its intersection with the westerly line of Harwel Road S.W. (80.00 feet wide), AND

All that portion of West 180th Street, (50.00 feet wide), extending Northerly from the Northerly line of Westport Avenue S.W., (54.00 feet wide), to the Northerly line of the Kroehle Company's Westport Subdivision as shown by the Recorded Plat in Volume 111, Page 39 of Cuyahoga County Records, AND

All that portion of West 181st Street (50.00 feet wide), and its Easterly and Westerly turnouts extending Northerly from the Northerly line of Sally Avenue S.W. (50.00 feet wide), to the Southerly line of Westport Avenue S.W. (54.00 feet wide), AND

All that portion of Sally Avenue S.W. (50.00 feet wide), extending Easterly from the Northerly prolongation of the Easterly line of Sublot Number 5 in the Westport Subdivision Number 2 as recorded in Volume 161, Page 25 of Cuyahoga County Records to its Easterly terminus.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in com-

pliance with plans approved by the Commissioner of the Division of Water and Heat of the City of Cleveland

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of Westport Avenue, West 180th Street, West 181st Street, and Sally Avenue S.W., herein provided by sending him a copy of this Ordinance.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1336-96.

By Councilman Paulenske (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to the Cort Shoe Development Limited Partnership in order for their tenant, Spy Bar, to erect an entranceway awning to their building which will encroach into the public right-of-way of West 6th Street.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the consent of the Director of Public Service to the Cort Shoe Development Limited Partnership, 1261-65 West 6th Street, Cleveland, Ohio 44113; its successors and assigns, to construct, use and maintain an entranceway awning on their building at 1261-65 West 6th Street, for their first floor tenant, "Spy Bar", which awning will encroach into the right-of-way of West 6th Street, at the locations more fully described as follows:

LEGAL DESCRIPTION FOR ENTRANCEWAY AWNING FOR SPY BAR/W. 6TH ST.

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

Beginning at a point on the Easterly line of West 6th Street (99.00 feet wide), 273.47 feet Southerly from the Southerly line of West Lakeside Avenue (99.00 feet wide); thence Westerly parallel with the Southerly line of West Lakeside Avenue, 16.00 feet; thence Southerly and parallel with the Easterly line of West 6th Street, 7.00 feet; thence Easterly and parallel with the Southerly line of West Lakeside Avenue 16.00 feet to the Easterly line of West 6th Street; thence Northerly along the Easterly line of West 6th Street, 7.00 feet to the place of beginning.

Section 2. That this awning is to be placed in the public right-of-way of West 6th Street and shall be constructed in accordance with plans and specifications approved by the

Commissioner of Engineering and Construction.

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

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1337-96.

By Councilman Paulenske.

An emergency ordinance to vacate a portion of Hazard Court N.E., hereinafter described.

Whereas, on the 13th day of May, 1996 the Council of the City of Cleveland adopted Resolution No. 322-96 declaring its intention to vacate a portion of Hazard Court N.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 322-96 has been served upon the owners of all the property abutting Hazard Court N.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 12th day of July, 1996, the Board of Revision of Assessments approved the vacation of Hazard Court N.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating Hazard Court N.E., hereinafter described and that it will not be detrimental to the general interest and ought to be made: 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 all that portion of Hazard Court N.E. (width varies), located between East 21st Street (66.00 feet wide), and East 22nd Street (66.00 feet wide), be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Water and Heat equipment. The description of easement is as follows:

That portion of Hazard Court N.E. (width varies), located between East 21st Street (66.00 feet wide), and East 22nd Street (66.00 feet wide).

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with plans approved by the Commissioner of the Division of Water and Heat of the City of Cleveland

Section 3. That the Clerk of Council be and she is hereby directed to

notify the Auditor of Cuyahoga County of the vacation of all that portion of Hazard Court N.E., herein provided by sending him a copy of this Ordinance.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1338-96.
By Councilmen Polensek and Rokakis (by departmental request).
An emergency ordinance to extend the retirement dates of Officer Emil A. Cielec and Sergeant John Kaminski for a one year period, for the Division of Police, Department of Public Safety.

Whereas, Section 135.07 of the Codified Ordinances of Cleveland, Ohio, 1976, provides that members of the Division of Police in the Department of Public Safety, attaining the age of sixty-five years, upon written request of the Police Chief, shall continue on active duty on a year-to-year basis subject to the approval of the Department of Public Safety and this Council; and

Whereas, Patrolman Emil Cielec and Sergeant John Kaminski possess great wealth of knowledge and expertise and have proven invaluable in attaining the goals of the Bureau of Traffic and the Homicide Unit, respectively; and

Whereas, pursuant to Ordinance No. 952-95, this Council granted a second one-year retirement extension to Patrol Officer Emil A. Cielec and that extension will expire on August 19, 1996, which is the eve of Patrol Officer Emil A. Cielec's sixty-seventh birthday; and

Whereas, the Director of Public Safety has approved the continuation on active duty by Patrolman Emil Cielec and Sergeant John Kaminski for a period of one year; 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 Sergeant John Kaminski of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on July 29, 1996, and that such continuation is hereby approved by this Council.

