

The City Record

Official Publication of the City of Cleveland

August the Twenty-First, 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	Odellia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	James Rokakis	4685 Dornur Road	44109
16	Patrick J. O'Malley	6111 Brookside Drive	44144
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Dale Miller	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 - Randell T. Scott, Commissioner, Room 25
 Engineering and Construction - J. Christopher Nielson, Acting
 Commissioner, Room 518
 Motor Vehicle Maintenance, Donald L. Haskins, Commissioner, Harvard
 Yards
 Architecture - Kenneth 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, AUGUST 21, 1996

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CITY COUNCIL

WEDNESDAY, AUGUST 14, 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 August 14, 1996.

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

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

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

Absent: Mayor White and Directors Sobol Jordan, Hyer, Konicek, 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. 1407-96.

From the Village of Highland Hills re: Proposed Agreement for Enterprise Zone Tax Incentives between the Village of Highland Hills and National City Bank. Received.

File No. 1408-96.

From Cleveland-Cuyahoga County Port Authority re: Resolution No. 1996-50 and the Port Authority's Budget for the year 1997. Received.

File No. 1409-96.

From the Department of Public Safety re: Deposits and expenditures for the Mandatory Drug Fine Fund

and the Law Enforcement Trust Fund for the period January 1, 1996 to March 31, 1996. Received.

File No. 1410-96.

From the Division of Purchases and Supplies re: Monthly Report of all Department Requirement Contracts for July, 1996. Received.

File No. 1411-96.

From the Division of Purchases and Supplies re: Excess City Property - Reference No. 006-96. Received.

File No. 1412-96.

From the Division of Purchases and Supplies re: Excess City Property - Reference No. 011-96. Received.

File No. 1413-96.

From the Tax Incentive Review Council re: Resolution passed on July 24, 1996. Received.

File No. 1414-96.

From Mayor R. White re: The terms of a "framework for settlement" for expansion of Cleveland Hopkins International Airport. Received.

File No. 1415-96.

From the Northeast Ohio Regional Sewer District re: Manhole Rehabilitation Contract MR-7 to AAA Pipe Cleaning Corporation. Received.

File No. 1416-96.

From the Department of Public Utilities re: Purchase of the 1440 Lakeside Avenue Building. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1417-96.

Re: Transfer of Ownership Application - Application - 9693968 - Wing San, Inc., dba Golden House Restaurant, 5238 St. Clair Avenue. (Ward 13) Received.

File No. 1418-96.

Re: Transfer of Ownership Application - 4182903 - JRDT, Ltd., LLC dba Sam's Lounge, 3616 East 131st Street, 1st Floor and Basement. (Ward 3). Received.

File No. 1419-96.

Re: New Application - 8973918 - Renata Tomaszewicz, dba Ada Meat Market, 5603 Fleet Avenue. (Ward 12). Received.

File No. 1420-96.

Re: Transfer of Ownership Application - 4636771 - Kimberly, Inc. dba F & H Market, 3291 East 49th Street. (Ward 13). Received.

File No. 1421-96.

Re: Transfer of Location Application - 2330222 - Joe Duds, LLC dba

Joe Duds, 1017 Old River Road.
(Ward 13). Received.

File No. 1422-96.

Re: Transfer of Ownership Application - 3908913 - Hoi Tin City, Inc. dba Duffy's Tavern, 4301 Payne Avenue, 1st Floor and Basement. (Ward 13). Received.

File No. 1423-96.

Re: Transfer of Ownership Application - 79912660185 - Service Station Holdings, Inc., 3100 West 14th Street. (Ward 13). Received.

File No. 1424-96.

Re: Transfer of Ownership Application - 1115534 - Ira Dean Burgess, 3133 West 25th Street, 1st Floor. (Ward 14). Received.

File No. 1425-96.

Re: Transfer of Ownership Application - 6213011 - Muggs, Inc., 3194 West 25th Street, 1st Floor and Basement. (Ward 14). Received.

File No. 1426-96.

Re: Transfer of Ownership Application - 0006572 - A & T Georges, Corp. dba Cypress Beverage, 4533 State Road. (Ward 16). Received.

File No. 1427-96.

Re: Transfer of Ownership Application - 6591943 - Ossie's Beverage, Inc. dba Mo-Zie In Beverage, 14016 Triskett Road. (Ward 19). Received.

File No. 1428-96.

Re: Transfer of Ownership Application - 2806675 - Food, Inc., 9200 Wade Park Avenue, Unit A30 & 40. (Ward 7). Received.

File No. 1429-96.

Re: Transfer of Ownership Application - 1831036 - Trend Cross Enterprises, Inc. dba Capital Beverage St. Clair, 6104 St. Clair Avenue. (Ward 13). Received.

PLAT

File No. 1430-96.

By Councilman Melena.
West 49th Street and Tillman Avenue Subdivision. (Ward 17).
Bearing the recommendation of the Committees on Public Service and City Planning.
Without objection, plat approved.
Yeas 19. Nays 0.

COMMUNICATIONS

File No. 1431-96.

July 26, 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. Emmett Saunders 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, 2000.

Thank you for your consideration.

Sincerely,

Michael R. White
Mayor

Received. Referred to Committee on Mayor's Appointment.

CONDOLENCE RESOLUTIONS

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

Res. No. 1561-96. Verlie L. Rober-son.

Res. No. 1562-96. Hortense Davis Johnson.

Res. No. 1563-96. William C. Organ.

Res. No. 1564-96. Dominic Cali.

Res. No. 1565-96. Joseph R. Grimes.

Res. No. 1566-96. John Kavlick.

Res. No. 1567-96. Theresa Lorraine Beckles.

Res. No. 1568-96. Cecelia D. White.

Res. No. 1569-96. Ida B. Simpson.

Res. No. 1570-96. Elder Avery Van McKissack.

CONGRATULATORY RESOLUTIONS

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

Res. No. 1571-96. Dan Smith.

Res. No. 1572-96. James W. Rundle.

Res. No. 1573-96. Rev. Charlie W. Goodman, Jr.

Res. No. 1574-96. Morning Star Missionary Baptist Church.

Res. No. 1575-96. Class of 1976-John F. Kennedy High School.

Res. No. 1576-96. Carlton Moreland - Cleveland RBI Baseball.

Res. No. 1577-96. Cleveland RBI Baseball Champions - Heroes, Legends and Angels Divisions.

Res. No. 1578-96. Dr. Maxine Levin.

Res. No. 1579-96. Capt. Robert Vill-wock.

Res. No. 1580-96. Father James Grandillo.

Res. No. 1581-96. Ann Kreck.

Res. No. 1582-96. Hedy and Joseph Sommerfelt.

Res. No. 1583-96. Victor and Billie Jane Gulyassy.

Res. No. 1584-96. Puerto Rican Constitution Day.

Res. No. 1585-96. Edward and Grace Akiya.

Res. No. 1586-96. Matt Ghaffari.

Res. No. 1587-96. Robert "Bump" Taylor.

RESOLUTION OF RECOGNITION

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

Res. No. 1588-96. Sally Morillas.

Res. No. 1589-96. Carlos Baerga.

RESOLUTION OF APPRECIATION

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

Res. No. 1590-96. Melvin Baehr.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1432-96.
By Mayor White.

An emergency ordinance to amend Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2823-89, passed March 19, 1990, relating to assault.

Whereas, this ordinance constitutes an emergency measure providing for 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 621.03 of the Codified Ordinances of Cleve-

land, Ohio, 1976, as amended by Ordinance No. 2823-89, passed March 19, 1990, is hereby amended to read as follows:

Section 621.03 Assault

(a) No person shall knowingly cause or attempt to cause physical harm to another.

(b) No person shall recklessly cause serious physical harm to another.

(c) Whoever violates this section is guilty of assault, a misdemeanor of the first degree if the offense is committed by a caretaker against a functionally impaired person under his care.

(d) Notwithstanding the provisions of division (c) of this section, if the sentencing court determines that the victim of the offense was a public official or employee performing his official duties at the time of the offense, the court shall set the offender's fine at \$1,000.00 and, in addition to said fine, shall sentence the offender to not less than sixty (60) days' and not more than six (6) months' imprisonment. The minimum fine and imprisonment to be imposed by the court pursuant to this division (d) are mandatory. The court shall not suspend all or any portion of said fines and imprisonment.

Section 2. That existing Section 621.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2823-89, passed March 19, 1990, 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, Legislation, Finance.

Ord. No. 1433-96.

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

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

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

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

Section 1. That, it is hereby determined to make the public improvement of rehabilitating and reconstructing Cornell Road from Euclid Avenue to Murray Hill Road, including paving, grading, drainage, curbing, sidewalks, lighting,

streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, 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 Service is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

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

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

Section 4. That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

Section 5. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

Section 6. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

Section 7. That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21799, and from the proceeds of any grant funds from the Ohio Public Works Commission.

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

Ord. No. 1434-96.
By Councilmen Britt, Jackson, and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Brunswick Family, Ltd., or its designee, to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to relocate from their current facility to 10550 Carnegie Avenue, Cleveland, Ohio, 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, Brunswick Family, Ltd. (the "Enterprise") has proposed to relocate from their current facility to 10550 Carnegie Avenue; and

Whereas, the Enterprise has certified to the City that, but for abatement of personal property and 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 Brunswick Family, Ltd., or its designee(s), for enterprise zone incentives on the basis that Brunswick Family, Ltd. 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 Brunswick Family, Ltd., or its designee(s), to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to relocate from their current facility to 10550 Carnegie Avenue, 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. 1434-96-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, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1435-96.
By Councilmen Britt, Jackson, Rybka, and Rokakis (by departmental request).

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

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 between East 82nd Street and East 84th Street, Euclid to Chester Avenues 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 between East 82nd Street and East 84th Street, Euclid to Chester Avenues 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 between East 82nd Street and East 84th Street, Euclid to Chester Avenues, known as Beacon Place at Church Square (Permanent Parcel No. 119-02-020) 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 92 units, 32 single family homes and 60 townhouses in the area known as Beacon Place at Church Square, in the Community Reinvestment Area set forth in Section 1 is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for a period of fifteen (15) years for 100% of the assessed taxes for the construction activities described above.

Section 4. That the Commissioner of Redevelopment 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 requirement 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.

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

Ord. No. 1436-96.

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

An emergency ordinance authorizing the Directors of Public Service and Public Utilities to enter into contract with McCabe Corporation to provide professional services to design the public improvement of abating erosion of City property by relocating Mill Creek; authorizing said Directors to enter into contract for the making of such improvement; authorizing said directors to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for relocation purposes such real property as is necessary to make the public improvement.

Whereas, the City of Cleveland owns certain real property in the City of Garfield Heights near the

intersection of Canal and Warner Roads, upon which is located a portion of Mill Creek; and

Whereas, the City of Cleveland is under orders from the Ohio Environmental Protection Agency to abate the erosion of buried land fill material present on the City's property into Mill Creek; and

Whereas, the City has determined that relocation of Mill Creek would effectively abate any further erosion. In order to effectuate such relocation, the City must hire an engineering consultant in order to design the method of relocation, prepare engineering plans, and apply for any permits necessary to relocate the stream; and

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

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

Section 1. That, it is hereby determined to make the public improvement of relocating Mill Creek, (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service and the Division of Water Pollution Control, Department of Public Utilities.

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

Section 3. That the Directors of Public Service and Public Utilities are hereby authorized and directed to enter into a contract with McCabe Corporation for professional services necessary to design the Improvement on the basis of its proposals dated May 24, 1996, July 23, 1996, and July 30, 1996 in the total maximum sum of Fifty Thousand Dollars (\$50,000.00), for the Division of Engineering and Construction, Department of Public Service and the Division of Water Pollution Control, Department of Public Utilities.

Section 4. That the Directors of Public Service and Public Utilities are hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, and to execute such other documents, certificates, instruments, and applications as may be necessary to implement the Improvements for the Division of Engineering and Construction, Department of Public Service and the Division of Water Pollution Control, Department of Public Utilities.

Section 5. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for purposes of relocating Mill Creek, such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its fair market value.

Section 6. That the Directors of Public Service and Public Utilities are hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, environmental assessments, escrows, appraisers, and all other costs necessary for the acquisition of such property.

Section 7. That all agreements authorized by this ordinance shall be prepared by the Director of Law and shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

Section 8. That the costs of the engineering service contemplated in Section 3 herein shall be paid from Fund No. 20 SF 322, Request No. 21922.

Section 9. That the costs of Improvements and acquisition of property shall be paid from the fund to which are credited the proceeds of the sale of 1997 general obligation bonds or notes issued for the purposes which include the above Improvements.

Section 10. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1437-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one hydraulic side-dumping trailer with steel bins, for the Division of Waste Collection and Disposal, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one hydraulic side-dumping trailer with steel bins, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 13 SF 209, Request No. 23151.

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

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

Ord. No. 1438-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one aluminum gravity dump trailer, for the Division of Waste Collection and Disposal, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) aluminum gravity dump trailer, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 13 SF 209, Request No. 23152.

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

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

Ord. No. 1439-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the repair and resurfacing of Lorain Road to the Director of Transportation of the State of Ohio and authorizing the Director of Public Service 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 it is declared to be in the public interest that the consent of the City be and such consent is hereby given to the Director of Transportation of the State of Ohio to construct the following improvement in accordance with plans, specifications and estimates approved by said Director: The repair and resurfacing of Lorain Road (SR-10) from the West corporation line to West 65th Street (the "Improvement").

Section 2. That the City does hereby give its consent to the Project and its administration by the Director of the Ohio Department of Transportation, provided that this ordinance shall not be construed to impose any financial obligation on the City for such Project.

Section 3. That the Director of Public Service is hereby authorized and directed on behalf of the City to enter into any agreements with the Director of Transportation necessary to complete the planning and construction of the Improvement, which agreements shall contain the

terms and conditions set forth in this ordinance and such other terms and conditions as the Director of Public Service shall approve.

Section 4. That upon completion of the Improvements, the City will thereafter keep the affected highway open to traffic at all times, and will:

a) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and

b) Maintain each right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio, hold said right-of-way inviolate for public highway purposes, and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and

c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

d) Regulate parking by prohibiting all parking within the limits of the Improvement in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance.

Section 5. a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That the State will acquire any additional right-of-way required for the construction of the Improvement.

c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such manner as to be clear of any construction called for by the plans of the Improvement, and said companies have agreed to make such necessary rearrangements immediately after notification by the City or the Ohio Department of Transportation.

d) That it is hereby agreed that the City shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally-owned utilities and/or any appurtenances thereto, which do not comply with the provisions of ODOT Directive No. H-P-508, inside or outside the corporate limits as may be necessary to conform to the Improvement, and said rearrangements shall be done at such time as requested by the Ohio Department of Transportation Engineer.

e) That the construction, reconstruction and/or rearrangement of both publicly and privately owned utilities, referred to in subsections c) and d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Transportation Construction and Material Specifications and shall be subject to approval by the State.

f) That the installation of all utility facilities on the right-of-way

shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4, "Utility Relocations and Adjustments," and the Ohio Department of Transportation Rules on Utility Accommodation.

g) That the City hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to in subsections a) through f) of this section. Likewise the State agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the State's obligations made or agreed to in subsections a) through f) hereinafore.

Section 6. That the Clerk of Council is hereby authorized to furnish the Director of ODOT with three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

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

Ord. No. 1440-96.

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

An emergency ordinance authorizing the Director of Public Safety to enter into and execute a Lease for land at the northwest corner of East 55th Street and Carnegie Avenue with Encore Manufacturing Corporation and Koch Showalter Company for a term not to exceed one year, with an option to renew one term not to exceed one additional year.

Whereas, the City of Cleveland owns land at the corner of East 55th Street and Carnegie Avenue which is not needed for public use for the next year; and

Whereas, Encore Manufacturing Corporation and Koch Showalter Company proposed to lease such land; 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 Public Safety is authorized to enter into a Lease with Encore Manufacturing Corporation and Koch Showalter Company of the following described property which is determined to be not needed for public use during the term specified in Section 2 below:

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Sublot No. 11 in M. Schiely's Subdivision of part of Original Ten Acre Lot No. 73, as shown by the recorded plat in Volume 3, Page 19 of Cuyahoga County Map Records, and being further bounded and described as follows:

Beginning at the intersection of the Westerly sideline of East 55th Street, 100 feet wide, with the Northerly sideline of Carnegie Avenue, S.E., 86 feet wide;

Thence South 82° 02' 10" West along said Northerly sideline of Carnegie Avenue, S.E., a distance of 200.00 feet to a point;

Thence due North and parallel with said Westerly sideline of East 55th Street, a distance of 75.00 feet to a point;

Thence North 82° 02' 10" East and parallel with said Northerly side line of Carnegie Avenue, a distance of 200.00 feet to the Northeastly corner thereof; said point also being on said Westerly sideline of East 55th Street;

Thence due South along said Westerly sideline of East 55th Street, a distance of 75.00 feet to the place of beginning, be the same more or less but subject to all legal highways.

Section 2. That the term of the Lease authorized by Section 1 shall not exceed one year, with an option to renew one additional term not to exceed one year additional exercisable by the Director of Public Safety.

Section 3. That land leased pursuant to this ordinance shall be leased at one hundred dollars (\$100.00) per month.

Section 4. That 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, City Planning Commission, Finance, Law; Committees on Public Safety, City Planning, Finance.

Ord. No. 1441-96.

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

An emergency ordinance to amend Section 327.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 54-94, passed June 6, 1994, relating to penalty for violations of the Zoning Code.

Whereas, this ordinance constitutes an emergency measure providing for 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 327.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 54-94, passed June 6, 1994, is hereby amended to read as follows:

Section 327.99 Penalty

(a) Except as provided in divisions (c) and (d) below, any person, firm or corporation who violates any of the provisions of this Zoning Code or who fails to comply therewith shall, for each and every violation or failure, be fined not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00) or imprisoned for not less than ten days, nor more than ninety days, or both. A separate offense shall be deemed committed each day during or on which such violation or failure to comply is permitted to exist after notification thereof.

(b) The imposition of any penalty under this division shall not be construed as excusing or permitting the continuance of any violation, and when the violation constitutes a nuisance, any owner of the premises, whether the owner at the time the violation was committed or his assignee, shall be deemed guilty of a violation of this Zoning Code each day he permits such nuisance to continue unabated after due notice from the Commissioner of Building and Housing of the existence of such nuisance.

(c) Any person, firm, or corporation who violates any provision of Section 337.16 of this Zoning Code or who fails to comply therewith shall, for each and every violation or failure, be fined not less than two hundred fifty dollars (\$250.00), nor more than five hundred dollars (\$500.00) which fine shall not be seduced, waived or suspended. In addition, imprisonment for not less than ten days nor more than ninety days may be imposed. A separate offense shall be deemed committed each day during or on which such violation or failure to comply is permitted to exist after notification thereof.

(d) Whoever violates Sections 337.16, 337.23, 347.02, 347.08, 347.10, 349.02, 349.04, 349.13, 350.19, 357.13 or 357.14 shall be fined not more than one hundred dollars (\$100.00). In addition to any other method of enforcement provided for in this chapter, the above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

(e) A court of competent jurisdiction may require whoever is convicted of or pleads guilty to a violation of this Zoning Code to pay to the City's Department of Community Development, Division of Building and Housing, the fee for inspection of violations that have not been remedied, which fee is described in Sections 367.08, 3103.09 and 3105.26.

Section 2. That Section 327.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 54-94, passed June 6, 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.

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

Ord. No. 1442-96.

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

An emergency ordinance to amend Section 367.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 614-95, passed June 19, 1995, relating to penalty for violations of the Housing Code.

Whereas, this ordinance constitutes an emergency measure providing for 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 367.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 614-95, passed June 19, 1995, is hereby amended to read as follows:

Section 367.99 Penalty

(a) Whoever violates any provision of this Housing Code for which no other penalty is provided or any rule or regulation promulgated thereunder or fails to comply therewith or with any written notice or written order issued thereunder, or whoever refuses to permit entry by the Housing Inspector at a reasonable hour, and whoever interferes with, obstructs, hinders or delays such housing inspector while attempting to make such inspection shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for the first offense, and for a second or subsequent offense shall be fined not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00), or imprisoned for not more than six months or both. A separate offense shall be deemed committed each day during or on which an offense occurs or continues.

Whoever causes or permits the continuation of any violation of this Code or any rule or regulation promulgated hereunder or fails to comply therewith or with any written notice or written order issued hereunder, subsequent to conviction therefor shall be liable for further prosecution, conviction and punishment upon the same order or notice without the necessity of issuing a new order or notice, until full compliance has been had on such order or notice upon which the original conviction was had.

(b) Whoever violates Section 367.11 shall be fined not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00) for each offense thereof.

(c) Whoever violates Section 367.12 or 367.13 shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00).

(d) Whoever violates Section 371.01 shall receive a mandatory fine of not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000.00) or imprisoned for not more than six months or both. A separate offense shall be deemed committed each day

during or on which an offense occurs or continues.

(e) Whoever violates Sections 369.08, 369.13, 369.17, 369.18, 369.19, 371.05, 371.07, 371.10 or 371.13 shall be fined not more than one hundred dollars (\$100.00). In addition to any other method of enforcement provided for in this chapter, the above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure. Whoever violates Sections 392.02, 392.03, 392.04, 392.05 or 392.06 is subject to the penalty established in Section 392.99 of these Codified Ordinances. In addition to any other means of enforcement provided for in these Codified Ordinances by statute, Sections 392.02, 392.03, 392.04, 392.05 or 392.06 may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Rules of Criminal Procedure, provided that the offense is a minor misdemeanor.

(f) A court of competent jurisdiction may require whoever is convicted of or pleads guilty to a violation of this Housing Code to pay to the City's Department of Community Development, Division of Building and Housing, fees for inspections of violation that have not been remedied, which fee is described in Sections 367.08 and 3105.26, and the expenses or costs incurred under the provisions for demolition or boarding contained in the Housing Code.

Section 2. That existing Section 367.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 614-95, passed June 19, 1995, is hereby repealed.

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

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

Ord. No. 1443-96.

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

An emergency ordinance to amend Section 3103.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 54-94, passed June 6, 1994, relating to penalty for violations to the Building Code.

Whereas, this ordinance constitutes an emergency measure providing for 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 3103.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 54-94, passed June 6, 1994, is hereby amended to read as follows:

Section 3103.99 Penalty

(a) Whoever violates any provision of this Building Code for which no other penalty is provided or any rule or regulation or order promulgated thereunder, or any code adopted herein, or fails to comply with

the lawful order issued pursuant thereto is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than six (6) months or both. Each day during which noncompliance or a violation continues shall constitute a separate offense.

(b) Whoever violates Sections 3101.10, 3101.11, 3103.10, 3105.01, 3105.02, 3105.05, 3109.11, 3113.03, 3113.10, 3113.16 or 3125.01 shall be fined not more than one hundred dollars (\$100.00). In addition to any other method of enforcement provided for in this chapter, the above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

(c) As provided by RC 2901.23 and 2929.31, organizations convicted of an offense shall be fined not more than five thousand dollars (\$5,000.00) for a misdemeanor of the first degree.

(d) A court of competent jurisdiction may require whoever is convicted of or pleads guilty to a violation of this Building Code, to pay to the City's Department of Community Development, Division of Building and Housing, the fee for inspection of violations that have not been remedied, which fee is described in Sections 3103.09 and 3105.26, and the expenses or costs incurred under Section 3103.09 for the removal, repair, alteration, securing or boarding of a building or structure.

Section 2. That Section 3103.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 54-94, passed June 6, 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.

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

Ord. No. 1444-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept a grant from the United States Department of Housing and Urban Development for the Homeownership Zone 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 Community Development is hereby authorized to apply for and accept a grant from the United States Department of Housing and Urban Development, to conduct the Homeownership Zone Program, for the purposes set forth in the application and according thereto; that the Director of Community Development 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. 1444-96-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 Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

Ord. No. 1445-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support Housing, or its designee, to provide financial assistance in the form of a Community Development Float Loan to be used as compensating balance deposits in its rehabilitation loan programs.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into a Community Development Float Loan Agreement with Cleveland Action to Support Housing ("C.A.S.H."), or its designee, to provide financial assistance to be used as compensating balance deposits in its rehabilitation loan programs.

Section 2. 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 he is hereby authorized to amend said terms, from time to time, as he deems necessary to remain consistent with said laws and regulations.

Section 3. That the costs of said contract shall not exceed Five Hundred Thousand Dollars (\$500,000.00), and shall be paid from Fund No. 14 SF 810, Request No. 23054.

Section 4. That the Director of Community Development is hereby authorized to accept collateral as he shall deem adequate in order to secure repayment of said loan. Any and all security agreements or other agreements shall be prepared and approved by the Director of Law.

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

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

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

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

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

Ord. No. 1446-96.
By Councilman Lewis (by request).

An emergency ordinance rescinding the designation of the Newton Avenue Historic Landmark District as an historic landmark district within the City.

Whereas, pursuant to Ordinance 132-86, passed May 5, 1986, this Council designated and established the Newton Avenue Historic Landmark District (Map Change No. 1621, Sheet No. 5 and 9); and

Whereas, this Council wishes to rescind the designation of the area described in Ordinance No. 132-86 as an historic landmark district and, thus, relieve the property owners in this area from any of the duties or penalties contained in Chapter 161; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the decision to rescind the landmark designation should be effective immediately so as not to adversely affect the interest of the owners within the landmark district; now, therefore,

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

Section 1. That, in accordance with division (b)(6) of Section 161.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the designation of the Newton Avenue Historic Landmark District, as described and defined in Ordinance No. 132-86, passed May 5, 1986, is hereby rescinded.

Section 2. That the rescission of the Newton Avenue Historic Landmark District shall be noted on the Building Zone Maps of the City of Cleveland on file in the Office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 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, Law; Committee on City Planning.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting

new Section 605.031, relating to urinating in public and/or defecating in public, and imposing a penalty therefor.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 605.031 thereof to read as follows:

Section 605.031 Urinating and/or Defecating In Public: Penalty

(a) No person shall recklessly cause inconvenience, annoyance, or alarm to another by imprudently exposing his or her private parts in a public place to urinate and/or defecate.

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

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

(2) Takes reasonable precautions against discovery; and

(3) Is not imprudent in choosing a site.

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

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

Referred to Director of Law; Committee on Legislation.

Ord. No. 1448-96.
By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed two scissor lifts, including appurtenances and installation, if necessary, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed two (2) scissor lifts, including appurtenances and installation, if necessary, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 20859.

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

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

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

Ord. No. 1449-96.
By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed twelve complete bunker gear suits, and additional auxiliary gear for Airport Rescue Fire Fighters, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed twelve (12) bunker gear suits, and not to exceed twenty-four (24) pairs of turnout gloves and suspenders for the Airport Rescue Fire Fighters personnel, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 20857.

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

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

Ord. No. 1450-96.
By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract No. 44164 with APCOA/Etna Parking, a joint venture, to extend the term of the lease and to increase the leased premises, 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 an Amendment to Lease between the City and APCOA/Etna Parking, a joint venture ("Lessee"), City Contract No. 44164, to extend said lease term an additional six (6) years and to increase the leased premises from 9.77 acres to approximately 15.6 acres.

All other terms and conditions contained in the original lease shall remain the same.

Section 2. That the Amendment to the Lease herein authorized shall be prepared by the Director of Law and shall contain such 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.

Ord. No. 1451-96.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept annual allocations of federal funds under Titles II and III of the Job Training Partnership Act from the Ohio Bureau of Employment Services and to make appropriations for the current expenses of the Department of Personnel and Human Resources.

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

Whereas, in accordance with the JTPA, the Governor of the State of Ohio has designated service delivery areas for the JTPA throughout Ohio and the Governor has designated the geographic boundaries of the City of Cleveland ("City") as a Service Delivery Area ("SDA") and Substate Area No. 20; and

Whereas, in accordance with the agreement required by the JTPA and approved by the Governor, executed on July 31, 1996 for the JTPA Program Years '96 and '97, for the period July 1, 1996 through June 30, 1998, between the Chairman of the Private Industry Council of Cleveland ("PICC") and the City, the City has been designated the JTPA grant recipient and administrative entity in SDA No. 20; and

Whereas, the Secretary of the United States Department of Labor has issued allotments of the JTPA funds to the Ohio Bureau of Employment Services which has issued allocations under the JTPA Titles II and III to the City for PY '96, subject to approval of the job training plan; and

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to accept the following allocations of grants from the State of Ohio under the JTPA, Title II-Training Services For The Disadvantaged, for delivery of allowable program services to eligible individuals, and to credit said grants to the fund and sub-funds designated herein:

<u>GRANT NAME</u>	<u>FUND</u>	<u>SUBFUND</u>	<u>AMOUNT</u>
Title II Part A 77% Adult Training Program	15	061	\$ 2,595,399.00
Title II Part A 5% Services For Older Individuals	15	062	168,899.00
Title II Parts A and C 8% State Education Coordination and Grants	15	066	247,763.00
Title II Part C 82% Youth Training Program	15	065	399,470.00
Title II Part B Summer Youth Employment and Training Program	15	054	2,418,281.00
Title III Employment and Training Assistance for Dislocated Workers	15	063	\$ 1,051,857.00
TOTAL			\$ 6,881,669.00

The Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to accept and receive the funds under said grant.

Section 2. That the following sums from each grant specified in Section 1 herein are hereby appropriated as follows to provide for administration of the JTPA program:

A. <u>Adult Training Program</u>	
Personnel and Related Expenses	\$ 520,000.00
Other Expenses	\$ 2,075,399.00
Total	\$ 2,595,399.00
B. <u>Services for Older Individuals</u>	
Personnel and Related Expenses	\$ 50,000.00
Other Expenses	\$ 118,899.00
Total	\$ 168,899.00
C. <u>State Education Coordination and Grants</u>	
Personnel and Related Expenses	\$ 50,000.00
Other Expenses	\$ 197,763.00
Total	\$ 247,763.00
D. <u>Youth Training Program</u>	
Personnel and Related Expenses	\$ 78,000.00
Other Expenses	\$ 321,470.00
Total	\$ 399,470.00

E.	<u>Summer Youth Employment and Training Program</u>	
	Personnel and Related Expenses	\$ 350,000.00
	Other Expenses	\$ 2,068,281.00
	Total	\$ 2,418,281.00
F.	<u>Employment and Training Assistance For Dislocated Workers</u>	
	Personnel and Related Expenses	\$ 230,000.00
	Other Expenses	\$ 821,857.00
	Total	\$ 1,051,857.00

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

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

Ord. No. 1452-96.
By Councilmen Patmon and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a grant from the Ohio Department of Education for a Nontraditional Employment For Women (New) Action Plan under the Job Training Partnership Act (JTPA) Title II Parts A and C 8% and to authorize appropriations to provide for administration of the Department of Personnel and Human Resources.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to accept a grant from the Ohio Department of Education for the delivery of allowable services, and to credit said grant to Fund No. 15 SF 037, in the amount of Seventeen Thousand Eight Hundred Seventy Four Dollars (\$17,874.00). That the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to accept and receive the funds under said grant.

Section 2. That the sum of \$17,874.00 in Section 1 herein is hereby appropriated for Personnel and Related Expenses of the Nontraditional Employment For Women (New) Action Plan.

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

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

Ord. No. 1453-96.
By Councilmen Patmon and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a Specialized Technical Assistance grant under the Title II of the Job Training Partnership Act from the Ohio Bureau of Employment Services and to authorize appropriations to provide for administration of the Department of Personnel and Human Resources.

Whereas, the Ohio Bureau of Employment Services has made

funds available for a Specialized Technical Assistance grant; and

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to accept a grant from the Ohio Bureau of Employment Services for the delivery of allowable program services; and, to credit said grant to Fund No. 15 SF 068, in the amount of Five Thousand Dollars (\$5,000.00). That the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to accept and receive the funds under said grant.

Section 2. That the sum of \$5,000.00 in Section 1 herein is hereby appropriated to provide for Personnel and Related Expenses for the Specialized Technical Assistance grant.

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

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

Ord. No. 1454-96.
By Councilmen Patmon and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into various contracts for Training Services For The Disadvantaged and Employment and Training Assistance For Dislocated Workers under the Job Training Partnership Act.

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

Whereas, the United State Depart-

ment of Labor has allotted JTPA funds to the Ohio Bureau of Employment Services ("OBES") which in turn has issued allocations under JTPA Titles II and III to the City of Cleveland, which has developed its annual job training and substate plan with OBES for Program Year '96, for the period of July 1, 1996 to June 30, 1997; and, an ordinance authorizing the Director of Personnel and Human Resources to accept such allocations is pending concurrent with this ordinance; and

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to enter into contracts for Central Services with the following service deliverers:

for Training Services For The Disadvantaged, Title II and Employment and Training Assistance For Dislocated Workers, Title III:

Professional Legal Services: David G. Hill and Associates Co., L.P.A.	\$ 125,000.00
Supportive Services: Towards Employment	\$704,052.00
Basic Readjustment and Retraining Services: United Labor Agency	\$1,000,000.00

Section 2. That the cost of the contracts in Section 1 shall not exceed One Million Eight Hundred Twenty Nine Thousand Fifty Two Dollars (\$1,829,052.00), and will be paid from Fund Nos. 15 SF 061, 15 SF 062, 15 SF 066, 15 SF 065, and 15 SF 063.

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

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

Ord. No. 1455-96.
By Councilmen Patmon and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Personnel and Human Resources to expend funds

for food and beverages during protracted labor negotiations and to pay Ogden Services Corporation for coffee and water service during four days of labor negotiations.

Whereas, this Council has determined that it is a proper public purpose to provide food and beverages during extended meetings with a majority of the City's labor union representatives called by the Director of Personnel and Human Resources to conduct negotiations regarding the City's collective bargaining agreements; and

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to expend funds to provide food and beverages during extended meetings called by the Director of Personnel and Human Resources with the representatives of a majority of the City's labor unions in order to negotiate collective bargaining agreements, in a total amount not to exceed One Hundred Dollars (\$100.00) per meeting.

Section 2. That the Director of Personnel and Human Resources is hereby authorized to cause payment to be made to Ogden Services Corporation in the total amount of \$236.00 to provide coffee and water service for labor negotiations which occurred during four days in June 1995, payable from Fund No. 01-04-02-0471.

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

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

Ord. No. 1456-96.

By Councilmen Patton and Rokakis (by departmental request). An emergency ordinance authorizing and directing the purchase by requirement contract of the rental of flasher safety lights, arrow bars and traffic control devices, for the various divisions of the 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 for the rental of flasher safety lights, arrow bars and traffic control devices 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 various divisions of 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 20952)

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. 1457-96.

By Councilmen Patton and Rokakis (by departmental request). An emergency ordinance authorizing and directing the purchase by requirement contract of service and maintenance of various heating, ventilation and air conditioning equipment, 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 service and maintenance on not to exceed three (3) boilers, not to exceed seventeen (17) radiant heaters, not to exceed nine (9) unit heaters, not to exceed seven (7) infra-red heaters, not to exceed six (6) exhaust fans, not to exceed six (6) roof top units, not to exceed two (2) air conditioning systems, and one (1) air handling unit in the estimated sum of \$30,000.00, 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 23001)

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. 1458-96.

By Councilmen Patton, Rybka and Rokakis (by departmental request). An emergency ordinance determining the method of making the public improvement of replacing and installing transformers and appurtenances at the Kirtland Pumping Station, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

Whereas, this ordinance constitutes an emergency measure providing for 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 and installing new transformers and appurtenances at the Kirtland Pumping Station, for the Division of Water, Department of Public Utilities, 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 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 for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund Nos. 52 SF 215, 52 SF 217 and 52 SF 219, Request No. 20960.

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

Ord. No. 1459-96.

By Councilman Paulenske.

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

Whereas, on the 20th day of November, 1995 the Council of the City of Cleveland adopted Resolution No. 1449-95 declaring its intention to vacate a portion of Sweeney Avenue S.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1449-95 has been served upon the owners of all the property abutting Sweeney Avenue S.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 9th day of August, 1996, the Board of Revision of Assessments approved the vacation of Sweeney Avenue S.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 Sweeney Avenue S.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 Sweeney Avenue S.E., (50 feet wide), extending Easterly from the Southerly prolongation of the Easterly line of East 51st Street (40.00 feet wide) to the Westerly line of East 55th Street (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 Light and Power, Division of Water and Heat, and Division of Water Pollution Control equipment. The description of easement is as follows:

That portion of Sweeney Avenue S.E., described as follows: Sweeney Avenue S.E., (50 feet wide), extending Easterly from the Southerly prolongation of the Easterly line of East 51st Street (40.00 feet wide) to the Westerly line of East 55th Street (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 Light and Power, the Commissioner of the Division of Water and Heat, and the Commissioner of the Division of Water Pollution Control 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 Sweeney Avenue S.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.

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

Ord. No. 1460-96.

By Councilmen Paulenske, Jackson and Rokakis.

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Office Restoration, Inc., or its designee, to provide economic development assistance to partially finance the acquisition and installation of machinery and equipment, make tenant improvements and to assist in the relocation to and expansion of their new facility located at 3615 Superior Avenue, 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 Office Restoration, Inc., or its designee, to provide economic development assistance to partially finance the acquisition and installation of machinery and equipment, make tenant improvements and to assist in the relocation to and expansion of their new facility located at 3615 Superior Avenue, 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. 1460-96-A.

Section 3. That the costs of said contract shall not exceed Seventy Five Thousand Dollars (\$75,000.00), and shall be paid from Fund Nos. 17 SF 003 and 17 SF 004, Request No. 22272.

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 005.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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

Section 8. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

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

Ord. No. 1461-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio State Board of Emergency Medical Services for the 1996-97 EMS E.M.T. Training Program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$29,996.00, from the Ohio State Board of Emergency Medical Services, to conduct the 1996-97 EMS E.M.T. Training Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 1461-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 1462-96.