Section 2. That Patrolman Emil Cielec of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 20, 1996, and that such continuation is hereby approved by this Council.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1339-96.
By Councilmen Robinson and Rokakis (by departmental request).
An emergency ordinance to amend Section 2 of Ordinance No. 146-95, passed March 6, 1995, relating to a contract with Ameritech Advanced Data Services of Ohio, Inc.

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. 146-95, passed March 6, 1995 is hereby amended to read as follows:

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. 13 SF 422 and 13 SF 360, Request No. 21819."

Section 2. That existing Section 2 of Ordinance No. 146-95, passed March 6, 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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1340-96.
By Councilman Rokakis.
An emergency ordinance to amend Section 1 of Ordinance No. 722-96, passed April 22, 1996, relating to the granting of an easement to Chiuchiarelli Construction, Inc./Colabianchi Construction, Inc.

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. 722-96, passed April 22, 1996, is hereby amended to read as follows:

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that an easement interest in the property described in File No. 722-96-B is no longer needed for public use.

Section 2. That existing Section 1 of Ordinance No. 722-96, passed April 22, 1996, is hereby repealed.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1341-96.
By Councilman Britt.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Cleveland Play House to stretch

small flags on various utility poles on Carnegie Ave., between E. 83rd St. and E. 86th Street, and on Euclid Ave., between E. 83rd St. and E. 86th St., for the period from August 1, 1996 to September 1, 1996, inclusive, publicizing various Play House events.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Cleveland Play House to install, maintain and remove small flags on various utility poles on Carnegie Ave., between E. 83rd St. and E. 86th Street, and on Euclid Ave., between E. 83rd St. and E. 86th St., for the period from August 1, 1996 to September 1, 1996, inclusive. Said small flags shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which small flags will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said small flags and said small flags shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1342-96.
By Councilman Jackson.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Theresa Church to stretch a banner on Kinsman Avenue, between East 73rd Street and East 75th Street, for the period from August 3, 1996 to August 14, 1996, inclusive, publicizing its Gospel Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to St. Theresa Church to install, maintain and remove a banner on Kinsman Avenue, between East 73rd Street and East 75th Street, for the period from August 3, 1996 to August 14, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the

requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1343-96.

By Councilman Melena.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Our Lady of Mt. Carmel Church to stretch small flags on various light poles on Detroit Ave., between W. 58th St. and W. 75th St., and a banner on Detroit Ave. in front of the church for the period from July 1, 1996 to July 15, 1996, inclusive, publicizing its Annual Festival.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Our Lady of Mt. Carmel Church to install, maintain and remove small flags on various light poles on Detroit Ave., between W. 58th St. and W. 75th St., and a banner on Detroit Ave. in front of the church for the period from July 1, 1996 to July 15, 1996, inclusive. Said small flags and banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which small flags and banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said small flags and banner and said small flags and banner shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1344-96.

By Councilman Patton.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to

SirRah House and McDonald's to stretch a banner at Lee Road and Judson Drive for the period from July 21, 1996 to August 21, 1996, inclusive, publicizing its 7th Annual Rib Burn-Off.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to SirRah House and McDonald's to install, maintain and remove a banner at Lee Road and Judson Drive for the period from July 21, 1996 to August 21, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1345-96.

By Councilmen Robinson and Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the 11th Congressional District Caucus to stretch banners on Kinsman Avenue in the vicinity of Martin Luther King Blvd. and on Stokes Blvd. east of Cedar Avenue for the period from August 5, 1996 to September 4, 1996, inclusive, publicizing its Labor Day Picnic.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the 11th Congressional District Caucus to install, maintain and remove banners on Kinsman Avenue in the vicinity of Martin Luther King Blvd. and on Stokes Blvd. east of Cedar Avenue for the period from August 5, 1996 to September 4, 1996, inclusive. Said banners shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements

of law or ordinance. The permission of the owner of any pole from which banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1346-96.

By Councilman Smith (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to SPACES Gallery to construct, use and maintain two (2) banners (to be attached to CEI Utility Poles by separate permit), and which banners will encroach into the public right-of-way of the Superior Viaduct and West 24th Street.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the consent of the Director of Public Service to SPACES Gallery, 2220 Superior Viaduct, Cleveland, Ohio 44113; its successors and assigns, to construct, use and maintain two (2) banners for a collaborative art exhibit to identify "Urban Evidence" which will be attached to Cleveland Electric Illuminating Company Utility Poles (by separate permit), and which banners will remain in place for the period approximately from August 12, 1996 to October 27, 1996, and will encroach into the public right-of-way of the Superior Viaduct and West 24th Street by the plans submitted to the Council of the City of Cleveland File No. 1346-96-A, and at the locations more fully described as follows:

Situated in the City of Cleveland, Cuyahoga County, and known as being the following:

1.) The first utility pole located on the northwest corner of the Superior Viaduct and West 24th Street.

2.) The second utility pole located on the south side of the Superior Viaduct across from the SPACES' Gallery Building. (See plans submitted to The Council of the City of Cleveland, File No. 1346-96-A).