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

An emergency ordinance authorizing the Director of Community Development to enter into contract with Mt. Pleasant Now Development Corporation, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the rehabilitation of the K.A.R.E. Building at 13010-16 Kinsman Road.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into a Community Development Float Loan Agreement with Mt. Pleasant Now Development Corporation, or its designee, to provide financial assistance to partially finance the rehabilitation of the K.A.R.E. Building at 13010-16 Kinsman Road.

Section 2. 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 he is hereby authorized to amend said terms, from time to time, as he deems necessary to remain consistent with said laws and regulations.

Section 3. That the costs of said contract shall not exceed Four Hundred Thousand Dollars (\$400,000.00), and shall be paid from Fund No. 14 SF 810, Request No. 23055.

Section 4. That the Director of Community Development is hereby authorized to accept collateral as he shall deem adequate in order to secure repayment of said loan. Any and all security agreements or other agreements shall be prepared and approved by the Director of Law.

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

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

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

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

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

Ord. No. 1463-96.

**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 State AIDS Community Based Care 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 \$37,250.00, from the Ohio Department of Health, to conduct the 1997 State AIDS Community Based Care 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. 1463-96-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. 1464-96.

**By Councilmen Robinson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of burials for indigent dead, for the Division of Health, Department of Public Health, for a period not to exceed two years.**

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21839)

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. 1465-96.

**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 State AIDS Prevention Program, and authorizing the Director of Public Health to enter into contracts with various agencies for the implementation of the Project.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$120,000.00, from the Ohio Department of Health, to conduct the 1997 State AIDS 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. 1465-96-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 contracts with Murtis H. Taylor Multi-Service Center, the City of East Cleveland, Community Action Against Addiction, and Stopping AIDS Is My Mission ("S.A.M.M.") for the implementation and operation of the Program, and that said contracts are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 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 Health, Finance, Law; Committees on Public Health, Finance.

Ord. No. 1466-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the Western Reserve Area Agency on Aging for the 1996 Title III-B Client Find/Supportive Services 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 Aging is hereby authorized to apply for and accept a grant in the amount of \$57,689.00, from the Western Reserve Area Agency on Aging, to conduct the 1996 Title III-B Client Find/Supportive Services Program, for the purposes set forth in the application and according thereto; that the Director of Aging 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. 1466-96-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$5,769.00 to be paid from Fund No. 01-02-01-0901, 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 Aging, Finance, Law; Committee on Finance.

Ord. No. 1467-96.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating and reconstructing East 55th Street from Blanche Avenue to Woodland Avenue; authorizing the Director of Public Service to employ professional design engineering services to design the public improvement; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commission of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.

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

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

Section 1. That, it is hereby determined to make the public improvement of rehabilitating and reconstructing East 55th Street from Blanche Avenue to Woodland Avenue including paving, grading, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, 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 Service is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional design engineering consultants or one or more firms of professional design

engineering consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

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

Section 4. That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

Section 5. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

Section 6. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

Section 7. That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21797, and from the proceeds of any grant funds from the Ohio Public Works Commission.

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

Ord. No. 1468-96.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating and reconstructing Bessemer Avenue from East 65th Street to East 88th Street; authorizing the Director of Public Service to employ professional design engineering services to design the public improvement; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into such other agreements

necessary to complete this improvement; and authorizing the Commission of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.

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

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

Section 1. That, it is hereby determined to make the public improvement of rehabilitating and reconstructing Bessemer Avenue from East 65th Street to East 88th Street, including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, 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 Service is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

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

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

Section 4. That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

Section 5. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

Section 6. That the Director of

Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

Section 7. That the costs of the improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21798, and from the proceeds of any grant funds from the Ohio Public Works Commission.

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

Ord. No. 1469-96.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the southeast corner of Union Avenue and East 82nd Street.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned Oman Playground, no longer needed for public use and located on the southeast corner of Union Avenue and East 82nd Street, Permanent Parcel Number 133-06-011; and

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

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

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

Permanent Parcel Number
133-06-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being parts of Sublots Nos. 66 and 67 in E. S. Gillette's Allotment, of part of Original Newburgh Township One Hundred Acre Lot No. 447, as recorded in Volume 9, Page 14 of Cuyahoga County Map Records and described as follows:

Bounded Northerly by the Southerly line of Union Avenue, S.E.; bounded Westerly by the Easterly line of East 82nd Street; bounded Easterly by the Easterly line of said Sublot No. 67; and bounded Southerly by the Northerly line of Parcel No. 1 of land conveyed to the City of Cleveland by deed dated July 23, 1915, and recorded in Volume 1710, Page 282 of Cuyahoga County Deed Records and excepting all of Parcel No. 2 of land conveyed to the City of Cleveland by the aforesaid deed

recorded in Volume 1710 Page 282 of Cuyahoga County Deed Records.

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

Section 3. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the Director of Parks, Recreation and Properties is hereby authorized to deposit the sale proceeds into Fund No. 20 SF 092.

Section 5. That the proceeds from the sale of the property authorized by Section 2 of this ordinance shall be used to pay the cost of the public improvement of constructing a new playground at the Oman park site as otherwise authorized by ordinance of this Council.

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

Ord. No. 1470-96.

By Councilman Willis.

An emergency ordinance to name the park located on Moulton Avenue between East 115th and East 120th Street as the Moulton/Scoutway Park.

Whereas, this ordinance constitutes an emergency measure providing for 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 park situated on Moulton Avenue between East 115th Street and East 120th Street is hereby named the "Moulton/Scoutway Park."

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized and directed to give effect to this ordinance by the placing of appropriate signs, nameplates and plaques, and other references necessary to reflect the naming of Moulton/Scoutway Park.

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

Ord. No. 1471-96.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating and reconstructing portions of Arlington Avenue, East 123rd Street and East 125th Streets; authorizing the Director of Public Service to employ professional design engineering services to design the public improvement; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as necessary to make the public improvement.

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

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

Section 1. That, it is hereby determined to make the public improvement of rehabilitating and reconstructing Arlington Avenue from East 123rd to East 125th Streets; East 123rd Street from Superior Avenue to East 125th Street; and East 125th Street from Arlington Avenue to St. Clair Avenue, including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, 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 Service is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, or such trades or components may be the subject of a separate contract upon a unit basis.

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

The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Service from a list of qualified consultants available for such employment as may be

determined after a full and complete canvass by the Director of Public Service for the purpose of compiling such a list. The compensation to be paid for such services shall be prepared by the Director of Law, approved by the Director of Public Service, and certified by the Director of Finance.

Section 4. That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

Section 5. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

Section 6. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

Section 7. That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302 and 20 SF 334, Request No. 21800, and from the proceeds of any grant funds from the Ohio Public Works Commission.

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

Ord. No. 1473-96.

By Councilmen Coats and Rokakis (by departmental request).

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

Whereas, this ordinance constitutes an emergency measure providing for 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 accept a grant in the amount of \$200,000, from the Ohio Department of Natural Resources, to conduct the 1997 Recycle Ohio Program, for the purposes set forth in the application and according thereto; that the Director of Public Service 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 1473-96-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of not to exceed \$100,000.00, payable from Fund No. 01-40-03-0901, is hereby approved in all respects.

Section 3. That the Director of Public Service is hereby authorized to enter into one or more contracts with various agencies for the implementation and operation of the Program and, if necessary, for the purchase of equipment and supplies for the Program, and that said contract or contracts are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 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, Finance, Law; Committees on Public Service, Finance.

Ord. No. 1556-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of manufacturing, printing, encoding, sorting, and mailing of income tax statements and returns, for the Division of Taxation, Department of Finance, for a period not to exceed two years.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of manufacturing, printing, encoding, sorting, and mailing of income tax statements and returns in the approximate amount as purchased during the preceding two-year period, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Taxation, Department of Finance. 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 two year period may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two year period.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent

purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21203)

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 Finance, Law; Committee Finance.

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 1472-96.

By Councilman Rokakis (by request).

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

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

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

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

Section 1. That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as; Being all that portion of CLYBOURNE COURT S.W. (10.00 feet wide), extending from the Westerly line of West 38th Street (45.00 feet wide), Westerly, to the Easterly line of West 42nd Street (40.00 feet wide).

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

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

Res. No. 1490-96.

By Councilman Willis.

An emergency resolution urging East Cleveland to work with Cleveland to enable the east side of East 125th Street to be annexed to Cleveland.

Whereas, East 125th Street between Carolyn Place and Superior Avenue is divided between the cities of Cleveland and East Cleveland; and

Whereas, officials of both cities have been trying to solve problems at East 125th Street, which can best be resolved with one city service both sides of the street; and

Whereas, the citizens of both Cleveland and East Cleveland can best be served by the annexation of the east side of East 125th Street to Cleveland; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, or safety in that immediate action is necessary to solve the

problems along East 125th Street; now, therefore,

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

Section 1. That this Council urges the appropriate officials of the City of East Cleveland to work with the City of Cleveland to enable the east side of East 125th Street between Carolyn Place and Superior Avenue to be annexed to Cleveland.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to the Mayor and members of council of the City of East Cleveland.

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 Service, City Planning Commission, Law; Committees on Public Service, City Planning.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1474-96.

By Councilman Britt (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Zaremba, Inc. to construct, use and maintain six (6) banners (to be attached to CPP Utility Poles by separate permit), and which banners will encroach into the public right-of-way of Euclid Avenue between East 80th and East 84th Streets.

Whereas, this ordinance constitutes an emergency measure providing for 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 and assignable by the Permittee with the consent of the Director of Public Service to Zaremba, Inc. 905 Corporate Way, Suite 200 Cleveland, Ohio, 44115; its successors and assigns, to construct, use and maintain six (6) banners to create interest and activity by directing pedestrians and motorists to Beacon Place Development at Church Square. These banners will be attached to Cleveland Public Power Utility Poles (by separate permit), and will remain in place for a minimum of one year or until the Development is sold out, and will encroach into the public right-of-way of the north side of Euclid Avenue between East 80th and East 84th Streets at the locations more fully described as follows:

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

ADDRESS	POLE #:	POLE TYPE	ATTACHMENT
Euclid Ave./E. 81st (N. Side)	3-86	Light/Electric	Banner/18"x 60"
Euclid Ave./E. 82nd (N. Side)	3-88	Light/Electric	Banner/18"x 60"
Euclid Ave./bet. E. 82nd & E. 83rd (N. Side)	3-90	Light/Electric	Banner/18"x 60"
Euclid Ave./bet. E. 82nd & E. 83rd (N. Side)	3-92	Light/Electric	Banner/18"x 60"
Euclid Ave./E. 83rd (N. Side)	3-94	Light/Electric	Banner/18"x 60"
Euclid Ave./E. 80th (N. Side)	3-84	Light/Electric	Banner/18"x 60"

— All Poles are Steel —

Section 2. That these Banners may be placed in the public right-of-way on Euclid Avenue between East 80th and East 84th Streets and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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.

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.

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

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

Ord. No. 1475-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Service to apply for a grant from the Ohio Department of Natural Resources for the 1997 Recycle Ohio 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 Service is hereby authorized to apply for a grant in the amount of \$200,000, from the Ohio Department of Natural Resources, to conduct the 1997 Recycle Ohio Program.

Section 2. That the application for

said grant, File No. 1475-96-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of not to exceed \$100,000.00, payable from Fund No. 01-40-03-0901, is hereby approved in all respects.

Section 3. That the Director of Public Service is hereby authorized to enter into an agreement with the Department of Natural Resources to implement said grant program.

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

Ord. No. 1476-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 918-96, passed June 18, 1996, relating to the purchase, lease or lease with option to purchase of trucks, vans, passenger cars and heavy equipment.

Whereas, this ordinance constitutes an emergency measure providing for 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. 918-96, passed June 18, 1996, is hereby amended to read as follows:

Section 1. That the Director of Public Service is hereby authorized to make a written contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the necessary items of trucks, vans, passenger cars and heavy equipment for use by the various departments and divisions of the City, as detailed in the document entitled "Listing of 1996 Vehicle Purchases" contained in File No. **918-96-B**. For each type of vehicle listed under the column entitled "Description" on the document to said file, the vehicle(s) shall be purchased solely for the use of the department or division listed under the column entitled "Division," the total cost of each type of vehicle shall not exceed the total amount listed under the column entitled "Total Estimated Cost" and the cost of each type of vehicle shall be paid solely from the funds identified under the appropriate column. The total amount of all purchases pursuant to this ordinance shall not exceed **\$5,447,720.00**. Bids shall be taken in such a manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 2. That existing Section 1 of Ordinance No. 918-96, passed June 18, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1477-96.
By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of arboricultural services in the Shaker Square Assessment District, for the Division of Park Maintenance and Properties, 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 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 arboricultural services in the Shaker Tree Assessment District, including but not limited to the purchase and planting of new trees, the pruning of existing trees and tree

removal in the estimated sum of \$26,875.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. 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 20499).

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

Ord. No. 1478-96.
By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 921-96, passed June 18, 1996, relating to the provision of social programs.

Whereas, this ordinance constitutes an emergency measure providing for 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. 921-96, passed June 18, 1996, is hereby amended to read as follows:

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the following agencies to provide social service programs:

A Cultural Exchange
AACCESS, Ohio
Alta Social Settlement
American Sickle Cell Anemia Association
Bellflower Center for Prevention of Child Abuse, Inc.
Better Living Center
Boys and Girls Clubs of Cleveland (Broadway)
Boys and Girls Clubs of Cleveland (Mt. Pleasant)
Boys and Girls Clubs of Cleveland (West Side)
Brooklyn Memorial Community Youth Center
Brownettes Academy of Charm, Inc.

Catholic Youth and Community Services Corp. Hispanic Senior Center

Catholic Youth and Community Services Corp. Martin DePorres Center

Center for Families and Children Center for the Prevention of Domestic Violence

Cleveland Mediation Center
Cleveland Women, Inc.

Collinwood Community Services Center/Elderly

Collinwood Community Services Center/Youth

Community Re-Entry, Inc./Elderly
Community Re-Entry, Inc./Counseling

Community Re-Entry, Inc./Youth Counseling

Community Socialization Program/Ward 6

Cornerstone Connection
Cory Senior Citizens Program

Custom Enrichment Center
Delta Tutoring and Nutrition Program, Inc.

Department of Public Health (HIV/AIDS Programs)

Department of Public Safety (Youth at Risk)

Department of Parks, Recreation & Properties (After School Recreation)

East End Neighborhood House
EBC Ferry Development Corp.

El Barrio
Esperanza, Inc.

First United Methodist Church/Project Heat

Garden Valley Neighborhood House

GLAD Center, Inc.

Golden Age Centers of Greater Cleveland

Goodrich Gannett Neighborhood Center

Greater Cleveland Neighborhood Centers Assn./Midtown Professional Center/Elderly

Greater Cleveland Neighborhood Centers Assn./Midtown Professional Center/SNR

Guardian House Shelter aka Golgotha Baptist Church

Harambee: Services to Black Families

Harvard Community Services Center

Hijos de Borinquen Spanish American Center

Hunger Network of Greater Cleveland

Interchurch Council of Greater Cleveland

Karamu House, Inc.

Lexington Bell Community Center

M.C. Chatman Center for Humanitarian Services

Marotta Montessori Schools of Cleveland

May Dugan Multi-Service Center

Merrick House, Inc./Adult

Merrick House, Inc./Youth

Neighborhood Counseling Services

New Cleveland Food Basket Program

New Eye Glass Service

Nottingham Youth Center

OUR Community Center, Inc.

Glenville A.C.'s

Phillis Wheatley Association

Police Athletic League

Salvation Army, The/Family

Salvation Army, The/Elderly

Senior Citizen Resources/Elderly Comprehensive

Senior Citizen Resources/Transportation Program

Senior Outreach Services

Services for Independent Living, Inc.

Spanish American Committee for a Better Community

Starting Point

Substance Abuse Initiative of Greater Cleveland

Triumph House

Werner Community Outreach Program
 West Side Community House/Elderly
 West Side Community House/Child Day Care
 West Side Counseling Consortium
 West Side Ecumenical Ministry
 YMCA - Broadway Branch
 YMCA - Central Branch/West Side
 YMCA - Glenville Branch
 YMCA - Midtown East Branch aka East Urban YMCA
 YMCA - West Park Branch

Section 2. That existing Section 1 of Ordinance No. 921-96, passed June 18, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1479-96.
By Councilman Johnson.
An emergency ordinance to vacate a portion of East 92nd Place, hereinafter described.

Whereas, on the 13th day of May, 1996 the Council of the City of Cleveland adopted Resolution No. 263-96 declaring its intention to vacate a portion of East 92nd Place, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 263-96 has been served upon the owners of all the property abutting East 92nd Place, 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 9th day of August, 1996, the Board of Revision of Assessments approved the vacation of East 92nd Place, 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 92nd Place, 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 92nd Place, (12.00 feet wide), extending 140.17 feet Northerly from the Northerly line of Kennedy Avenue (50.00 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 Light and Power equipment. The description of easement is as follows:

That portion of East 92nd Place, (12.00 feet wide), extending 140.17 feet Northerly from the Northerly line of Kennedy Avenue (50.00 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 Light and Power 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 92nd Place, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1480-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties and Finance to enter into contract with the Cleveland Board of Education to conduct

recreational, cultural and extracurricular programs for the benefit of school children during the 1996-97 school year.

Whereas, pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax and increases in the motor vehicle lessor tax and the admissions tax can be used to fund recreational, cultural and extracurricular programs within the Cleveland School System; and

Whereas, the Joint Board established by Ordinance No. 1025-A-95 has recommended that a portion of the tax proceeds be used to fund a number of recreational, cultural and extracurricular programs for City school children during the 1996-97 school year, including dance, drama, instrumental, vocal, cheerleading, aquatic, sports and academic enrichment 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 and Finance are hereby authorized to enter into contract with the Board of Education of the Cleveland City School District to conduct various recreational, cultural and extracurricular program for the benefit of City school children, in accordance with the program description contained in File No. 1480-96-A, for an amount not to exceed \$1,802,292.00, payable from the fund or funds to which are credited the proceeds of the taxes levied pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, under such terms and conditions as are acceptable 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1481-96.
By Councilman Patton (by request).
An emergency ordinance authorizing the Director of Public Service to issue a permit to Miles Ahead Development Corporation to construct, use and maintain approximately fifty-one (51) double sided banners (to be attached to CPP and CEI Utility Poles by separate permit), which will encroach into the public right-of-way of Lee Road, Harvard Avenue, East 160th and East 161st Streets.

Whereas, this ordinance constitutes an emergency measure providing for 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 Miles Ahead Development Corporation, 17410 Harvard Avenue, Cleveland, Ohio 44128; its successors and assigns, to construct, use and maintain approximately fifty-one (51) double-sided banners in celebration of the residential/commercial area of the Lee-Harvard District. These double-sided banners will be attached to single CPP and CEI Utility Poles (by separate permit), and will encroach into the public right-of-way of Lee Road, Harvard Avenue, East 160th and East 161st Streets at the locations more fully described as follows:

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

PROCEEDING NORTH ON LEE ROAD, EAST SIDE OF LEE ROAD:		
UTILITY:	POLE #:	LOCATION:
1) CPP	32A-2	Renters Choice
2) CPP	32A-3	International Graphics, 3985 Lee Rd.

<u>UTILITY:</u>	<u>POLE #:</u>	<u>LOCATION:</u>
3) CPP	32A-4	DOCK's
4) CPP	32A-5	3949 Lee Rd.
5) CPP	32A-6	3949 Lee Rd.
6) CPP	32A-7	Biltmore & Lee Rd.
7) CPP	32A-8	Forest City Auto Parts
8) CPP	32A-9	Daily Mart 3895 Lee Rd.
GLENDALE:		
9) Unmarked Pole		Long John Silver's
10) CEI	210748	Lee Heights Auto
WEST ON LEE ROAD, SOUTH TO HARVARD AVENUE:		
1) CEI	511282	Talford & Lee at Kenny King's Chicken Restaurant
2) CPP	511283	Kenny King's Chicken Restaurant
3) CEI	80108 + 57*04	Farrow Carpeting "We Install"
4) CEI	709958	3914 Lee Rd.
5) CEI	Unmarked	Between 3902 and Parking Lot
6) CEI	533465	Between S & M Auto Sales and Watson -or-
	518627	Biltmore and Lee Rd.
7) CEI	Unmarked	Between Watson 3936 and Beauty Salon 3942 Lee Rd.
8) CEI	103 + 01*02	At Praying Mantis
9) CEI	509404	@ Unity 3982 Lee Rd.
10) CEI	334519	Gibson Tire
SOUTH OF HARVARD AVENUE ON LEE ROAD, WEST SIDE OF STREET:		
1) CEI	550713	In front of Shell Station
2) CEI	814249	In front of Shell Station
3) CEI	119246	Jordan Dental Center
4) CEI	814248	Between 4106 Lee Rd. & 4102 Lee Rd.
5) CEI	87 + 05*88	Between Taco Bell & Uniontown Gas
6) CEI	814245	Vacant Lot South of Uniontown Gas
PROCEEDING SOUTH ON LEE ROAD FROM HARVARD AVENUE ON THE EAST SIDE OF LEE ROAD:		
1) CPP	32-1	Lee Harvard Plaza
2) CPP	32-2	Lee Harvard Plaza
3) CPP	32-3	Lee Harvard Plaza
4) CPP	32-5	
5) CPP	32-6	Perfect Pagers 3117 Lee Rd.
6) CPP	32-7	Jud-Lee Plaza
7) CPP	32-8	Jud-Lee Plaza
8) CPP	32-9	McDonald's
SOUTH SIDE OF HARVARD AVENUE HEADED EAST FROM LEE ROAD		
1) CPP	32A-33	In front of Revco Drug
2) CPP	32A-34	In front of Revco Drug
3) CPP	32A-35	Finast Supermarket
4) CPP	32A-36	
5) CPP	32A-37	Finast Supermarket
6) CPP	32A-38	Cleveland Public Library
HARVARD AVENUE N.E. QUADRANT HEADED WEST AT LEE ROAD:		
1) CEI	-----	In front of 16915 Harvard
2) CEI	-----	16815 Harvard Avenue
3) CEI	537373	16803 Harvard Avenue
4) CEI	537374	16709 Harvard Avenue
5) CEI	537375	16621 Harvard Avenue
6) CEI	660141	16511 Harvard Avenue
N.W. QUADRANT HARVARD AVENUE PROCEEDING WEST FROM LEE ROAD:		
1) CPP	32A-29	In front of Uniontown Gas
2) CPP	32A-24	At N.E. Corner of E. 161 St.
3) CPP	32A-23	16003 Harvard Avenue
S.W. QUADRANT ON HARVARD AVENUE HEADED EAST:		
1) CEI	537369	S.E. Corner of E. 160th Street & Harvard Ave.
2) CPP	32A-30	At Shell Gas Station

Section 2. That nothing herein contained shall create the right or grant permission from any owner/owners of the utility poles for their use to attach hanging brackets and aforesaid banners which will encroach into the public right-of-way of Lee Road, Harvard Avenue, East 160th Street and East 161st Street at the locations herein aforesaid.

Section 3. That the banners are to be placed in the public right-of-way aforesaid, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

Ord. No. 1482-96.
By Councilmen Patton, White, Robinson, Johnson, Jackson, Britt, Patmon, Willis, Coats, Polensek, Rybka, Paulenske, Smith, Rokakis, Melena, Westbrook, Zone and McGuirk.

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract with the NAACP for sponsorship of a black family 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 the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into contract with the NAACP for services necessary to sponsor a black family picnic which will foster community relations in the total sum of Thirty Four Thousand Five Hundred Dollars (\$34,500.00), payable from Fund No. 01-99-98-0380.

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

Ord. No. 1483-96.
By Councilman Polensek.
An emergency ordinance to extend the retirement date of Officer Arssie Taylor 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 Arssie Taylor, who possesses a great wealth of knowledge and expertise and has proven invaluable in attaining the goals of the Fourth District, will attain the age of sixty-five years on August 27, 1996; and

Whereas, Police Chief Rocco Polutro has made written request that Patrolman Arssie Taylor continue on active duty for a period of one year; and

Whereas, Director of Public Safe-

ty, William Denihan has approved the continuation on active duty by Patrolman Arssie Taylor 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 Patrolman Arssie Taylor of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 27, 1996, and that such continuation is hereby approved by this Council.

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

Ord. No. 1484-96.
By Councilmen Paulenske, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Warehouse District Food and Bar Inc., dba Hilarities Comedy Hall, or its designee, to provide economic development assistance to partially finance tenant improvements and the acquisition of furniture, fixtures and equipment to be installed at 811 Prospect Avenue, 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 the Warehouse District Food and Bar Inc., dba Hilarities Comedy Hall, or its designee, to provide economic development assistance to partially finance tenant improvements and the acquisition of furniture, fixtures and equipment to be installed in their new facility located at 811 Prospect Avenue, Cleveland, Ohio subject to the availability of the funds identified in Section 3.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1484-96-A.

Section 3. That the costs of said contract shall not exceed Three

Hundred Thousand Dollars (\$300,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 22274.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1485-96.
By Councilman Smith.
An emergency ordinance to vacate a portion of McLean Court, N.W., hereinafter described.

Whereas, on the 10th day of June, 1996 the Council of the City of Cleveland adopted Resolution No. 653-96 declaring its intention to vacate a portion of McLean Court N.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 653-96 has been served upon the owners of all the property abutting McLean Court N.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 9th day of August, 1996, the Board of Revision of Assessments approved the vacation of McLean Court N.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 McLean Court N.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 McLean Court N.W., (12.00± feet wide), extending Westerly from the Westerly line of West 26th Street (50.00 feet wide), about 109.00 feet, 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 equipment. The description of easement is as follows:

That portion of McLean Court N.W., (12.00± feet wide), extending Westerly from the Westerly line of West 26th Street (50.00 feet wide), about 109.00 feet.

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 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 McLean Court N.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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1486-96.

By Councilman Smith.

An emergency ordinance to vacate a portion of West 26th Place, hereinafter described.

Whereas, on the 10th day of June, 1996 the Council of the City of Cleveland adopted Resolution No. 654-96 declaring its intention to vacate a portion of West 26th Place, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 654-96 has been served upon the owners of all the property abutting West 26th Place, 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 9th day of August, 1996, the Board of Revision of Assessments approved the vacation of West 26th Place, 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 26th Place, 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 26th Place, (16.00 feet wide), extending Northerly from the Northerly line of Carroll Avenue N.W. (50.00 feet wide), to the Southerly line of Bridge Avenue N.W. (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 Light and Power equipment. The description of easement is as follows:

That portion of West 26th Place, (16.00 feet wide), extending Northerly from the Northerly line of Carroll Avenue N.W. (50.00 feet wide), to the Southerly line of Bridge Avenue N.W. (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 Light and Power 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 West 26th Place, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1552-96.

By Councilman Patton.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Ward One Festival Committee to stretch banners at the intersection of Lee Road and Miles Avenue, at Lee Road and Tarkington Avenue, and at Lee Road and Harvard Avenue for the period from August 15, 1996 to September 15, 1996, inclusive, publicizing its Ward One Harvard-Lee-Seville-Miles 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 One Festival Committee to

install, maintain and remove banners at the intersection of Lee Road and Miles Avenue, at Lee Road and Tarkington Avenue, and at Lee Road and Harvard Avenue for the period from August 15, 1996 to September 15, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1553-96.

By Councilmen Johnson and Robinson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Soul of Buckeye Festival Committee to stretch banners at E. 93rd Street and Buckeye, at E. 116th Street and Buckeye, at South Moreland and Buckeye, and at Kinsman and E. 116th Street for the period from August 23, 1996 to September 17, 1996, inclusive, publicizing its 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 Soul of Buckeye Festival Committee to install, maintain and remove banners at E. 93rd Street and Buckeye, at E. 116th Street and Buckeye, at South Moreland and Buckeye, and at Kinsman and E. 116th Street for the period from August 23, 1996 to September 17, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1554-96.

By Councilmen Paulenske and Patton.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Regional Transit Authority to stretch banners on E. 55th Street at St. Clair, on St. Clair at E. 71st Street, and on Lee Road in front of the Lee-Harvard Shopping Center for the period from September 9, 1996 to October 9, 1996, inclusive, publicizing its new Circulator Bus Line in Cleveland's neighborhoods.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Regional Transit Authority to install, maintain and remove banners on E. 55th Street at St. Clair, on St. Clair at E. 71st Street, and on Lee Road in front of the Lee-Harvard Shopping Center for the period from September 9, 1996 to October 9, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1555-96.

By Councilman Robinson.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Union Avenue Merchants Association to stretch three banners on

Union Avenue at E. 93rd Street, at E. 116th Street and at E. 140th Street for the period from August 16, 1996 to September 2, 1996, inclusive, publicizing the African-American Cultural 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 Union Avenue Merchants Association to install, maintain and remove three banners on Union Avenue at E. 93rd Street, at E. 116th Street and at E. 140th Street for the period from August 16, 1996 to September 2, 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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1487-96.

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

An emergency resolution urging the Ohio Department of Development to refrain from waiving relocation restrictions for the Gas Turbine Division of Parker-Hannifin Corporation and to deny Parker-Hannifin's request to streamline the 30-day notification period to 15 days.

Whereas, considering how devastating Parker-Hannifin's decision to move its world headquarters and 600 jobs from the City of Cleveland to Mayfield Heights will have on the Collinwood neighborhood and the City of Cleveland; and

Whereas, Parker-Hannifin has at no time communicated to the City of Cleveland its intent to relocate the Gas Turbine Division to a different site nor have they sought assistance from the City in maintaining the Division in Cleveland; and

Whereas, the intent of the State law regarding Enterprise Zone tax

abatements is to foster reinvestment in economically distressed areas, not to subsidize the flight of industry from distressed neighborhoods to affluent communities; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the relocation of Parker-Hannifin Corporation will have a devastating effect on the City of Cleveland; now, therefore,

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

Section 1. That this Council urges the Ohio Department of Development to refrain from waiving relocation restrictions for the Gas Turbine Division of Parker-Hannifin Corporation.

Section 2. That this Council further urges the Department of Development to deny Parker-Hannifin's request to streamline the 30-day notification period to 15 days.

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

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

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

Res. No. 1488-96.

By Councilman Jackson.
An emergency resolution urging President Clinton and HUD to stop promoting policies that will result in the reduction of public housing and project base housing opportunities for low income people.

Whereas, the need for safe, sanitary, and decent housing for low-income people has increased; and

Whereas, Cuyahoga Metropolitan Housing Authority ("CMHA") has 9,700 families on its waiting list; and

Whereas, CMHA's 9,700 family waiting list was created from an application period beginning in April, 1996; and

Whereas, the average annual income of a CMHA resident is just over \$5,000 dollars; and

Whereas, President Clinton and HUD has used CMHA as a model for how public housing should be run throughout the country; and

Whereas, the United States Department of Housing and Urban Development ("HUD") has, for political reasons, reduced the housing opportunities for low income people; and

Whereas, HUD has encouraged and required the demolition of public housing as a condition for receiving renovation money; and

Whereas, the most recent HUD policy would promote private ownership of public housing by the year 2000 thus further reducing housing opportunities for low income people; and

Whereas, HUD promotes giving Section 8 vouchers for public housing and project-based residents; and

Whereas, the Section 8 vouchers are renewed annually and may not be renewed in the drive to balance the federal budget; and

Whereas, the neighborhoods of greater Cleveland are unable and/or unwilling to absorb thousands of public housing and project-based residents; and

Whereas, the ultimate result of HUD's policies is the creation of new ghettos with substandard housing for the poor and homelessness; now, therefore,

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the ultimate result of HUD's policies is the creation of new ghettos with substandard housing for the poor and homeless; now, therefore,

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

Section 1. That President Clinton and HUD reverse their policies that will result in reducing the number of traditional public housing and project-based housing opportunities for low income people.

Section 2. That President Clinton and HUD stop encouraging and promoting the demolition of public housing.

Section 3. That President Clinton and HUD stop using Section 8 vouchers as a way of displacing low-income people from public housing and facilitating the creation of new ghettos, substandard housing for low-income people and homelessness.

Section 4. That President Clinton and HUD stop the promoting of private ownership of public housing unit by the year 2000.

Section 5. That President Clinton and HUD not force CMHA to follow a policy that is contrary to the best interest of low income people and be given flexibility in providing traditional public housing for low income people.

Section 6. That President Clinton and HUD provide CMHA with the necessary funding for renovation of public housing, and traditional replacement public housing.

Section 7. That President Clinton and HUD provide CMHA with the necessary funding for security and personnel, maintenance and supplies at its public housing.

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

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

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

Res. No. 1489-96.

By Councilmen Miller, Westbrook and Coats.

An emergency resolution deploring the tactics used by Cuyahoga County Republican Chairman James Trakas in his recent letter to party members, and strongly urging all candidates and their supporters to stick to issues and avoid name-calling during the 1996 election campaign.

Whereas, one of America's most

cherished values is that of freedom of expression; and

Whereas, one of America's darkest episodes was the McCarthy era, in which many citizens were deprived of their livelihood, reputation, and well-being through a campaign of fear and red-baiting; and

Whereas, Cuyahoga Republican Party Chairman James Trakas recently sent a letter to party members describing State Senator Dennis Kucinich and Mayor Tom Coyne as having "socialist" ideas, and stating that Senator Kucinich's workers rights platform is similar to the Communist manifesto; and

Whereas, voters are already very skeptical of the political process because of all the negativity and name calling, making it imperative that we not have another round of McCarthy-like political tactics; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that every effort should be made to stick to issues and avoid name-calling during the upcoming election campaign; now, therefore,

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

Section 1. That this Council hereby deplors the tactics used by Cuyahoga County Republican Chairman James Trakas in his recent letter to party members, and strongly urges all candidates and their supporters to conduct the 1996 election campaign by sticking to the issues and avoiding name calling.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to James Trakas, Jimmy Dimora, Congressman Martin Hoke, State Senator Dennis Kucinich, Congressman Steve LaTourette and Mayor Tom Coyne.

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

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

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

Res. No. 1491-96.

By Councilman Lewis.

An emergency resolution opposing the recent decision by Ameritech to close its public bill paying office on East Ninth Street.

Whereas, certain recent corporate decisions by Ameritech have raised serious doubts about Ameritech's corporate sensitivity to the needs of City residents; and

Whereas, Ameritech has decided to close its public bill paying service at its facility on East 9th Street, where City residents can pay their telephone bills without any cost; and

Whereas, this decision means that City residents must pay their bills at other facilities which charge service fees and require copies of bills or detailed account information prior to allowing the payment of the bill; and

Whereas, the closing of the pub-

lic bill paying service at its downtown facility will cause hardship and increased costs to citizens who cannot support this burden; and

Whereas, Ameritech has asked this Council in the past to support its corporate decisions; and

Whereas, this Council cannot continue to support Ameritech when Ameritech so callously ignores the needs of City residents; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that Ameritech's decision will create undue hardship for Cleveland's residents; now, therefore,

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

Section 1. That this Council hereby opposes the recent decision by Ameritech to close its public bill paying service at its facility on East Ninth Street.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to CEO of Ameritech.

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

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

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

Res. No. 1492-96.

By Councilman Britt.

An emergency resolution objecting to the renewal of a Liquor Permit at 10022-30 Cedar Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 5379059, owned by MHR Inc., 10022-30 Cedar Avenue, Cleveland, Ohio 44106, and requests the Director of Liquor Control to set a hearing for said application in accordance with

provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1493-96.

By Councilman Britt.

An emergency resolution objecting to the renewal of a Liquor Permit at 8502 Quincy Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7680789, owned by Quincy Savmor, 8502 Quincy Avenue, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds

within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1494-96.

By Councilman Britt.

An emergency resolution objecting to the renewal of a Liquor Permit at 8624 Cedar Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 9879118, owned by All American Food Market, 8624 Cedar Avenue, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

from and after the earliest period allowed by law.

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

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

Res. No. 1495-96.

By Councilman Melena.

An emergency resolution objecting to the renewal of a D1, D2 and D3 Liquor Permit at 3135 West 63rd Street, first floor and basement.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2 and D3 Liquor Permit, Permit No. 1171644-0005, owned by C & D Tavern Inc., dba Stock Inn, 3135 West 63rd Street, first floor and basement, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1496-96.**By Councilman Melena.****An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 7514-16 Elton Avenue, first floor front.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 4211416, owned by Jaffal Food Market Inc., 7514-16 Elton Avenue, first floor front, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1497-96.**By Councilman Melena.****An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 8017-19 Detroit Avenue, first floor.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the

legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 7404836, owned by Rivera Enterprises Inc., dba Ziggy's Food Market, 8017-19 Detroit Avenue, first floor, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1498-96.**By Councilman Melena.****An emergency resolution objecting to the renewal of a D2 and D2X Liquor Permit at 8002 Detroit Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a

manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D2 and D2X Liquor Permit, Permit No. 2455400, owned by 8002 Detroit Inc., dba American Food Market, 8002 Detroit Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1499-96.**By Councilman Melena.****An emergency resolution objecting to the renewal of a D2, D2X, D3 and D3A Liquor Permit at 7507-11 Detroit Avenue, first floor and basement.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit, Permit No. 5853053, owned by Merlin's Cave Inc., dba Hopes & Dreams, 7507-11 Detroit Avenue, first floor and basement, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1500-96.

By Councilman Melena.

An emergency resolution objecting to the renewal of a C2, C2X and D6 Liquor Permit at 5910 Detroit Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

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

al of a C2, C2X and D6 Liquor Permit, Permit No. 9125555, owned by Two N Inc., dba Convenient Food Market #3312, 5910 Detroit Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1501-96.

By Councilman Miller.

An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 13840 Bellaire Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 4161660, owned by Isweillem Food Market, Inc., dba Sam's Bellaire Mini-Mart, 13840 Bellaire Road, Cleveland, Ohio 44135, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Coun-

cil is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1502-96.