Section 2. That these banners are to be placed in the public right-of-way of the Superior Viaduct and West 24th Street, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction and also as shown in The Council of the City of Cleveland File No. 1346-96-A.

Section 3. That nothing herein contained shall create the right or grant permission from any owner/owners of the utility poles

for their use to place brackets, or other devices for attaching banners to said utility poles, at the locations described aforesaid and by the plans and specifications contained in The Council of the City File No. 1346-96-A.

Section 4. 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 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1347-96.

By Councilman Smith.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 14 (Phillip Priester - 3201 West 25th Street).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 14; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 14 at the locations specified: Phillip Priester - 3201 West 25th Street.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1348-96.

By Councilman Smith.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 14 (Phillip Priester - 1720 West 25th Street).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 14; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 14 at the locations specified: Phillip Priester - 1720 West 25th Street.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1349-96.

By Councilmen Willis, Lewis and Patmon.

An emergency ordinance consenting and approving the issuance of a permit for a "Health Trek '96" Race on September 7, 1996, sponsored by the American Cancer 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 a "Health Trek '96" Race, sponsored by the American Cancer Society, on September 7, 1996, beginning at Wade Oval to East Blvd. at the Garden Center, past the VA Hospital to Martin Luther King Jr. Drive, north to the East 88th Street ramp to Martin Luther King Jr. Drive, turn around and return along the same route (doing this route twice), 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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1350-96.

By Councilman Zone.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 19. (Ray Jones).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 19; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 19 at the locations specified: Ray Jones.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1351-96.

By Councilman Zone.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 19. (Phillip Priester - 10700 Lorain Avenue).

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public

interest to allow each of said persons to peddle in Ward 19; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 19 at the locations specified: Phillip Priester - 10700 Lorain Avenue.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1372-96.
By Councilman Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract with Ohio Power Company for professional services and associated equipment and materials to provide engineering, service restoration, and other related services, on an as needed basis, to restore customer service during emergencies, 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 enter into contract with Ohio Power Company for professional services and associated equipment and materials necessary to provide engineering, service restoration and other related services, on an as needed basis, to restore service to Cleveland Public Power customers during emergency situations, for a period of ninety (90) days, on the basis of such provisions relating to emergency restoration of service contained in its proposal dated May 31, 1996, as

are acceptable to the Directors of Public Utilities and Law, for the Division of Cleveland Public Power, Department of Public Utilities. The Council shall be notified whenever the services of Ohio Power Company are utilized to restore service to Cleveland Public Power customers pursuant to the contract authorized by this ordinance.

Section 2. That 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 of services 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 22104)

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 July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1375-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Sections 4, 8, 13, 14, 18, 19 and 41 of Ordinance No. 486-96, passed April 1, 1996, 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 4, 8, 13, 14, 18, 19 and 41 of Ordinance No. 486-96, passed April 1, 1996, are hereby amended to read, respectively, as follows:

Section 4. Employees of Council — Salary.

That the Clerk of Council, with the approval of the President of Council, shall fix the salary of the employees of Council within the limits established in the following schedule for each classification:

	Minimum	Maximum
1. Archivist.....	\$15,000.00	\$51,500.00
2. Chief of Consumer Affairs.....	17,593.45	56,650.00
3. Chief Legislative Secretary.....	17,593.45	51,500.00
4. Clerk's Deputy Assistant.....	17,593.45	51,500.00
5. Clerk's Assistant.....	\$14.65 per hour	\$16.17 per hour
6. Councilmanic Assistants (Part-Time).....	\$5.77 per hour	\$11.10 per hour
7. Council Receptionist.....	15,000.00	30,900.00
8. Director of Communications.....	20,108.26	56,650.00
9. First Assistant Clerk.....	20,109.43	51,500.00
10. Fiscal Officer.....	\$24.98 per hour	\$38.09 per hour
11. Fiscal Secretary.....	15,000.00	48,827.15
12. Information Systems Coordinator.....	17,593.00	61,800.00
23. Information Systems Manager.....	17,593.00	56,235.94
14. Legislative Assistants.....	15,000.00	41,200.00
15. Legislative Assistant/Administrative Secretary.....	15,000.00	48,827.15
16. Legislative Secretary.....	15,000.00	41,200.00
17. Office Administrator — Staff Director.....	17,593.45	61,800.00
18. Research Director.....	17,593.00	61,800.00
19. Sergeant-at-Arms.....	8,840.00	28,329.80

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

	Minimum	Maximum
1. Accountant I.....	\$ 6.36 per hour	\$14.24 per hour
2. Accountant II.....	\$ 7.06 per hour	\$15.63 per hour
3. Accountant III.....	\$ 7.96 per hour	\$17.32 per hour
4. Accountant Clerk I.....	\$ 4.81 per hour	\$11.54 per hour
5. Accountant Clerk II.....	\$ 5.46 per hour	\$12.47 per hour
6. Activities Therapist.....	\$ 9.15 per hour	\$10.97 per hour
7. AIDS Support Services Coordinator	\$10.49 per hour	\$12.27 per hour