By Councilman Miller.

An emergency resolution objecting to the renewal of a D5 Liquor Permit at 16120 Brookpark Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 Liquor Permit, Permit No. 8385521, owned by Sounion Inc., 16120 Brookpark Road, Cleveland, Ohio 44135, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of

division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1503-96.

By Councilman Miller.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 16120 Brookpark Road, and repealing Res. No. 1123-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 16120 Brookpark Road by Res. No. 1123-96, adopted June 10, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a D5 Liquor Permit to 16120 Brookpark Road be and the same is hereby withdrawn and Res. No. 1123-96, 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1504-96.

By Councilman O'Malley.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4533 State Road.

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. 3132490, Atie Georges, dba Cypress Beverage, 4533 State Road, Cleveland, Ohio 44109, to Permit No. 0006572, A & T Georges Corp., dba Cypress Beverage, 4533 State 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 transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 3132490, Atie Georges, dba Cypress Beverage, 4533 State Road, Cleveland, Ohio 44109, to Permit No. 0006572, A & T Georges Corp., dba Cypress Beverage, 4533 State 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1505-96.

By Councilman O'Malley.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4926 Denison Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2

Liquor Permit from Permit No. 5378698, M & D Food Market Inc., 4926 Denison Avenue, Cleveland, Ohio 44109, to Permit No. 4279123, Jericho USA Inc., dba Sav Way Food Mart, 4926 Denison 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 C1 and C2 Liquor Permit from Permit No. 5378698, M & D Food Market Inc., 4926 Denison Avenue, Cleveland, Ohio 44109, to Permit No. 4279123, Jericho USA Inc., dba Sav Way Food Mart, 4926 Denison 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1506-96.**By Councilman Patmon.****An emergency resolution objecting to the renewal of a Liquor Permit at 10721 St. Clair Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 4189172, owned by Suids Gold Star, 10721 St. Clair Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1507-96.**By Councilman Patmon.****An emergency resolution objecting to the renewal of a Liquor Permit at 10109 St. Clair Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon

legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 5970724, owned by Miller's Superette Store, 10109 St. Clair Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1508-96.**By Councilman Patmon.****An emergency resolution objecting to the renewal of a Liquor Permit at 817-821 East 105th Street.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2455383, owned by My Way Food Deal, 817-821 East 105th Street, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1509-96.**By Councilman Patmon.****An emergency resolution objecting to the renewal of a Liquor Permit at 1144 East 105th Street.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby

by record its objection to the renewal of a Liquor Permit, Permit No. 7564211, owned by Royal Eagle Market, 1144 East 105th Street, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1510-96.

By Councilman Smith.

An emergency resolution objecting to the renewal of a Liquor Permit at 3179 West 25th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2439277, owned by Aragon Ballroom, 3179 West 25th Street, Cleveland, Ohio 44113, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1511-96.

By Councilman Smith.

An emergency resolution objecting to the renewal of a Liquor Permit at 2998 West 25th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 6221295, owned by Mule ZM Inc., dba Little Bob's Tavern, 2998 West 25th Street, Cleveland, Ohio 44113, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

Section 3. That this resolution is

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

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

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

Res. No. 1512-96.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a Liquor Permit at 15610 Lakeshore Blvd.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8332491, owned by Sunoco Food Mart, 15610 Lakeshore Blvd., Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1513-96.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a Liquor Permit at 16208 St. Clair Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8007363, owned by Dairy Mart, 16208 St. Clair Avenue, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1514-96.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a Liquor Permit at 882 East 185th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 1886648, owned by Joseph's Tavern, 882 East 185th Street, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1515-96.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a Liquor Permit at 791 East 185th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disre-

gard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7640092, owned by Quenchers, II, 791 East 185th Street, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1516-96.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a Liquor Permit at 14824 Lakeshore Blvd.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than

thirty days prior to the expiration date of the permit; now, therefore,
Be it resolved by the Council of the City of Cleveland:

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 6476992, owned by Square Deal Market, 14824 Lakeshore Blvd, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1517-96.
By Councilman O'Malley.
An emergency resolution objecting to the renewal of a Liquor Permit at 6301 Denison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8201027, owned by Great Lakes Tavern, 6301 Denison Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a

hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1518-96.
By Councilman O'Malley.
An emergency resolution objecting to the renewal of a Liquor Permit at 6125 Denison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8200714, owned by Big O Inc., 6125 Denison Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based

upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1519-96.
By Councilman O'Malley.
An emergency resolution objecting to the renewal of a Liquor Permit at 4521 State Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 6362924, owned by Spinner's, 4521 State Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

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

Res. No. 1520-96.

By Councilman O'Malley.

An emergency resolution objecting to the renewal of a Liquor Permit at 2109 Tate Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8771382, owned by Green Leaf Tavern, 2109 Tate Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1521-96.

By Councilman O'Malley.

An emergency resolution objecting to the renewal of a Liquor Permit at 4904 Pearl Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 1881037, owned by Corner Pocket, 4904 Pearl Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1522-96.

By Councilman O'Malley.

An emergency resolution objecting to the renewal of a Liquor Permit at 4488 State Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon

legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2589593, owned by Paradise Inn, 4488 State Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1523-96.

By Councilman O'Malley.

An emergency resolution objecting to the renewal of a Liquor Permit at 6625 Denison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2368650, owned by 67th Street Pub, 6625 Denison Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 from and after the earliest period allowed by law.

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

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

Res. No. 1524-96.

By Councilman O'Malley.

An emergency resolution objecting to the renewal of a Liquor Permit at 4462 State Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby

record its objection to the renewal of a Liquor Permit, Permit No. 0978772, owned by Brooklyn Tavern, 4462 State Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1525-96.

By Councilman Coats.

An emergency resolution objecting to the renewal of a Liquor Permit at 573-75 East 140th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2463846, owned by Calypso Lounge, 573-75 East 140th Street, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1526-96.

By Councilman McGuirk.

An emergency resolution objecting to the renewal of a Liquor Permit at 16800 Lorain Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 4465657-0001, owned by Kilbane's Restaurant & Pub, 16800 Lorain Avenue, Cleveland, Ohio 44111, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

Section 3. That this resolution is

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

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

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

Res. No. 1527-96.

By Councilman Lewis.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 9200 Wade Park Avenue, Unit A30 & 40.

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. 9349510, Wak Grocery Inc., 9200 Wade Park Avenue, Unit A30 & 40, Cleveland, Ohio 44106, to Permit No. 2806675, Food Inc., 9200 Wade Park Avenue, Unit A30 & 40, 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. 9349510, Wak Grocery Inc., 9200 Wade Park Avenue, Unit A30 & 40, Cleveland, Ohio 44106, to Permit No. 2806675, Food Inc., 9200 Wade Park Avenue, Unit A30 & 40, Cleveland, Ohio 44106, and requests the Director of Liquor Control to set a hear-

ing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1528-96.

By Councilman Lewis.

An emergency resolution objecting to the renewal of a Liquor Permit at 1112-18 Ansel Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 359132, owned by Peacock Lounge/L & H Superette, 1112-18 Ansel Road, Cleveland, Ohio 44103, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

Section 3. That this resolution is hereby declared to be an emergency

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

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

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

Res. No. 1529-96.

By Councilman Rokakis.

An emergency resolution objecting to the renewal of a Liquor Permit at 5200 Memphis Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8836290-0005, owned by Cameo Lounge, 5200 Memphis Avenue, Cleveland, Ohio 44144, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

The rules were suspended. Yeas

19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1530-96.

By Councilman Rokakis.

An emergency resolution objecting to the renewal of a Liquor Permit at 2071 Broadview Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8915945-0010, owned by Scarlett Rose, 2071 Broadview Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1531-96.

By Councilman Rybka.

An emergency resolution objecting to the renewal of a Liquor Permit at 6557 Broadway Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section

4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8984770, owned by Key Beverage, 6557 Broadway Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1532-96.

By Councilman Rybka.

An emergency resolution objecting to the renewal of a Liquor Permit at 6206 Broadway Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or

local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8202104, owned by Convenient Food Mart, 6206 Broadway Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1533-96.

By Councilman Rybka.

An emergency resolution objecting to the renewal of a Liquor Permit at 7527 Union Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration

date of the permit; now, therefore,
Be it resolved by the Council of the City of Cleveland:

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 4524605, owned by Union Supermarket, 7527 Union Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1534-96.

By Councilman Rybka.

An emergency resolution objecting to the renewal of a Liquor Permit at 4324 Warner Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 1881506, owned by Tom's Food Market, 4324 Warner Road, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1535-96.

By Councilman Rybka.

An emergency resolution objecting to the renewal of a Liquor Permit at 6400 Fleet Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7016665-0005, owned by Orlando's Bar/DeNobiles Restaurant, 6400 Fleet Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of

division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1536-96.

By Councilman Rybka.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 5603 Fleet 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. 8973918, Renata Tomaszkiwicz, dba Ada Meat Market, 5603 Fleet Avenue, Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 8973918, Renata Tomaszkiwicz, dba Ada Meat Market, 5603 Fleet Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to

transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

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

Res. No. 1537-96.

By Councilman Rybka.

An emergency resolution objecting to the renewal of a Liquor Permit at 2943-45 East 55th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 4271431, owned by Bullwinkles/Club Lexus, 2943-45 East 55th Street, Cleveland, Ohio 44127, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

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

Res. No. 1538-96.

By Councilman Rybka.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 3664 East 65th Street, first floor and basement, and repealing Res. No. 1232-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 3664 East 65th Street, first floor and basement, by Res. No. 1232-96, adopted June 18, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a D5 Liquor Permit to 3664 East 65th Street, first floor and basement, be and the same is hereby withdrawn and Res. No. 1232-96, 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1539-96.

By Councilman Rybka.

An emergency resolution withdrawing objection to the transfer of ownership of a D3A Liquor Permit to 6506 Fleet Avenue, and repealing Res. No. 390-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D3A Liquor Permit to 6506 Fleet Avenue by Res. No. 390-96, 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 D3A Liquor Permit to 6506 Fleet Avenue be and the same is hereby with-

drawn and Res. No. 390-96, 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1540-96.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a Liquor Permit at 9600 Madison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 1414122, owned by Midnight Star, 9600 Madison Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

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

Res. No. 1541-96.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a Liquor Permit at 8708 Denison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0024010, owned by Denison Deli, 8708 Denison Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1542-96.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a Liquor Permit at 6909 Clark Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0263532, owned by Arizona Food Corp., 6909 Clark Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1543-96.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a Liquor Permit at 10001 Denison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon

legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0022086, owned by J & W Food Market, 10001 Denison Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1544-96.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a Liquor Permit at 8601 Detroit Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0174446, owned by Uncle Joe's Deli, 8601 Detroit Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1545-96.

By Councilman White.

An emergency resolution objecting to the renewal of a Liquor Permit at 3880 Martin Luther King Drive.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 1574215, owned by Club 91 Inc., dba Club 91, 3880 Martin Luther King Drive, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1546-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 12420 Superior Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 6552377, owned by Superior Store, 12420 Superior Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1547-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 422 Eddy Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2847774, owned by Muff's Delicatessen, 422 Eddy Road, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1548-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 453 Dundee Drive.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2738284, owned by Amall Food Market, 453 Dundee Drive, Cleveland, Ohio 44106, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1549-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 11108 Primrose Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0004631, owned by Dagwood's, 11108 Primrose Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1550-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 12717 Woodside Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 5819424, owned by Abdul I Food Market, 12717 Woodside Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1551-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 12428-30 Superior Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor per-

mit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 5327040, owned by Lubna Supermarket, 12428-30 Superior Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1557-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 10604 Superior Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant

to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7642427, at 10604 Superior Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1558-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 780-786 East 125th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 5202390, owned by Lim's Lounge, 780-786 East 125th Street, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hear-

ing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1559-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 1429 Lakeview Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 9893911, at 1429 Lakeview Road, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds

within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

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

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

Res. No. 1560-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 914 East 123rd Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2434444, owned by Eddie's Mini Market, 914 East 123rd Street, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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

from and after the earliest period allowed by law.

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1104-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of manhole risers, for the Division of Streets, Department of Public Service.

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

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

Ord. No. 1107-96.

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

An emergency ordinance determining the method of making the public improvement of constructing a new parking facility and associated appurtenances at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Recommended by Committees on Aviation and Transportation, City Planning, Finance; when amended as follows:

1. At the title, at the end, strike the period and insert in lieu thereof "and authorizing the President of Council to employ a consultant to provide professional services to implement the construction of the new parking garage."

2. Add a new Section 3 to read as follows:
"Section 3. That, on behalf of City Council, the President Council is hereby authorized to employ by contract a consultant to provide professional services for the implementation of the construction of the new parking garage at Cleveland Hopkins International Airport. The contract herein authorized shall be prepared by the Director of Law, approved by the President of Council, and certified by the Director of Finance."

3. In existing Section 3, line 1, after "improvement" insert "and services".

4. Renumber existing Sections 3 and 4, respectively, to new "Section 4" and "Section 5".

Amendments agreed to.

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

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

Ord. No. 1174-96.

By Councilmen Lewis, Johnson, 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 1913 East 69 Street, rear, to Mattie Mae and Taze Adams.

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

Ord. No. 1176-96.

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 6615 Lawnview Avenue to Marvin D. and Carol L. Evans.

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

Ord. No. 1177-96.

By Councilmen Lewis, Johnson, 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 7209 Linwood Avenue to Frank Kemp.

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

Ord. No. 1178-96.

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 5713 Luther Avenue to Henry and Bertha Crowell.

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

Ord. No. 1179-96.

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 10010 Newton Avenue to Felton and Jackie Pitts.

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

Ord. No. 1180-96.

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 1178 East 85 Street to John Ervin and Mary Byrd.

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

Ord. No. 1181-96.

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 8513 and 8409 Sowinski Avenue to Fred L. Taylor.

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

Ord. No. 1193-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the payment of membership dues of the City of Cleveland in Build Up Greater Cleveland for the year 1996.

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

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

Ord. No. 1195-96.

By Councilmen Willis, 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 12400, 12316-18, 12314, 12312, 12401-03, 1381, 1405 East 124th Street aka 12331-23 Auburndale Avenue, 1404, 1400, 1396, 1390 East 124th Street to Northeast Neighborhood Development Corp. or designee.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance; when amended as follows:

1. In the title, line 9, strike "Northeast" and insert in lieu thereof "Northeastern".

2. In Section 2, at the end, add the following new legal descriptions:

"Permanent Parcel No. 120-12-066 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being the Westernly one-half of Sublot No. 40 in the Superior Land Co.'s Allotment of part of Original 100 Acre Lot No. 388, as shown by the recorded plat in Volume 38 of Maps, Page 7 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 124th Place and extending back 70.26 feet on the Northernly line, 67.39 feet on the Southerly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject toll legal highways.

Permanent Parcel No. 120-12-067 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being Sub-Lot No. 39 in Superior Land Company's Allotment of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 38 of Maps, Page 7 of Cuyahoga County Records."

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

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

Ord. No. 1250-96.

By Councilmen Jackson 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.

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

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

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.

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

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.

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

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.

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

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

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.

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

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

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.

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

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

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.

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

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

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.

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

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.

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

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

**SECOND READING
ORDINANCES PASSED**

Ord. No. 2051-95.

By Councilman Patton.
An ordinance to change the Use District of lands on the southwest corner of St. Clair Avenue, N.E. and E. 95 Street. (Map Change No. 1893, Sheet No. 4)
Approved by Directors of City Planning Commission, Finance, Law; Recommended by Committee on City Planning.
The rules were suspended. Yeas 19. Nays 0. Read third time. Passed. Yeas 19. Nays 0.

Ord. No. 556-96.

By Councilman O'Malley.
An ordinance to change the Use and Area Districts of lands on the westerly side of West 41 Street between Memphis Avenue, S.W. and Henritze Avenue, S.W. (Map Change No. 1900, Sheet No. 2)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning; when amended as follows:

1. In the title, line 5, after "S.W." insert the following: "; and to establish a 3-foot setback on Memphis Avenue within said land designation."

2. To insert a new Section 3 to read as follows:

"Section 3. That there is hereby established a 3-foot setback on Memphis Avenue within said changed designation of lands described in Section 1 of this ordinance and any references to a 10-foot setback in said land designation is hereby repealed."

3. Re-number existing Section 3 to new "Section 4".

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

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

Ord. No. 719-96.

By Councilman Johnson.
An ordinance to change the Use and Area District of lands on the westerly side of Martin Luther King Jr. Drive between Lamontier Avenue, S.E. and Sophia Avenue, S.E. (Map Change No. 1903, Sheet No. 9)

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

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

Ord. No. 720-96.

By Councilman Rybka.
An ordinance to change the Use, Area, and Height Districts of lands on the southwesterly side of Broadway, S.E. between Worley Avenue, S.E. and the Newburgh and South Shore Railway tracks and the southeasterly side of Jones Road, S.E. between Broadway, S.E. and Harvard Avenue, S.E. (Map Change No. 1902, Sheet No. 6)

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

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

Ord. No. 769-96.

By Councilman Paulenske.
An ordinance to change the Use and Area Districts of lands on the northerly side of Lakefront Road, N.E., to Lake Erie between Marquette Street, N.E. and East 55 Street. (Map Change No. 1905, Sheet No. 4)

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

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

**SECOND READING EMERGENCY
RESOLUTIONS ADOPTED**

Res. No. 1049-96.

By Councilman Smith (by request).

An emergency resolution declaring the intention to vacate a portion of The First Unnamed Alley East of Columbus Road N.W. and a portion of Gould Court N.W.

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

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

Res. No. 1114-96.

By Councilman Paulenske (by request).

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

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

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

Res. No. 1115-96.

By Councilman Smith (by request).

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

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

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

Res. No. 1200-96.

By Councilman Miller (by request).

An emergency resolution declaring the intention to vacate a portion of Giles Road S.W. and Sprecher Avenue S.W.

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

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

Res. No. 1201-96.

By Councilman Britt (by request).
An emergency resolution declaring the intention to vacate a portion of East 90th 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 19. Nays 0. Read third time. Adopted. Yeas 19. Nays 0.

Res. No. 1202-96.

By Councilman Patton (by request).

An emergency resolution declaring the intention to vacate Mann Avenue S.E.

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

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

Res. No. 1203-96.

By Councilman White (by request).

An emergency resolution declaring the intention to vacate a portion of The First Unnamed Alley East of East 93rd Street and North of Casius Avenue S.E.

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

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

LAI D ON THE TABLE

Ord. No. 1182-96.

By Councilmen Lewis, Johnson, 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 7432 Star Avenue to Frances Mae Butler and Bernice Miles.

Without objection, Ordinance No. 1182-96 was Laid on the Table, pursuant to the rules of Council.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried, that the absence of Councilman Patrick O'Malley and Councilwoman Helen Smith be, and is hereby authorized.

MOTION

The Council adjourned at 7:50 p.m. to meet on Monday, September 9, 1996.


Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

August 14, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, August 14, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan,

Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Absent: None.

Others: William A. Moon, Purchases and Supplies, Barry Withers, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 544-96.

By Director Hyer.

Resolved by the Board of Control of the City of Cleveland that all bids received on July 12, 1996 for Commercial Gases for the Various Divisions of City Government, Department of Finance, pursuant to the authority of Ordinance No. 644-96, passed by the Council of the City of Cleveland on May 13, 1996, be and the same are hereby rejected.

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.

Absent: None.

Resolution No. 545-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of McDorman Chevrolet, Inc. for the following: twenty two (22) chassis and cabs with 8 ft. pick-up bodies (1A, 1B, 1C, 2A, 2B, 2C) for the Division of Water, Department of Public Utilities, received on the 24th day of May, 1996, pursuant to the authority of Ordinance No. 1228-95, passed January 29, 1996, which on the basis of the order quantities would amount to Four Hundred Seventy-Seven Thousand Two Hundred Forty Four Dollars, (\$477,244.00), (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: None.

Nays: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Absent: None.

Resolution No. 546-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 390-96, adopted June 12, 1996, approving the bid of Hylant MacLean, Inc. for boiler machinery insurance all items option A, for the Division of Cleveland Public Power, Department of Public Utilities, is hereby amended by deleting the words "all items, option A \$10,000,000.00 policy limit" and substituting therefor the words, "all items, option B \$20,000,000.00 policy limit" and deleting the amount of the total award, "Two Hundred Sixty Eight Thousand Five Hundred Dollars (\$268,500.00)" and substituting therefor the amount of the total award "Two Hundred Eighty Two Thousand and no/100 Dollars (\$282,000.00)".

Be it further resolved that all other provisions of said Resolution No. 390-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Direc-

tor Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 547-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of American National Fleet Service, Inc. for an estimated quantity of interior and exterior body repair, all items (labor rate of \$18.00 per hour) 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 30th day of May, 1996, pursuant to the authority of Ordinance No. 364-96, passed April 1, 1996, which on the basis of the estimated quantity would amount to One Hundred Twenty-Five Thousand and no/100 Dollars, (\$125,000.00), (2% 45 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. 85406 which shall be certified against such contract in the sum of Six Thousand Two Hundred Fifty and no/100 Dollars, (\$6,250.00).

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

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 548-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of American National Fleet Service, Inc. for an estimated quantity of labor and material to inspect and repair bucket and derrick trucks, all items for the Division of Cleveland Public Power, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 30th day of May, 1996, pursuant to the authority of Ordinance No. 365-96, passed April 1, 1996, which on the basis of the estimated quantity would amount to One Hundred Fifty Thousand and no/100 Dollars, (\$150,000.00), (2% 45 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. 85407 which shall be certified against

such contract in the sum of Thirty Thousand and no/100 Dollars, (\$30,000.00).

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

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 549-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of King Wire, Inc. for an estimated quantity of wire, item nos. 37, 38, 40 and 48, 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 15th 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 Sixty Thousand Nine Hundred Twenty-Two and 50/100 Dollars, (\$60,922.50), (2% 20 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. 85383 which shall be certified against such contract in the sum of Five Thousand Eight Hundred Ten and no/100 Dollars, (\$5,810.00).

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

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.

Absent:None.

Resolution No. 550-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Company for an estimated quantity of wire, item nos. 1, 3, 4, 6, 7, 9, 15 thru 20, 24, 31 thru 36, 49 and 50, 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 15th 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 One Hundred Eighty-Three Thousand Seven Hundred Twenty and

60/100 Dollars, (\$183,720.60), (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. 85384

which shall be certified against such contract in the sum of Eleven Thousand Twenty-Five and no/100 Dollars, (\$11,025.00).

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

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 551-96.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that the bid of Bob McDorman Chevrolet, Inc. for the following: One (1) 4x4 3/4 ton pick-up truck for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on the 24th day 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 \$25,497.00, (Net 30 Days) 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: None.

Nays: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Absent: None.

Resolution No. 552-96.

By Acting Director Staib.

Resolved by the Board of Control of the City of Cleveland that the bid of Advanced Pollution Instrumentation, Inc. (API) for the following: Air Monitoring Instruments (Items #3 and #4) for the Division of Air Pollution Control, Department of Public Health, received on the 20th day of October, 1995, pursuant to the authority of Ordinance No. 185-95, passed March 6, 1995, which on the basis of order quantity would amount to \$16,807.00, (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into contract for such items.

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 553-96.

By Director Denihan.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of U. S. Elevator Corporation, base bid only, for the public improvement of Justice Center Police Headquarters Elevator Renovations, for the Division of Police, Department of Public Safety, received on July 18, 1996, pursuant to the authority of Ordinance No. 1578-90 passed February 24, 1992, for a gross price for the improvement in the aggregate amount of Eight Hundred Eighty-Four Thousand Eight Hundred Fifty-Six and No/100 Dollars (\$884,856.00) is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Safety is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved, that the employment of the following subcontractors to U. S. Elevator Corporation, is hereby approved:

Precision Electric Inc.
MBE, 5%

Comm Steel, Inc.
MBE, 0.2%

Octagon Construction Company
FBE, 1.2%

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 554-96.

By Director Spellman.

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 304-96 passed by the Council of the City of Cleveland on March 8, 1996, the firm of Huber, Hunt & Nichols, Inc. ("Construction Manager") is hereby selected upon the nomination of the Director of Parks, Recreation & Properties from a list of qualified firms available for such employment and determined after a full and complete canvass by the Director of Parks, Recreation & Properties as the construction management firm to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City in order to provide certain professional construction management services necessary for the demolition of the old Cleveland Municipal Stadium and the planning, design and construction of a new football stadium.

Be it further resolved, that the Director of Parks, Recreation & Properties hereby is authorized to enter into a written contract with Huber, Hunt & Nichols, Inc. based upon its proposal dated July 5, 1996, which contract shall be prepared by the Director of Law and shall include such additional provisions as she deems necessary to benefit and protect the public interest.

Be it further resolved that the fees for services to be performed under the contract authorized hereby shall not exceed a total of \$7,073,000.00.

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan,

Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 555-96.

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. 109-15-128 located at 10827 Massie Avenue in Ward 8; 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, Julius C. and Milderion Nixon, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Julius C. and Milderion Nixon for the sale and development of Permanent Parcel No. 109-15-128 located at 10827 Massie 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, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 556-96.

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. 119-32-052 located at 2348 East 89 Street in Ward 6; 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, Greater Cleveland Habitat for Humanity, 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 6 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Greater Cleveland Habitat for Humanity for the sale and development of Permanent Parcel No. 119-32-052 located at 2348 East 89 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 557-96.

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 Nos. 128-01-002, 128-01-011, 128-01-012, 128-01-013, 128-01-016, 128-01-017, 128-01-039, 128-01-044, 128-01-046, 128-01-049, 128-01-050, 128-01-051, 128-01-052, 128-01-057, 128-01-059, 128-01-060, 128-01-062, 128-01-063, 128-01-064, 128-02-085, 128-02-086, 128-01-088, 128-01-112, 128-01-113, 128-01-119, 128-01-120, 128-01-122, 128-01-123, 128-02-184, and 128-02-185, under said Land Reutilization Program; and

Whereas, Ordinance No. 1161-96 passed June 17, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1161-96 passed June 17, 1996 by the Cleveland City Council, the Mayor is hereby authorized

to execute an Official Deed for and on behalf of the City of Cleveland with Buckeye Area Development Corp. or its designee for the sale and development of Permanent Parcel Nos. 128-01-002, 128-01-011, 128-01-012, 128-01-013, 128-01-016, 128-01-017, 128-01-039, 128-01-044, 128-01-046, 128-01-049, 128-01-050, 128-01-051, 128-01-052, 128-01-057, 128-01-059, 128-01-060, 128-01-062, 128-01-063, 128-01-064, 128-02-085, 128-02-086, 128-01-088, 128-01-112, 128-01-113, 128-01-119, 128-01-120, 128-01-122, 128-01-123, 128-02-184, and 128-02-185, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 558-96.

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 Nos. 118-10-001, 118-10-002, 118-10-003, 118-10-004 and 118-10-005 under said Land Reutilization Program; and

Whereas, Ordinance No. 1212-96 passed June 18, 1996 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Cynthia H. D. Moore has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1212-96 passed June 18, 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 Cynthia H. D. Moore for the sale and development of Permanent Parcel Nos. 118-10-001, 118-10-002, 118-10-003, 118-10-004 and 118-10-005, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 559-96.

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 Nos. 118-22-102, 118-22-103, 118-22-140, 118-22-104, 118-22-105, 118-22-106, 110-22-107 under said Land Reutilization Program; and

Whereas, Ordinance No. 1020-96 passed June 18, 1996 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Burten, Bell and Carr Development Corporation or designee has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1020-96 passed June 18, 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 Burten, Bell and Carr Development Corporation or designee for the sale and development of Permanent Parcel Nos. 118-22-102, 118-22-103, 118-22-140, 118-22-104, 118-22-105, 118-22-106, 110-22-107, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 560-96.

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 Nos. 119-28-082, 119-28-089, 119-28-126, 119-28-125, and 119-28-160 under said Land Reutilization Program; and

Whereas, Ordinance No. 1010-96 passed June 18, 1996 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Fairfax Renaissance Development Corp. has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1010-96 passed June 18, 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 Fairfax Renaissance Development Corp. for the sale and development of Permanent Parcel Nos. 119-28-082, 119-28-089, 119-28-126, 119-28-125, and 119-28-160 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall

be \$100.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent:None.

Resolution No. 561-96.

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. 132-01-106 under said Land Reutilization Program; and

Whereas, Ordinance No. 868-96 passed July 17, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, 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. 868-96 passed June 17, 1996 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on the behalf of the City of Cleveland with Broadway Area Housing Coalition for the sale and development of Permanent Parcel No. 132-01-106, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent:None.

Resolution No. 562-96.

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. 009-03-013 under said Land Reutilization Program; and

Whereas, Ordinance No. 865-96 passed July 17, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Carol A. Santora 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. 865-96 passed June 17,

1996 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on the behalf of the City of Cleveland with Carol A. Santora for the sale and development of Permanent Parcel No. 009-03-013, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, Director Axelrod.

Nays: None.
Absent: None.

Resolution No. 563-96.

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. 138-10-110 under said Land Reutilization Program; and

Whereas, Ordinance No. 160-96 passed April 29, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Percy Mitchell 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. 160-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an official deed for and on the behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 138-10-110, as further described in said Ordinance, to Percy Mitchell, 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 that the consideration for said parcel shall be \$400.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Acting Director Horvath, Directors Hyer, Konicek, Acting Directors Sheehan, Scott, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Director Sullivan, 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**

TUESDAY, SEPTEMBER 3, 1996

9:30 A.M.

Calendar No. 96-131: 4716-4814 Tillman Ave., N.W.

City of Cleveland, owner, and Detroit Shoreway Community Development Organization, prospective purchaser, c/o Jeff Ramsey, to construct a 139' x 38' 6 unit, a 50' x 55' two unit and two 86' x 38' 4 unit 3 level townhouse buildings, thereby creating 16 lots, on the 250' x 277' irregular shaped corner parcel located in a B-1 Two Family District on the northeast corner of Tillman Ave. and W. 49 St. at 4716-4814 Tillman Ave.; said buildings being 40' in height contrary to the 35' maximum of Section 353.01 and 9 of said lots being less than 2400 square feet in area as required by Section 355.04 and 15 of said units to exceed the 50% maximum gross floor area rational requirements of Section 355.04 and two of said units to have a 0' rear yard and two of said units to have a 12' rear yard instead of the 20' minimum of Section 357.08 and three of said units to have a 0' side street yard instead of 5' and 13 of said units to have interior sideyards of 0' instead of the 10' minimum of Section 357.09 of the Codified Ordinances.

Calendar No. 96-136: 3088-3100 W. 106 St.

Oberlin Farms Inc., owner, and Dan Malley, tenant, to install a 25' x 40' painted billboard advertising sign to an upper west wall of the irregular shaped multi-story warehouse building on a 340' x 344' irregular shaped parcel located in a General Industry District at 3088-3100 W. 106 St.; said proposed advertising sign being contrary to the size and distance prohibitions of Section 350.10 of the Codified Ordinances.

Calendar No. 96-145: 900-32 E. 105 St.

Kathryn R. Tyler Neighborhood Center Inc., owner, to erect a two story 96' x 100' masonry addition, and other site improvements, to the rear (west) of the 90' x 85' one

story masonry neighborhood center building on a 255' x 312' corner through lot located the easterly 147' in a Local Retail District and the westerly 165' in a Two Family District on the southwest corner of E. 105 St. and Empire Ave. and extending through to Columbia Ave. at 900-32 E. 105 St.; said proposed addition, being located mainly in a Two Family District, being subject to the special use provisions of Sections 337.03 and 337.02 and the proposed accessory off-street parking to be located 2' from the street line of Columbia Ave. contrary to the setback encroachment provisions of Section 357.14 and said parking lot to be contrary to the screening provisions of Section 349.08 and the fencing to surround said parcel mainly located at the street lines contrary to the setback encroachment provisions of Section 357.13 of the Codified Ordinances.

Calendar No. 96-147: 3938 E. 147 St. Ralph Clemons, owner, to use as a food store the 20' x 38' one story frame nonconforming store building on a 50' x 137' irregular shaped corner lot located in a One Family District on the southwest corner of E. 147 St. and Kingsford Ave., at 3938 E. 147 St.; said use being contrary to the residence use limitations of Section 337.02 but subject to the substitution provisions of Section 359.01 and said premises not to conform to the landscaping requirements of Section 352.08 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, AUGUST 19, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, August 12, 1996, the following appeals were heard by the Board, and decided on Monday, August 19, 1996.

The following appeal was **Withdrawn**:

Calendar No. 96-94: 4492 State Rd., S.W.

The following appeal was **Postponed** to September 3, 1996:

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."

THURSDAY, AUGUST 29, 1996

Asphalt Concrete and Tack Coat Including Labor, as authorized by Ordinance No. 818-96, passed by the Council of the City of Cleveland.

August 14 and August 21, 1996

FRIDAY, AUGUST 30, 1996

Lubricants, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1017-96, passed by the Council of the City of Cleveland June 18, 1996.

August 14 and August 21, 1996

THURSDAY, SEPTEMBER 5, 1996

Cooley Avenue Area Relief Sewer Materials, 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 ON THURSDAY, AUGUST 29, 1996, 10:00 A.M. AT WATER POLLUTION CONTROL OFFICE, LOCATED AT 12302 KIRBY AVE.
**** THIS IS AN MBE SET-ASIDE BID/PROJECT****

Cooley Avenue Area Relief Sewer Construction, 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 ON THURSDAY, AUGUST 29, 1996, 10:00 A.M. AT WATER POLLUTION CONTROL OFFICE, LOCATED AT 12302 KIRBY AVE.

Various Equipment and Appurtenances for Vac-All Vacuum Catch Basin Cleaners, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 247-96, passed by the Council of the City of Cleveland, May 6, 1996.

August 14 and August 21, 1996

FRIDAY, SEPTEMBER 6, 1996

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

Lining Cement, Mortar Cement and Sand, 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.

Hauling and Disposal of Debris at Landfills, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 540-96, passed by the Council of the City of Cleveland, May 20, 1996.

Three (3) Cutaway Chassis and Cabs, 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.

August 14 and August 21, 1996

FRIDAY, SEPTEMBER 6, 1996

Diesel Fuel, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1102-96, passed by the Council of the City of Cleveland July 17, 1996.

August 21 and August 28, 1996

THURSDAY, SEPTEMBER 12, 1996

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.

Drug Testing, for the Division of Police, Department of Public Safety, as authorized by Section 135.43 of the Codified Ordinances of the City of Cleveland, 1976.

August 21 and August 28, 1996

WEDNESDAY, SEPTEMBER 11, 1996

Personal Computers, Laser Printers and Software to Support CIJIS, for the Department of Finance, on behalf of the Cleveland Municipal Court, as authorized by Ordinance No. 1095-95, passed by the Council of the City of Cleveland July 19, 1995.

Parma Control Center Backup Power Improvements, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 2564-89 and 754-94, passed by the Council of the City of Cleveland, December 4, 1989 and May 23, 1994, respectively.

A DEPOSIT OF TWO HUNDRED FIFTY DOLLARS (\$250.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON TUESDAY, SEPTEMBER 3, 1996, 10:00 A.M. AT THE PUBLIC UTILITIES BUILDING, AUDITORIUM A, 1201 LAKESIDE AVENUE.

August 21 and August 28, 1996

FRIDAY, SEPTEMBER 13, 1996

Lease of a Medical Mobile 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.

August 21 and August 28, 1996

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1049-96.
By Councilman Smith (by request).

An emergency resolution declaring the intention to vacate a portion of The First Unnamed Alley East of Columbus Road N.W. and a portion of Gould Court N.W.

Whereas, this Council is satisfied that there is good cause for vacating a portion of The First Unnamed Alley East of Columbus Road N.W. and a portion of Gould Court N.W., as hereinafter described, and

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

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

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

Being all that portion of THE FIRST UNNAMED ALLEY EAST OF COLUMBUS ROAD N.W. (80.00 feet wide), extending Northerly from the Northerly line of Moore Avenue N.W. (66.00 feet wide) to that portion of the Unnamed Alley vacated by Ordinance No. 491-93, passed by the Council of the City of Cleveland on May 3, 1993.

AND

a portion of GOULD COURT N.W. (16.5 feet wide) extending Easterly from the Easterly line of The First Unnamed Alley East of Columbus Road N.W. (80.00 feet wide), 70.00 feet to its intersection with the Southerly prolongation of the Easterly line of Sublot Number 133 in the Willeyville Allotment as recorded in Volume 2, Page 16 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.

Adopted August 14, 1996.
Awaiting the approval or disapproval of the Mayor.

Res. No. 1114-96.
By Councilman Paulenske (by request).

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

Whereas, this Council is satisfied that there is good cause for vacating a portion of Stuber Court N.E., as hereinafter described, and

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

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

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

Being all that portion of STUBER COURT N.E. (15.00 and 16.00 feet wide), described as follows:

Beginning on the Northerly line of Stuber Court N.E. at its intersection with the Westerly line of East 30th Street (66.00 feet wide); thence South 57°-39'-48" West along the Northerly line of said Stuber Court N.E., 114.00 feet to a point; thence South 32°-20'-12" East along the Westerly line of said Stuber Court N.E., 38.76 feet to a point; thence North 60°-45'-48" East, 16.02 feet to a point on the Easterly line of said Stuber Court N.E.; thence North 32°-20'-12" West along the Easterly line of said Stuber Court, 24.62 feet to a point; thence North 57°-39'-48" East along the Southerly line of said Stuber Court N.E., 98.00 feet to the Westerly line of East 30th Street as aforesaid; thence North 32°-20'-12" West, 15.00 feet to the place of beginning.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1115-96.
By Councilman Smith (by request).

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

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

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

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

Section 1. That it hereby declares its intention to vacate:

The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as; Being all that portion of Auburn Avenue S.W. (20.00 feet wide), extending Easterly from the Easterly line of West 25th Street (66.00 feet wide), to the Southerly prolongation of the Westerly line of West 19th Street (30.00 feet wide).