	Minimum	Maximum
8.	Air Pollution Control, Engineer I	\$ 8.43 per hour \$18.32 per hour
9.	Air Pollution Control, Engineer II	\$ 8.96 per hour \$19.30 per hour
10.	Air Pollution Control, Engineer III	\$ 9.50 per hour \$20.34 per hour
11.	Air Pollution Engineer	\$12.04 per hour \$14.30 per hour
12.	Air Pollution Inspector I	\$ 9.48 per hour \$14.73 per hour
13.	Air Pollution Inspector II	\$ 7.53 per hour \$16.44 per hour
14.	Air Pollution Technician I	\$ 7.12 per hour \$15.63 per hour
15.	Air Pollution Technician II	\$ 7.53 per hour \$16.44 per hour
16.	Air Pollution Technician III	\$ 8.43 per hour \$18.32 per hour
17.	Airport Information Representative	\$ 8.56 per hour \$11.97 per hour
18.	Airport Operations Agent I	\$12.09 per hour \$14.80 per hour
19.	Airport Operations Agent II	\$15.18 per hour \$17.42 per hour
20.	Airport Safety Man	\$25,197.87 \$31,503.12
21.	Architect	\$ 9.73 per hour \$21.54 per hour
22.	Assistant Buyer	\$ 6.71 per hour \$14.95 per hour
23.	Assistant City Planner	\$ 7.12 per hour \$15.63 per hour
24.	Assistant Civil Engineer	\$ 7.12 per hour \$15.63 per hour
25.	Assistant Electrical Engineer	\$ 7.12 per hour \$15.63 per hour
26.	Assistant Mechanical Engineer	\$ 7.12 per hour \$15.63 per hour
27.	Assistant Plan Examiner	\$ 7.53 per hour \$16.44 per hour
28.	Associate Programmer	\$ 7.55 per hour \$16.75 per hour
29.	Bacteriologist	\$ 7.96 per hour \$17.32 per hour
30.	Bill Collector	\$ 8.56 per hour \$11.97 per hour
31.	Building Inspector	\$12.17 per hour \$15.89 per hour
32.	Camera Room Operator	\$ 6.04 per hour \$13.60 per hour
33.	Caseworker I	\$ 5.73 per hour \$13.00 per hour
34.	Caseworker II	\$ 6.36 per hour \$14.24 per hour
35.	Cashier/Starter	\$ 6.36 per hour \$14.24 per hour
36.	Chemist	\$ 8.90 per hour \$18.67 per hour
37.	Chief Miscellaneous Investigator	\$ 7.53 per hour \$16.44 per hour
38.	Citizens Information Representative	\$ 6.04 per hour \$13.60 per hour
39.	Civil Engineer	\$ 9.50 per hour \$21.54 per hour
40.	Claims Examiner	\$ 7.53 per hour \$16.44 per hour
41.	Clerk Typist	\$ 7.62 per hour \$ 8.92 per hour
42.	Clinical Laboratory Assistant	\$ 6.36 per hour \$13.60 per hour
43.	Clinical Laboratory Technician I	\$ 7.12 per hour \$15.63 per hour
44.	Clinical Laboratory Technician II	\$ 7.37 per hour \$16.75 per hour
45.	Cocaine Treatment Counselor I	\$ 8.56 per hour \$12.93 per hour
46.	Cocaine Intake Specialist	\$ 9.95 per hour \$11.64 per hour
47.	Community Development Code Enforcement Inspector I	\$14.08 per hour \$17.33 per hour
48.	Community Development Code Enforcement Inspector II	\$14.89 per hour \$18.32 per hour
49.	Community Development Code Enforcement Inspector III	\$15.70 per hour \$19.30 per hour
50.	Community Development Code Enforcement Inspector/Heating I	\$14.08 per hour \$17.33 per hour
51.	Community Development Code Enforcement Inspector/Heating II	\$14.89 per hour \$18.32 per hour
52.	Community Development Code Enforcement Inspector/Heating III	\$15.70 per hour \$19.30 per hour
53.	Community Development Code Enforcement Inspector/Refrigeration I	\$14.08 per hour \$17.33 per hour
54.	Community Development Code Enforcement Inspector/Refrigeration II	\$14.89 per hour \$18.32 per hour
55.	Community Development Code Enforcement Inspector/Refrigeration III	\$15.70 per hour \$19.30 per hour
56.	Community Development Code Enforcement Inspector/Trainee	\$ 9.97 per hour \$13.98 per hour
57.	Community Development Planner	\$ 9.87 per hour \$20.72 per hour
58.	Community Health Aide	\$ 4.81 per hour \$11.54 per hour
59.	Community Relations Representative I	\$ 6.04 per hour \$13.60 per hour
60.	Community Relations Representative II	\$ 7.53 per hour \$16.44 per hour
61.	Community Relations Representative III	\$ 9.51 per hour \$20.34 per hour
62.	Composing Equipment Operator	\$ 6.71 per hour \$14.95 per hour
63.	Computer Monitor Assistant	\$ 8.43 per hour \$ 9.87 per hour
64.	Computer Operator	\$ 7.53 per hour \$16.44 per hour
65.	Consumer Protection Specialist	\$ 5.73 per hour \$13.00 per hour
66.	Cook	\$ 9.73 per hour \$11.25 per hour
67.	Copy Center Operator	\$ 5.67 per hour \$12.47 per hour
68.	Cost Construction Estimator	\$ 8.34 per hour \$16.00 per hour
69.	Customer Service Representative	\$ 8.56 per hour \$11.97 per hour
70.	Data Control Clerk	\$ 5.24 per hour \$11.98 per hour
71.	Data Conversion Operator	\$ 8.48 per hour \$10.84 per hour
72.	Dental Assistant	\$ 4.71 per hour \$11.31 per hour
73.	Development Officer	\$ 8.96 per hour \$19.29 per hour

	Minimum	Maximum
74.	Dietician	\$ 9.08 per hour \$14.23 per hour
75.	Drug and Alcohol Counselor	\$ 9.05 per hour \$10.59 per hour
76.	Electrical Engineer	\$ 9.50 per hour \$21.54 per hour
77.	Electronic Engineer	\$ 9.54 per hour \$21.93 per hour
78.	Elevator Inspector	\$12.16 per hour \$17.33 per hour
79.	Environmental Technician	\$10.91 per hour \$13.01 per hour
80.	Family Planning Clerk	\$ 7.22 per hour \$ 9.98 per hour
81.	Financial Analyst	\$ 7.12 per hour \$15.63 per hour
82.	Financial Counselor	\$ 7.94 per hour \$16.44 per hour
83.	Fuel System Technician	\$ 8.96 per hour \$14.51 per hour
84.	General Health Aide	\$ 4.81 per hour \$11.54 per hour
85.	General Storekeeper	\$ 7.96 per hour \$17.32 per hour
86.	Geriatric Outreach Worker	\$ 7.12 per hour \$15.63 per hour
87.	Guard	\$ 6.55 per hour \$11.53 per hour
88.	Head Cook	\$ 5.46 per hour \$12.46 per hour
89.	Head Storekeeper	\$ 7.11 per hour \$15.64 per hour
90.	Health Educator I	\$ 6.36 per hour \$14.24 per hour
91.	Health Educator II	\$ 7.12 per hour \$15.63 per hour
92.	Heating Inspector	\$12.16 per hour \$15.89 per hour
93.	HIV Educator	\$ 8.17 per hour \$ 9.09 per hour
94.	House Connection Inspector	\$10.31 per hour \$13.29 per hour
95.	House of Correction Guard	\$10.10 per hour \$12.26 per hour
96.	Housing Inspector	\$12.47 per hour \$14.14 per hour
97.	Human Resources Contract Specialist	\$ 9.73 per hour \$21.53 per hour
98.	Human Resources On-the-Job Training Specialist	\$10.21 per hour \$18.31 per hour
99.	Human Resources Planner	\$10.74 per hour \$22.75 per hour
100.	Human Resources Special Projects Coordinator	\$10.21 per hour \$18.31 per hour
101.	Income Tax Tracer	\$ 6.36 per hour \$14.24 per hour
102.	Industrial Hygiene Engineer	\$ 9.73 per hour \$21.53 per hour
103.	Industrial Nuisance Inspector	\$ 6.36 per hour \$14.24 per hour
104.	Information Control Analyst	\$ 6.81 per hour \$14.92 per hour
105.	Inspector of Weights and Measures	\$ 5.73 per hour \$13.00 per hour
106.	Institutional Guard	\$ 9.50 per hour \$12.26 per hour
107.	Instrument Repairman	\$ 8.21 per hour \$14.23 per hour
108.	Instrumentation Technician I	\$14.41 per hour \$15.30 per hour
109.	Instrumentation Technician II	\$16.08 per hour \$16.85 per hour
110.	Intake Specialist	\$ 4.81 per hour \$11.54 per hour
111.	Job Retraining Assistant	\$ 7.12 per hour \$15.63 per hour
112.	Junior Cashier	\$ 5.24 per hour \$11.97 per hour
113.	Junior Chemist	\$ 5.46 per hour \$12.47 per hour
114.	Junior City Planner	\$ 6.36 per hour \$14.24 per hour
115.	Junior Civil Engineer	\$ 6.36 per hour \$14.24 per hour
116.	Junior Clerk	\$ 8.46 per hour \$ 9.98 per hour
117.	Junior Draftsman	\$ 5.46 per hour \$12.47 per hour
118.	Junior Engineering Aide	\$ 5.46 per hour \$12.47 per hour
119.	Laboratory Assistant	\$ 6.04 per hour \$13.60 per hour
120.	Laboratory Helper	\$ 4.77 per hour \$10.75 per hour
121.	Landscape Architect	\$ 9.50 per hour \$20.34 per hour
122.	Lead Pressman	\$ 8.93 per hour \$15.84 per hour
123.	Life Guard	\$ 4.25 per hour \$ 9.33 per hour
124.	Life Guard Captain	\$ 7.14 per hour \$ 9.33 per hour
125.	Mechanical Engineer	\$ 9.50 per hour \$21.54 per hour
126.	Messenger	\$ 4.77 per hour \$10.75 per hour
127.	Meter Reader	\$10.95 per hour \$13.97 per hour
128.	Minority Business Consultant	\$11.15 per hour \$23.97 per hour
129.	Miscellaneous Investigator	\$ 5.46 per hour \$12.47 per hour
130.	Monitoring, Auditing and Evaluation Coordinator	\$13.65 per hour \$15.86 per hour
131.	Office Machine Operator	\$ 8.46 per hour \$10.46 per hour
132.	Offset Duplicating Machine Operator	\$ 5.46 per hour \$12.47 per hour
133.	On The Job Training Specialist	\$12.71 per hour \$15.33 per hour
134.	Park and Recreation Planner	\$ 9.51 per hour \$20.34 per hour
135.	Parking Attendant	\$ 6.31 per hour \$11.54 per hour
136.	Parking Meter Collector	\$ 6.32 per hour \$11.51 per hour
137.	Parking Meter Serviceman	\$11.64 per hour \$12.12 per hour
138.	Permit Processing Specialist	\$ 7.00 per hour \$ 9.66 per hour
139.	Pharmacist	\$10.74 per hour \$22.75 per hour
140.	Pharmacodependent Rehabilitation Counselor I	\$ 6.49 per hour \$11.04 per hour
141.	Pharmacodependent Rehabilitation Counselor II	\$ 7.57 per hour \$13.05 per hour
142.	Photographer	\$ 9.08 per hour \$15.63 per hour
143.	Photographic Laboratory Technician	\$ 6.80 per hour \$13.60 per hour
144.	Photo-Litho Operator	\$ 5.48 per hour \$12.47 per hour
145.	Physical Director	\$ 8.33 per hour \$14.06 per hour
146.	Plan Examiner	\$ 7.96 per hour \$18.60 per hour
147.	Play Director	\$ 4.25 per hour \$ 9.84 per hour
148.	Police Radio Technician	\$13.99 per hour \$15.13 per hour
149.	Pressman	\$ 7.89 per hour \$15.34 per hour