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

Adopted August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1200-96.
By Councilman Miller (by request).

An emergency resolution declaring the intention to vacate a portion of Giles Road S.W. and Sprecher Avenue S.W.

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

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

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

Section 1. That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being all that portion of: GILES ROAD S.W. (40.00 feet wide), Northerly from the Northerly line of Giles Road S.W. vacated by Ordinance Number 421-87, passed by the Council of the City of Cleveland on April 6, 1987 to the Southerly line of that portion of Giles Road S.W. vacated by Ordinance Number 1975-69, passed by the Council of the City of Cleveland on December 15, 1969. AND;

SPRECHER AVENUE S.W. (50.00 feet wide) beginning at the point of intersection of the Southerly line of Sprecher Avenue S.W., 50.00 feet wide, with the Northwesterly line of Giles Road S.W. (40.00 feet wide); thence Northeasterly along the prolongation of the said northwesterly line of Giles Road to a point in the northerly line of Sprecher Avenue; thence Westerly along the said Northerly line of Sprecher Avenue, a distance of 31.32 feet; thence at right angles to the last described courses, a distance of 50.00 feet to the point of beginning.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1201-96.

**By Councilman Britt (by request).
An emergency resolution declaring the intention to vacate a portion of East 90th Street.**

Whereas, this Council is satisfied that there is good cause for vacating a portion of East 90th 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: EAST 90TH STREET (45.00 feet wide), extending Northerly from the Northerly line of Carnegie Avenue S.E. (80.00 feet wide), to the Southerly line of Euclid Avenue S.E. (80.00 feet wide), including its turnouts on Carnegie Avenue S.E. and Euclid Avenue S.E.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1202-96.

By Councilman Patton (by request).

An emergency resolution declaring the intention to vacate Mann Avenue S.E.

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

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

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

Section 1. That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being all that portion of: MANN AVENUE S.E. (50.00 feet wide), extending Westerly from the Westerly line of JoAnn Drive S.E. (50.00 feet wide), to the Easterly line of East 183rd Street (50.00 feet wide).

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

Adopted August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1203-96.

By Councilman White (by request).

An emergency resolution declaring the intention to vacate a portion of The First Unnamed Alley East of East 93rd Street and North of Cassius Avenue S.E.

Whereas, this Council is satisfied that there is good cause for vacating a portion of The First Unnamed Alley East of East 93rd Street and North of Cassius Avenue S.E., as hereinafter described, and

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

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

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

Being all that portion of THE FIRST UNNAMED ALLEY (15.00 feet wide), East of East 93rd Street extending Northerly from the Northerly line of Cassius Avenue S.E. (50.00 feet wide), to that portion of said Alley vacated by the Council of the City of Cleveland by Ordinance Number 1395-49.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1487-96.

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

An emergency resolution urging the Ohio Department of Development to refrain from waiving relocation restrictions for the Gas Turbine Division of Parker-Hannifin Corporation and to deny Parker-Hannifin's request to streamline the 30-day notification period to 15 days.

Whereas, considering how devastating Parker-Hannifin's decision to

move its world headquarters and 600 jobs from the City of Cleveland to Mayfield Heights will have on the Collinwood neighborhood and the City of Cleveland; and

Whereas, Parker-Hannifin has at no time communicated to the City of Cleveland its intent to relocate the Gas Turbine Division to a different site nor have they sought assistance from the City in maintaining the Division in Cleveland; and

Whereas, the intent of the State law regarding Enterprise Zone tax abatements is to foster reinvestment in economically distressed areas, not to subsidize the flight of industry from distressed neighborhoods to affluent communities; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the relocation of Parker-Hannifin Corporation will have a devastating effect on the City of Cleveland; now, therefore,

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

Section 1. That this Council urges the Ohio Department of Development to refrain from waiving relocation restrictions for the Gas Turbine Division of Parker-Hannifin Corporation.

Section 2. That this Council further urges the Department of Development to deny Parker-Hannifin's request to streamline the 30-day notification period to 15 days.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1488-96.

By Councilman Jackson.

An emergency resolution urging President Clinton and HUD to stop promoting policies that will result in the reduction of public housing and project base housing opportunities for low income people.

Whereas, the need for safe, sanitary, and decent housing for low-income people has increased; and

Whereas, Cuyahoga Metropolitan Housing Authority ("CMHA") has 9,700 families on its waiting list; and

Whereas, CMHA's 9,700 family waiting list was created from an application period beginning in April, 1996; and

Whereas, the average annual income of a CMHA resident is just over \$5,000 dollars; and

Whereas, President Clinton and HUD has used CMHA as a model for how public housing should be run throughout the country; and

Whereas, the United States Department of Housing and Urban Development ("HUD") has, for political reasons, reduced the housing opportunities for low income people; and

Whereas, HUD has encouraged and required the demolition of public housing as a condition for receiving renovation money; and

Whereas, the most recent HUD policy would promote private own-

erish of public housing by the year 2000 thus further reducing housing opportunities for low income people; and

Whereas, HUD promotes giving Section 8 vouchers for public housing and project-based residents; and

Whereas, the Section 8 vouchers are renewed annually and may not be renewed in the drive to balance the federal budget; and

Whereas, the neighborhoods of greater Cleveland are unable and/or unwilling to absorb thousands of public housing and project-based residents; and

Whereas, the ultimate result of HUD's policies is the creation of new ghettos with substandard housing for the poor and homelessness; now, therefore,

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the ultimate result of HUD's policies is the creation of new ghettos with substandard housing for the poor and homelessness; now, therefore,

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

Section 1. That President Clinton and HUD reverse their policies that will result in reducing the number of traditional public housing and project-based housing opportunities for low income people.

Section 2. That President Clinton and HUD stop encouraging and promoting the demolition of public housing.

Section 3. That President Clinton and HUD stop using Section 8 vouchers as a way of displacing low-income people from public housing and facilitating the creation of new ghettos, substandard housing for low-income people and homelessness.

Section 4. That President Clinton and HUD stop the promoting of private ownership of public housing unit by the year 2000.

Section 5. That President Clinton and HUD not force CMHA to follow a policy that is contrary to the best interest of low income people and be given flexibility in providing traditional public housing for low income people.

Section 6. That President Clinton and HUD provide CMHA with the necessary funding for renovation of public housing, and traditional replacement public housing.

Section 7. That President Clinton and HUD provide CMHA with the necessary funding for security and personnel, maintenance and supplies at its public housing.

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

Adopted August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1489-96.
By Councilmen Miller, Westbrook and Coats.

An emergency resolution deploring the tactics used by Cuyahoga

County Republican Chairman James Trakas in his recent letter to party members, and strongly urging all candidates and their supporters to stick to issues and avoid name-calling during the 1996 election campaign.

Whereas, one of America's most cherished values is that of freedom of expression; and

Whereas, one of America's darkest episodes was the McCarthy era, in which many citizens were deprived of their livelihood, reputation, and well-being through a campaign of fear and red-baiting; and

Whereas, Cuyahoga Republican Party Chairman James Trakas recently sent a letter to party members describing State Senator Dennis Kucinich and Mayor Tom Coyne as having "socialist" ideas, and stating that Senator Kucinich's workers rights platform is similar to the Communist manifesto; and

Whereas, voters are already very skeptical of the political process because of all the negativity and name calling, making it imperative that we not have another round of McCarthy-like political tactics; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that every effort should be made to stick to issues and avoid name-calling during the upcoming election campaign; now, therefore,

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

Section 1. That this Council hereby deplores the tactics used by Cuyahoga County Republican Chairman James Trakas in his recent letter to party members, and strongly urges all candidates and their supporters to conduct the 1996 election campaign by sticking to the issues and avoiding name calling.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to James Trakas, Jimmy Dimora, Congressman Martin Hoke, State Senator Dennis Kucinich, Congressman Steve LaTourette and Mayor Tom Coyne.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1491-96.
By Councilman Lewis.
An emergency resolution opposing the recent decision by Ameritech to close its public bill paying office on East Ninth Street.

Whereas, certain recent corporate decisions by Ameritech have raised serious doubts about Ameritech's corporate sensitivity to the needs of City residents; and

Whereas, Ameritech has decided to close its public bill paying service at its facility on East 9th Street, where City residents can pay their telephone bills without any cost; and

Whereas, this decision means that City residents must pay their bills

at other facilities which charge service fees and require copies of bills or detailed account information prior to allowing the payment of the bill; and

Whereas, the closing of the public bill paying service at its downtown facility will cause hardship and increased costs to citizens who cannot support this burden; and

Whereas, Ameritech has asked this Council in the past to support its corporate decisions; and

Whereas, this Council cannot continue to support Ameritech when Ameritech so callously ignores the needs of City residents; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that Ameritech's decision will create undue hardship for Cleveland's residents; now, therefore,

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

Section 1. That this Council hereby opposes the recent decision by Ameritech to close its public bill paying service at its facility on East Ninth Street.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to CEO of Ameritech.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1492-96.
By Councilman Britt.
An emergency resolution objecting to the renewal of a Liquor Permit at 10022-30 Cedar Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 5379059, owned by MHR Inc., 10022-30 Cedar Avenue, Cleveland, Ohio

44106, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1493-96.

By Councilman Britt.

An emergency resolution objecting to the renewal of a Liquor Permit at 8502 Quincy Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7680789, owned by Quincy Savmor, 8502 Quincy Avenue, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of

division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1494-96.

By Councilman Britt.

An emergency resolution objecting to the renewal of a Liquor Permit at 8624 Cedar Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 9879118, owned by All American Food Market, 8624 Cedar Avenue, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1495-96.

By Councilman Melena.

An emergency resolution objecting to the renewal of a D1, D2 and D3 Liquor Permit at 3135 West 63rd Street, first floor and basement.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2 and D3 Liquor Permit, Permit No. 1171644-0005, owned by C & D Tavern Inc., dba Stock Inn, 3135 West 63rd Street, first floor and basement, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1496-96.

By Councilman Melena.

An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 7514-16 Elton Avenue, first floor front.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in divi-

sion (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 4211416, owned by Jaffal Food Market Inc., 7514-16 Elton Avenue, first floor front, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1497-96.
By Councilman Melena.
An emergency resolution objecting to the renewal of a C2 and C2X Liquor Permit at 8017-19 Detroit Avenue, first floor.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 pro-

viding for the immediate preservation of the public peace, property, safety and welfare in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2 and C2X Liquor Permit, Permit No. 7404836, owned by Rivera Enterprises Inc., dba Ziggy's Food Market, 8017-19 Detroit Avenue, first floor, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1498-96.
By Councilman Melena.
An emergency resolution objecting to the renewal of a D2 and D2X Liquor Permit at 8002 Detroit Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D2 and D2X Liquor Permit,

Permit No. 2455400, owned by 8002 Detroit Inc., dba American Food Market, 8002 Detroit Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1499-96.
By Councilman Melena.
An emergency resolution objecting to the renewal of a D2, D2X, D3 and D3A Liquor Permit at 7507-11 Detroit Avenue, first floor and basement.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit, Permit No. 5853053, owned by Merlin's Cave Inc., dba Hopes & Dreams, 7507-11 Detroit Avenue, first floor and basement, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1500-96.

By Councilman Melena.

An emergency resolution objecting to the renewal of a C2, C2X and D6 Liquor Permit at 5910 Detroit Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C2, C2X and D6 Liquor Permit, Permit No. 9125555, owned by Two N Inc., dba Convenient Food Market #3312, 5910 Detroit Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1501-96.

By Councilman Miller.

An emergency resolution objecting to the renewal of a C1 and C2 Liquor Permit at 13840 Bellaire Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a C1 and C2 Liquor Permit, Permit No. 4161660, owned by Isweillem Food Market, Inc., dba Sam's Bellaire Mini-Mart, 13840 Bellaire Road, Cleveland, Ohio 44135, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1502-96.

By Councilman Miller.

An emergency resolution objecting to the renewal of a D5 Liquor Permit at 16120 Brookpark Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 Liquor Permit, Permit No. 8385521, owned by Souinion Inc., 16120 Brookpark Road, Cleveland, Ohio 44135, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1503-96.

By Councilman Miller.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 16120 Brookpark Road, and repealing Res. No. 1123-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 16120 Brookpark Road by Res. No. 1123-96, adopted June 10, 1996; and

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

transfer of ownership and consents to said transfer of ownership; and

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

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

Section 1. That objection to the transfer of ownership of a D5 Liquor Permit to 16120 Brookpark Road be and the same is hereby withdrawn and Res. No. 1123-96, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1504-96.

By Councilman O'Malley.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4533 State Road.

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. 3132490, Atie Georges, dba Cypress Beverage, 4533 State Road, Cleveland, Ohio 44109, to Permit No. 0006572, A & T Georges Corp., dba Cypress Beverage, 4533 State 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 transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 3132490, Atie Georges, dba Cypress Beverage, 4533 State Road, Cleveland, Ohio 44109, to Permit No. 0006572, A & T Georges Corp., dba Cypress Beverage, 4533 State 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1505-96.

By Councilman O'Malley.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4926 Denison Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 5378698, M & D Food Market Inc., 4926 Denison Avenue, Cleveland, Ohio 44109, to Permit No. 4279123, Jericho USA Inc., dba Sav Way Food Mart, 4926 Denison 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 consti-

tutes 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. 5378698, M & D Food Market Inc., 4926 Denison Avenue, Cleveland, Ohio 44109, to Permit No. 4279123, Jericho USA Inc., dba Sav Way Food Mart, 4926 Denison 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1506-96.

By Councilman Patmon.

An emergency resolution objecting to the renewal of a Liquor Permit at 10721 St. Clair Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 4189172, owned by Salds Gold Star, 10721 St. Clair Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hear-

ing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1507-96.

By Councilman Patmon.

An emergency resolution objecting to the renewal of a Liquor Permit at 10109 St. Clair Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 5970724, owned by Miller's Superette Store, 10109 St. Clair Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of

the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1508-96.

By Councilman Patmon.

An emergency resolution objecting to the renewal of a Liquor Permit at 817-821 East 105th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2455383, owned by My Way Food Deal, 817-821 East 105th Street, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1509-96.

By Councilman Patmon.

An emergency resolution objecting to the renewal of a Liquor Permit at 1144 East 105th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7564211, owned by Royal Eagle Market, 1144 East 105th Street, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1510-96.

By Councilman Smith.

An emergency resolution objecting to the renewal of a Liquor Permit at 3179 West 25th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2439277, owned by Aragon Ballroom, 3179 West 25th Street, Cleveland, Ohio 44113, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1511-96.
By Councilman Smith.
An emergency resolution objecting to the renewal of a Liquor Permit at 2998 West 25th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised

Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 6221295, owned by Mule ZM Inc., dba Little Bob's Tavern, 2998 West 25th Street, Cleveland, Ohio 44113, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1512-96.
By Councilman Polensek.
An emergency resolution objecting to the renewal of a Liquor Permit at 15610 Lakeshore Blvd.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8332491, owned by Sunoco Food Mart, 15610 Lakeshore Blvd., Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a

hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1513-96.
By Councilman Polensek.
An emergency resolution objecting to the renewal of a Liquor Permit at 16208 St. Clair Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8007363, owned by Dairy Mart, 16208 St. Clair Avenue, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of

the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1514-96.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a Liquor Permit at 882 East 185th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 1886648, owned by Joseph's Tavern, 882 East 185th Street, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1515-96.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a Liquor Permit at 791 East 185th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7640092, owned by Quenchers, II, 791 East 185th Street, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1516-96.

By Councilman Polensek.

An emergency resolution objecting to the renewal of a Liquor Permit at 14824 Lakeshore Blvd.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 6476992, owned by Square Deal Market, 14824 Lakeshore Blvd, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1517-96.

By Councilman O'Malley.

An emergency resolution objecting to the renewal of a Liquor Permit at 6301 Denison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8201027, owned by Great Lakes Tavern, 6301 Denison Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1518-96.
By Councilman O'Malley.
An emergency resolution objecting to the renewal of a Liquor Permit at 6125 Denison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8200714, owned by Big O Inc., 6125 Denison Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing

for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1519-96.
By Councilman O'Malley.
An emergency resolution objecting to the renewal of a Liquor Permit at 4521 State Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 6362924, owned by Spinner's, 4521 State Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of

the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1520-96.
By Councilman O'Malley.
An emergency resolution objecting to the renewal of a Liquor Permit at 2109 Tate Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8771382, owned by Green Leaf Tavern, 2109 Tate Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1521-96.**By Councilman O'Malley.****An emergency resolution objecting to the renewal of a Liquor Permit at 4904 Pearl Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 1881037, owned by Corner Pocket, 4904 Pearl Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1522-96.**By Councilman O'Malley.****An emergency resolution objecting to the renewal of a Liquor Permit at 4488 State Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2589593, owned by Paradise Inn, 4488 State Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1523-96.**By Councilman O'Malley.****An emergency resolution objecting to the renewal of a Liquor Permit at 6625 Denison Avenue.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised

Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2368650, owned by 67th Street Pub, 6625 Denison Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1524-96.**By Councilman O'Malley.****An emergency resolution objecting to the renewal of a Liquor Permit at 4462 State Road.**

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0978772, owned by Brooklyn Tavern, 4462 State Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1525-96.

By Councilman Coats.

An emergency resolution objecting to the renewal of a Liquor Permit at 573-75 East 140th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2463846, owned by Calypso Lounge, 573-75 East 140th Street, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1526-96.

By Councilman McGuirk.

An emergency resolution objecting to the renewal of a Liquor Permit at 16800 Lorain Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 4465657-0001, owned by Kilbane's Restaurant & Pub, 16800 Lorain Avenue, Cleveland, Ohio 44111, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1527-96.

By Councilman Lewis.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 9200 Wade Park Avenue, Unit A30 & 40.

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. 9349510, Wak Grocery Inc., 9200 Wade Park Avenue, Unit A30 & 40, Cleveland, Ohio 44106, to Permit No. 2806675, Food Inc., 9200 Wade Park Avenue, Unit A30 & 40, 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. 9349510, Wak Grocery Inc., 9200 Wade Park Avenue, Unit A30 & 40, Cleveland, Ohio 44106, to Permit No. 2806675, Food Inc., 9200 Wade Park Avenue, Unit A30 & 40, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1528-96.

By Councilman Lewis.

An emergency resolution objecting to the renewal of a Liquor Permit at 1112-18 Ansel Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 359132, owned by Peacock Lounge/L & H Superette, 1112-18 Ansel Road, Cleveland, Ohio 44103, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1529-96.

By Councilman Rokakis.

An emergency resolution objecting to the renewal of a Liquor Permit at 5200 Memphis Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8836290-0005, owned by Cameo Lounge, 5200 Memphis Avenue, Cleveland, Ohio 44144, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1530-96.

By Councilman Rokakis.

An emergency resolution objecting to the renewal of a Liquor Permit at 2071 Broadview Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8915945-0010, owned by Scarlett Rose, 2071 Broadview Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1531-96.

By Councilman Rybka.

An emergency resolution objecting to the renewal of a Liquor Permit at 6557 Broadway Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

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

renewal of a Liquor Permit, Permit No. 8984770, owned by Key Beverage, 6557 Broadway Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1532-96.