150.	Preventive Health Counselor	\$13.59 per hour	\$15.90 per hour
151.	Preventive Health Educator	\$ 8.89 per hour	\$10.68 per hour
152.	Principal Cashier	\$ 7.24 per hour	\$16.75 per hour
153.	Principal Clerk	\$10.19 per hour	\$14.24 per hour
154.	Print Shop Helper	\$ 9.06 per hour	\$10.55 per hour
155.	Private Secretary	\$ 6.71 per hour	\$14.95 per hour
156.	Program Analyst	\$16.64 per hour	\$21.67 per hour
157.	Programmer	\$ 8.96 per hour	\$19.30 per hour
158.	Programmer Analyst	\$ 9.73 per hour	\$21.53 per hour
159.	Property Clerk	\$11.37 per hour	\$23.99 per hour
160.	Psychiatric Social Worker	\$12.48 per hour	\$15.58 per hour
161.	Psychologist I	\$10.74 per hour	\$20.73 per hour
162.	Psychologist II	\$12.88 per hour	\$24.44 per hour
163.	Public Health Nursing Aide	\$ 9.08 per hour	\$ 9.96 per hour
164.	Public Health Sanitarian I	\$10.91 per hour	\$13.31 per hour
165.	Public Health Sanitarian II	\$12.25 per hour	\$14.90 per hour
166.	Public Health Sanitarian III	\$13.23 per hour	\$15.54 per hour
167.	Public Health Sanitarian IV	\$8.78 per hour	\$19.29 per hour
168.	Public Information Officer	\$ 7.38 per hour	\$16.44 per hour
169.	Quality Assurance Analyst	\$ 8.96 per hour	\$19.29 per hour
170.	Radio Dispatcher	\$14.81 per hour	\$15.18 per hour
171.	Radio Technician	\$13.99 per hour	\$15.13 per hour
172.	Receptionist	\$ 6.06 per hour	\$11.00 per hour
173.	Records Manager	\$ 9.84 per hour	\$11.53 per hour
174.	Recreation Aide	\$ 4.25 per hour	\$ 7.68 per hour
175.	Recreation Instructor	\$ 4.81 per hour	\$11.54 per hour
176.	Recreation Instructor I	\$ 5.24 per hour	\$12.29 per hour
177.	Recreation Instructor II	\$ 5.46 per hour	\$12.78 per hour
178.	Recreation Instructor III	\$ 6.83 per hour	\$13.51 per hour
179.	Recreation Program Supervisor	\$ 6.83 per hour	\$12.55 per hour
180.	Redevelopment Advisor	\$ 7.96 per hour	\$17.32 per hour
181.	Redevelopment Coordinator	\$ 8.38 per hour	\$19.30 per hour
182.	Refrigeration Inspector	\$12.17 per hour	\$15.89 per hour
183.	Refugee Outreach Worker	\$ 8.40 per hour	\$10.74 per hour
184.	Registered Animal Health Technician	\$ 7.94 per hour	\$11.54 per hour
185.	Rehabilitation Advisor	\$ 6.71 per hour	\$14.95 per hour
186.	Sanitarian Aide	\$ 9.92 per hour	\$11.19 per hour
187.	Secretary	\$ 6.30 per hour	\$12.47 per hour
188.	Secretary to Director of Consumer Affairs	\$ 9.51 per hour	\$20.34 per hour
189.	Senior Assistant Architect	\$ 7.96 per hour	\$17.32 per hour
190.	Senior Assistant City Planner	\$ 7.96 per hour	\$17.32 per hour
191.	Senior Assistant Civil Engineer	\$ 7.96 per hour	\$17.32 per hour
192.	Senior Assistant Electrical Engineer	\$ 7.96 per hour	\$17.32 per hour
193.	Senior Assistant Mechanical Engineer	\$ 7.96 per hour	\$17.32 per hour
194.	Senior Assistant Traffic Engineer	\$ 7.96 per hour	\$17.32 per hour
195.	Senior Bacteriologist	\$ 6.71 per hour	\$14.95 per hour
196.	Senior Cashier	\$ 6.36 per hour	\$14.24 per hour
197.	Senior Chemist	\$ 7.53 per hour	\$16.44 per hour
198.	Senior Clerk	\$ 8.79 per hour	\$12.47 per hour
199.	Senior Computer Operator	\$ 8.96 per hour	\$19.30 per hour
200.	Senior Data Conversion Operator	\$ 5.73 per hour	\$13.00 per hour
201.	Senior Development Officer	\$12.63 per hour	\$25.33 per hour
202.	Senior Draftsman	\$ 6.36 per hour	\$14.24 per hour
203.	Senior Engineering Draftsman and Photographer	\$ 7.12 per hour	\$15.63 per hour
204.	Senior Information Control Analyst	\$ 7.38 per hour	\$16.44 per hour
205.	Senior Laboratory Technician	\$10.86 per hour	\$12.72 per hour
206.	Senior Landscape Architect	\$ 9.73 per hour	\$21.53 per hour
207.	Senior Site Inspector - Demolition	\$ 8.43 per hour	\$18.31 per hour
208.	Sewer Service Man	\$12.80 per hour	\$13.59 per hour
209.	Site Inspector	\$ 7.53 per hour	\$16.44 per hour
210.	Social Worker for Homeless	\$13.82 per hour	\$16.17 per hour
211.	Starter (Golf)	\$ 4.49 per hour	\$ 9.55 per hour
212.	S.T.D. Clerk	\$ 7.88 per hour	\$ 9.23 per hour
213.	Stenographer I	\$ 8.35 per hour	\$10.49 per hour
214.	Stenographer II	\$ 9.21 per hour	\$11.70 per hour
215.	Stenographer III	\$ 7.37 per hour	\$13.00 per hour
216.	Stock Clerk	\$ 5.46 per hour	\$12.84 per hour
217.	Storekeeper	\$ 6.36 per hour	\$14.64 per hour
218.	Street Obstruction Inspector	\$ 6.04 per hour	\$13.60 per hour
219.	Surveyor	\$ 8.96 per hour	\$19.30 per hour
220.	Tax Auditor I	\$ 7.12 per hour	\$15.63 per hour
221.	Tax Auditor II	\$ 7.96 per hour	\$17.32 per hour
222.	Technical Specialist	\$ 7.53 per hour	\$16.44 per hour
223.	Technical Specifications Writer	\$ 9.08 per hour	\$17.33 per hour
224.	Telephone Operator	\$ 5.24 per hour	\$11.97 per hour
225.	Telephone Supervisor	\$ 5.46 per hour	\$12.47 per hour
226.	Timekeeper	\$ 5.46 per hour	\$12.47 per hour

	Minimum	Maximum
227. Traffic Engineer	\$ 9.50 per hour	\$20.34 per hour
228. Traffic Sign and Marking Technician	\$11.69 per hour	\$12.47 per hour
229. Typist	\$ 8.48 per hour	\$10.84 per hour
230. Urban Planning and Development Technician	\$ 5.73 per hour	\$13.00 per hour
231. Utility Adjuster	\$ 9.09 per hour	\$13.80 per hour
232. Vector Control Assistant	\$ 8.90 per hour	\$10.41 per hour
233. Veteran's Counselor	\$ 7.38 per hour	\$14.15 per hour
234. Water Hydraulic Repairman	\$12.80 per hour	\$13.59 per hour
235. Water Meter Repairman	\$12.80 per hour	\$13.96 per hour
236. Water Pipe Repairman.....	\$11.59 per hour	\$13.96 per hour
237. Water Serviceman	\$ 9.05 per hour	\$11.59 per hour
238. Water System Construction Inspector	\$10.48 per hour	\$17.32 per hour

Section 13. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Security Officer	\$ 9.50 per hour	\$14.73 per hour

Section 14. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Maintenance Man	\$11.97 per hour	\$13.34 per hour
2. Concrete Mixer Driver	\$14.82 per hour	\$16.88 per hour
3. Dog Warden	\$11.04 per hour	\$12.30 per hour
4. Ground Maintenance Truck Driver II	\$12.34 per hour	\$14.12 per hour
5. Hostler	\$ 9.80 per hour	\$10.93 per hour
6. Parking Enforcement Officer	\$ 9.74 per hour	\$10.84 per hour
7. Street Carry-all Driver	\$15.55 per hour	\$17.96 per hour
8. Street Maintenance Equipment Leader	\$16.15 per hour	\$18.00 per hour
9. Street Equipment Maintenance Specialist	\$15.55 per hour	\$17.32 per hour
10. Tanker Truck Driver	\$15.55 per hour	\$17.87 per hour
11. Tow Truck Operator	\$11.80 per hour	\$13.52 per hour
12. Traffic Controller	\$ 9.73 per hour	\$10.84 per hour
13. Truck Driver	\$12.50 per hour	\$14.30 per hour
14. Waste Collection Driver	\$12.33 per hour	\$14.11 per hour
15. Waste Collection Roll-Off Driver.....	\$15.52 per hour	\$17.66 per hour

Section 18. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Chief Electrical Inspector	\$30,822.89	\$36,065.51
2. Community Development Code Enforcement Inspector/Electrical I	\$14.40 per hour	\$17.33 per hour
3. Community Development Code Enforcement Inspector/Electrical II	\$15.20 per hour	\$18.32 per hour
4. Community Development Code Enforcement Inspector/Electrical III	\$16.01 per hour	\$19.29 per hour
5. Electrical Inspector	\$29,217.91	\$34,187.56

Section 19. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Chief Plumbing Inspector	\$30,822.89	\$36,065.51
2. Assistant Plumbing Inspector	\$18,839.70	\$29,604.30
3. Community Development Code Enforcement Inspector/Plumbing I	\$14.40 per hour	\$17.33 per hour
4. Community Development Code Enforcement Inspector/Plumbing II	\$15.20 per hour	\$18.32 per hour
5. Community Development Code Enforcement Inspector/Plumbing III	\$16.01 per hour	\$19.29 per hour
6. Plumbing Inspector	\$29,217.91	\$34,187.56

Section 41. Hourly Rate-Crafts

Compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	Effective Date	Minimum	Maximum
1. Asbestos Worker	5-1-92	\$21.46	\$26.83
2. Asphalt Construction Foreman	5-1-96	17.69	26.53
3. Asphalt Raker	5-1-96	16.96	25.44
4. Asphalt Tamper	5-1-96	16.96	25.44

		Minimum	Maximum
5.	Boiler Maker	22.71	28.39
6.	Bricklayer	21.22	26.52
7.	Bricklayer Foreman	22.22	27.52
8.	Bricklayer Helper	17.42	26.13
9.	Carpenter	21.54	26.93
10.	Carpenter Foreman	22.54	28.18
11.	Carpenter Apprentice	5.97	16.43
12.	Cement Finisher	22.34	27.67
13.	Cement Finisher Foreman	23.34	26.74
14.	Construction Equipment Operator - Group A	21.44	26.68
15.	Construction Equipment Operator - Group B	21.32	26.53
16.	Construction Equipment Operator - Group C	21.04	26.30
17.	Construction Equipment Operator - Oiler - Group F	16.38	20.47
18.	Curb Cutter	17.34	26.01
19.	Electrical Worker	22.70	28.37
20.	Electrical Worker Foreman	23.70	30.47
21.	Glazier	21.52	26.90
22.	Ironworker	22.77	28.46
23.	Ironworker Foreman	23.77	29.71
24.	Jackhammer Operator	16.96	25.44
25.	Master Mechanic	21.84	27.18
26.	Overhead Floodlight Maintenance Man	21.19	26.49
27.	Painter	20.65	25.81
28.	Painter - Apprentice	6.95	14.89
29.	Painter Foreman	21.65	26.51
30.	Paver	17.19	25.79
31.	Paving Foreman	17.69	26.53
32.	Pipefitter (Welder)	23.73	29.66
33.	Pipefitter Foreman	24.73	30.66
34.	Plasterer	20.67	25.84
35.	Plumber (Welder)	23.30	29.13
36.	Plumber Foreman	24.30	30.13
37.	Roofer	21.54	26.12
38.	Sheet Metal Worker	22.51	28.14
39.	Sheet Metal Worker Foreman	23.51	29.14
40.	Sign Painter	22.55	25.61
41.	Sign Painter Unit Leader	23.55	26.61
42.	Spray Painter	20.22	23.34
43.	Superintendent of Construction Equipment	17.69	26.53

Section 2. That existing Sections 4, 8, 13, 14, 18, 19 and 41 of Ordinance No. 486-96, passed April 1, 1996, are hereby repealed.

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

Passed July 17, 1996.

Awaiting the approval or disapproval of the Mayor.

COUNCIL COMMITTEE MEETINGS

Wednesday, July 24, 1996

Committee of the Whole: 9:30 A.M. — Present: Westbrook, Chrm.; Britt, Coats, Jackson, Johnson, Lewis, McGuirk, Melena, Miller, O'Malley, Patmon, Patton, Paulenske, Polensek, Robinson, Rokakis, Rybka, Smith, White, Willis, Zone.

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