By Councilman Rybka.
An emergency resolution objecting to the renewal of a Liquor Permit at 6206 Broadway Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 8202104, owned by Convenient Food Mart, 6206 Broadway Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the

Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1533-96.

By Councilman Rybka.
An emergency resolution objecting to the renewal of a Liquor Permit at 7527 Union Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 4524605, owned by Union Supermarket, 7527 Union Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1534-96.

By Councilman Rybka.
An emergency resolution objecting to the renewal of a Liquor Permit at 4324 Warner Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 1881506, owned by Tom's Food Market, 4324 Warner Road, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1535-96.

By Councilman Rybka.
An emergency resolution objecting to the renewal of a Liquor Permit at 6400 Fleet Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section

4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7016665-0005, owned by Orlando's Bar/DeNobiles Restaurant, 6400 Fleet Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1536-96.
By Councilman Rybka.
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 5603 Fleet 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. 8973918, Renata Tomaszkiwicz, dba Ada Meat Market, 5603 Fleet Avenue, Cleveland, Ohio 44105; and

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

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

ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 8973918, Renata Tomaszkiwicz, dba Ada Meat Market, 5603 Fleet Avenue, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1537-96.
By Councilman Rybka.
An emergency resolution objecting to the renewal of a Liquor Permit at 2943-45 East 55th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 4271431, owned by Bullwinkles/Club Lexus, 2943-45 East 55th Street, Cleveland, Ohio 44127, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1538-96.
By Councilman Rybka.
An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit to 3664 East 65th Street, first floor and basement, and repealing Res. No. 1232-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 Liquor Permit to 3664 East 65th Street, first floor and basement, by Res. No. 1232-96, adopted June 18, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a D5 Liquor Permit to 3664 East 65th Street, first floor and basement, be and the same is hereby withdrawn and Res. No. 1232-96, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1539-96.

By Councilman Rybka.

An emergency resolution withdrawing objection to the transfer of ownership of a D3A Liquor Permit to 6506 Fleet Avenue, and repealing Res. No. 390-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D3A Liquor Permit to 6506 Fleet Avenue by Res. No. 390-96, 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 D3A Liquor Permit to 6506 Fleet Avenue be and the same is hereby withdrawn and Res. No. 390-96, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1540-96.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a Liquor Permit at 9600 Madison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than

thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 1414122, owned by Midnight Star, 9600 Madison Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1541-96.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a Liquor Permit at 8708 Denison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0024010, owned by Denison Deli, 8708 Denison Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1542-96.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a Liquor Permit at 6909 Clark Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0263532, owned by Arizona Food Corp., 6909 Clark Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1543-96.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a Liquor Permit at 10001 Denison Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0022086, owned by J & W Food Market, 10001 Denison Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1544-96.

By Councilman Westbrook.

An emergency resolution objecting to the renewal of a Liquor Permit at 8601 Detroit Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0174446, owned by Uncle Joe's Deli, 8601 Detroit Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1545-96.

By Councilman White.

An emergency resolution objecting to the renewal of a Liquor Permit at 3880 Martin Luther King Drive.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon

legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 1574215, owned by Club 91 Inc., dba Club 91, 3880 Martin Luther King Drive, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1546-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 12420 Superior Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 pro-

viding for the immediate preservation of the public peace, property, safety and welfare in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 6552377, owned by Superior Store, 12420 Superior Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1547-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 422 Eddy Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2847774, owned by Muff's Delicatessen, 422 Eddy Road, Cleveland, Ohio 44108, and requests the Direc-

tor of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1548-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 453 Dundee Drive.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2738284, owned by Amall Food Market, 453 Dundee Drive, Cleveland, Ohio 44106, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based

upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1549-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 11108 Primrose Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 0004631, owned by Dagwood's, 11108 Primrose Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1550-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 12717 Woodside Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 5819424, owned by Abdul I Food Market, 12717 Woodside Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1551-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 12428-30 Superior Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section

4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 5327040, owned by Lubna Supermarket, 12428-30 Superior Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1557-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 10604 Superior Avenue.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and

that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 7642427, at 10604 Superior Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1558-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 780-786 East 125th Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

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

al of a Liquor Permit, Permit No. 5202390, owned by Lim's Lounge, 780-786 East 125th Street, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1559-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 1429 Lakeview Road.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 9893911, at 1429 Lakeview Road, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Direc-

tor's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Res. No. 1560-96.

By Councilman Willis.

An emergency resolution objecting to the renewal of a Liquor Permit at 914 East 123rd Street.

Whereas, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

Whereas, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

Whereas, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of this state, and that 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 in that pursuant to Section 4303.271 of the Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a Liquor Permit, Permit No. 2434444, owned by Eddie's Mini Market, 914 East 123rd Street, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code.

Section 2. That the Clerk of Council is hereby 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, and a statement by the Director of Law that, in the Director's opinion, the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2051-95.

By Councilman Patmon.

An ordinance to change the Use District of lands on the southwest corner of St. Clair Avenue, N.E. and E. 95 Street. (Map Change No. 1893, Sheet No. 4)

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

Section 1. That the Use District of lands bounded and described as follows,

Beginning at the intersection of the center line of East 95 Street and the center line of St. Clair Avenue, N.E.; thence southwesterly along said center line of St. Clair Avenue, N.E. to its intersection with the northerly extension of the westerly line of Sublot No. 8 in the Mary D. Stackpole Allotment as recorded in Volume 4, Page 28 of the Cuyahoga County Map Records; thence southerly along said northerly extension and along said westerly line of said Sublot No. 8 to its intersection with a line located approximately two hundred fourteen and five tenths (214.5) feet south of the southeasterly line of St. Clair Avenue, N.E.; thence easterly from said point for a distance of fifty five (55) feet to its intersection with the easterly line of said Sublot No. 8; thence northerly along said easterly line of said Sublot No. 8 to its intersection with the southeasterly line of Sublot No. 31 in the Nellie Livingstone Allotment as recorded in Volume 22, Page 3 of the Cuyahoga County Map Records; thence northeasterly along said southeasterly line of said Sublot No. 31 and along its northeasterly extension to the center line of East 95 Street; thence northerly and northwesterly along said center line of East 95 Street to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a General Retail Business District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1893, Sheet No. 4 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 556-96.

By Councilman O'Malley.

An ordinance to change the Use and Area Districts of lands on the westerly side of West 41 Street between Memphis Avenue, S.W. and Henritze Avenue, S.W.; and to establish a 3-foot setback on Memphis Avenue within said land designation. (Map Change No. 1900, Sheet No. 2)

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

Section 1. That the Use and Area

District of lands bounded and described as follows.

Beginning at the intersection of the center line of Memphis Avenue, S.W. and the center line of West 41 Street; thence southerly along said center line of West 41 Street to the center line of Henritze Avenue, S.W.; thence westerly along said center line of Henritze Avenue, S.W. to its intersection with the southerly extension of a line located four hundred and twenty eight hundredths (400.28) feet west of the westerly line of West 41 Street; thence northerly along said southerly extension and along said line which is parallel to and four hundred and twenty eight hundredths (400.28) feet west of said westerly line of West 41 Street and along its northerly extension to the center line of Memphis Avenue, S.W.; thence easterly along said center line of Memphis Avenue, S.W. to the place of beginning, and as outlined in red on the map hereto attached, be and the same are hereby changed to a Residence-Office Use District and a 'C' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1900, Sheet No. 2 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council, and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That there is hereby established a 3-foot setback on Memphis Avenue within said changed designation of lands described in Section 1 of this ordinance and any references to a 10-foot setback in said land designation is hereby repealed.

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

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 719-96.

By Councilman Johnson.

An ordinance to change the Use and Area District of lands on the westerly side of Martin Luther King Jr. Drive between Lamontier Avenue, S.E. and Sophia Avenue, S.E. (Map Change No. 1903, Sheet No. 9)

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

Section 1. That the Use and Area Districts of lands bounded and described as follows, Beginning at the intersection of the center line of Martin Luther King Jr. Drive and the center line of Lamontier Avenue, S.E.; thence westerly along said center line of Lamontier Avenue, S.E. to its intersection with the southerly extension of the easterly line of Sublot No. 234 in the Johnson Realty Company Allotment as recorded in Volume 46, Page 14 of the Cuyahoga County Map Records; thence northerly along said southerly extension and along said easterly line of said Sublot No. 234 to its intersection with the northerly line thereof; thence westerly along said northerly line of said Sublot No. 234 and continuing westerly along the northerly lines of Sublots Nos. 235, 236, 237, 238, 239 and 240 in said Johnson Realty Com-

pany Allotment to its intersection with the easterly line of Sublot No. 40 in the Prochaska & Polcar Allotment as recorded in Volume 28, Page 23 of the Cuyahoga County Map Records; thence northerly along said easterly line of said Sublot No. 40 to its intersection with the southerly line of Sophia Avenue, S.E.; thence easterly along the easterly prolongation of said southerly line of Sophia Avenue, S.E. to the center line of (vacated) East 108 Street; thence northerly along said center line of (vacated) East 108 Street to its intersection with a line located approximately two hundred fifty seven (257) feet north of the northerly line of Lamontier Avenue, S.E.; thence easterly along said line which is parallel to and approximately two hundred fifty seven (257) feet north of said northerly line of Lamontier Avenue, S.E. and along its easterly extension to the center line of Martin Luther King Jr. Drive; thence southerly along said center line of Martin Luther King Jr. Drive to the place of beginning,

and as outlined in red on the map hereto attached, be and the same are hereby changed to a Multi-Family Use District, and a 'C' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1903, Sheet No. 9 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 720-96.

By Councilman Rybka.

An ordinance to change the Use, Area, and Height Districts of lands on the southwesterly side of Broadway, S.E. between Worley Avenue, S.E. and the Newburgh and South Shore Railway tracks and the southeasterly side of Jones Road, S.E. between Broadway, S.E. and Harvard Avenue, S.E. (Map Change No. 1902, Sheet No. 6)

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

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

Beginning at the intersection of center line of Worley Avenue, S.E. and the center line of Broadway, S.E.; thence southeasterly along said center line of Broadway, S.E. to the center line of the Newburgh and South Shore Railway tracks; thence southwesterly along said center line of said Newburgh & South Shore Railway tracks to its intersection with the southeasterly extension of the southwesterly line of Sublot No. 50 in the Gains Burke Allotment as recorded in Volume 2, Page 57 of the Cuyahoga County Map Records; thence northwesterly along said southeasterly extension and along said southwesterly line of said Sublot No. 50 and along its northwesterly extension to the center line of Jones Road, S.E.; thence north-

easterly along said center line of Jones Road, S.E. to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 20 in said Gains Burke Allotment; thence northwesterly along said southeasterly extension and along said southeasterly extension and along said northeasterly line of said Sublot No. 20 and continuing northwesterly along its northwesterly prolongation to its intersection with the southeasterly line of Sublot No. 22 in the William E. Jones Et. Al. Resubdivision as recorded in Volume 19, Page 27 of the Cuyahoga County Map Records; thence northeasterly along said southeasterly line of said Sublot No. 22 to its intersection with the northeasterly line thereof; thence northwesterly along said northeasterly line of said Sublot No. 22 and along its northwesterly extension to the center line of Homestead Avenue, S.E.; thence northeasterly along said center line of Homestead Avenue, S.E. to its intersection with the southeasterly extension of the northeasterly line of Sublot No. 28 in said William E. Jones Et. Al. Resubdivision; thence northwesterly along said southeasterly extension and along said northeasterly line of said Sublot No. 28 and continuing northwesterly along the northeasterly line of Sublot No. 10 in said William E. Jones Et. Al. Resubdivision and along its northwesterly extension to the center line of Worley Avenue, S.E.; thence northeasterly along said center line of Worley Avenue, S.E. to the place of beginning,

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

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1902, Sheet No. 6 and shall be made upon the Building Zone Maps of the City of Cleveland, on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 769-96.

By Councilman Paulenske.

An ordinance to change the Use and Area Districts of lands on the northerly side of Lakefront Road, N.E., to Lake Erie between Marquette Street, N.E. and East 55 Street. (Map Change No. 1905, Sheet No. 4)

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

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

Description of Quay 55 Parcel 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 10-Acre Lots Nos. 165 and 166 and bounded and described as follows:

Beginning on the Northwesterly line of North Marginal Road, at its

intersection with the Northwesterly prolongation of the Northeasterly line of Marquette Street, 100 feet wide;

Thence S. 32 degrees, 17 minutes, 35 seconds E., along said Northwesterly prolongation, a distance of 20.02 feet;

Thence N. 55 degrees, 13 minutes, 33 seconds E., parallel with the Northwesterly line of North Marginal Road, a distance of 542.49 feet to a point on a Westerly line of a parcel of land conveyed to Quay 55 Limited Partnership, by deed recorded in Volume 90-3857, Page 39 of Cuyahoga County Official Records and the principal place of beginning;

Thence N. 24 degrees, 28 minutes, 10 seconds W., along the Westerly line of land so conveyed to Quay 55 Limited Partnership, a distance of 81.45 feet to a Northwesterly corner thereof;

Thence N. 55 degrees, 18 minutes, 43 seconds E., along a Northwesterly line of land so conveyed to Quay 55 Limited Partnership, a distance of 149.85 feet to an interior corner thereof;

Thence N. 4 degrees, 52 minutes, 17 seconds W., along a Westerly line of land so conveyed to Quay 55 Limited Partnership, a distance of 581.97 feet to a Northwesterly corner thereof;

Thence Northerly and Southeasterly, a distance of 429.20 feet on the arc of a circle deflecting to the right, whose radius is 150.00 feet, and whose chord bears N. 55 degrees, 18 minutes, 43 seconds E., a distance of 297.06 feet to a Northwesterly line of land so conveyed to Quay 55 Limited Partnership;

Thence N. 55 degrees, 18 minutes, 43 seconds E., along a Northwesterly line of land so conveyed to Quay 55 Limited Partnership, a distance of 25.48 feet to the most Northerly corner thereof;

Thence S. 4 degrees, 45 minutes, 00 seconds E. along the Easterly line of land so conveyed to Quay 55 Limited Partnership, a distance of 30.00 feet to the most Northerly corner of a parcel of land conveyed to Quay 55 Limited Partnership, by deed recorded in Torrens Certificate No. 146602 of Cuyahoga County Torrenized Records;

Thence N. 80 degrees, 26 minutes, 33 seconds E., along the Northerly line of land so conveyed to Quay 55 Limited Partnership in Certificate No. 146602, a distance of 275.47 feet to the Northeasterly corner thereof;

Thence S. 37 degrees, 05 minutes, 45 seconds E., along the Northeasterly line of land so conveyed to Quay 55 Limited Partnership in Certificate No. 146602, a distance of 25.00 feet;

Thence N. 76 degrees, 00 minutes, 54 seconds E., a distance of 257.64 feet;

Thence S. 46 degrees, 34 minutes, 15 seconds E., a distance of 60.00 feet;

Thence S. 32 degrees, 12 minutes, 02 seconds W., a distance of 23.80 feet;

Thence S. 57 degrees, 47 minutes, 55 seconds E., a distance of 38.00 feet;

Thence S. 3 degrees, 47 minutes, 20 seconds E., a distance of 102.81 feet;

Thence S. 40 degrees, 34 minutes, 00 seconds W., a distance of 350.00 feet;

Thence S. 46 degrees, 52 minutes, 55 seconds W., a distance of 151.62 feet;

Thence S. 49 degrees, 53 minutes, 37 seconds W., a distance of 150.66 feet;

Thence S. 51 degrees, 17 minutes, 54 seconds W., a distance of 116.82 feet;

Thence S. 55 degrees, 13 minutes, 33 seconds W., a distance of 451.20 feet to the principal place of beginning and containing 11.172 acres of land, be the same more or less, but subject to all legal highways.

All bearings are to an assumed meridian and are used to denote angles only.

Description of Quay 55 Parcel 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 10-Acre Lots Nos. 165 and 166 and bounded and described as follows:

Beginning on the Northwesterly line of North Marginal Road, at its intersection with the Northwesterly prolongation of the Northeasterly line of Marquette Street, 100 feet wide;

Thence S. 32 degrees, 17 minutes, 35 seconds E., along said Northwesterly prolongation, a distance of 20.02 feet to the principal place of beginning;

Thence N. 55 degrees, 13 minutes, 33 seconds E., parallel with the Northwesterly line of North Marginal Road, a distance of 542.49 feet to a point on a Westerly line of a parcel of land conveyed to Quay 55 Limited Partnership, by deed recorded in Volume 90-3857, Page 39 of Cuyahoga County Official Records;

Thence N. 24 degrees, 28 minutes, 10 seconds W., along the Westerly line of land so conveyed to Quay 55 Limited Partnership, and its Northerly prolongation, a distance of 450.81 feet;

Thence S. 65 degrees, 31 minutes, 50 seconds W., a distance of 366.76 feet;

Thence S. 57 degrees, 42 minutes, 24 seconds W., a distance of 240.00 feet;

Thence S. 32 degrees, 17 minutes, 36 seconds E., a distance of 500.00 feet to the principal place and containing 6.501 acres of land, be the same more or less, but subject to all legal highways.

All bearings are to an assumed meridian and are used to denote angles only, and as outlined in red on the map hereto attached, be and the same are hereby changed to a General Retail Use District and a 'D' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1905, Sheet No. 4 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1104-96.
By Councilmen Coats and Rokakis
(by departmental request).
An emergency ordinance autho-

rizing and directing the purchase by requirement contract of manhole risers, for the Division of Streets, 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 manhole risers 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 Streets, 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 21314)

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1107-96.
By Councilmen Miller, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of constructing a new parking facility and associated appurtenances at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement and authorizing the President of Council to employ a consultant to provide professional services to implement the construction of the new parking garage.

Whereas, this ordinance constitutes an emergency measure providing for 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 a new parking

facility and associated appurtenances, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

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

Section 3. That, on behalf of City Council, the President Council is hereby authorized to employ by contract a consultant to provide professional services for the implementation of the construction of the new parking garage at Cleveland Hopkins International Airport. The contract herein authorized shall be prepared by the Director of Law, approved by the President of Council, and certified by the Director of Finance.

Section 4. That the cost of said improvement and services hereby authorized shall be paid from Fund Nos. 60 SF 112, 60 SF 115, 60 SF 117, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project, Request No. 20856.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1174-96.
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 1913 East 69 Street, rear, to Mattie Mae and Taze Adams.

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. 118-09-034, as more fully described in Section 2 below, to Mattie Mae and Taze Adams.

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. 118-07-034

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. 338 and bounded and described as follows:

Beginning at the Northeasterly corner of land conveyed to Florence Howle by deed dated May 24, 1921, and recorded in Volume 2478, Page 589 of Cuyahoga County Records; thence Westerly along the Northerly line of land so conveyed to Florence Howle about 15 feet to the Southeasterly corner of land conveyed to Joseph Marshall by deed dated September 27, 1920 and recorded in Volume 2476, Page 71 of Cuyahoga County Records; thence Northerly, along an Easterly line of land so conveyed to Joseph Marshall about 11 feet to angle; thence Easterly along a Southerly line of land so conveyed to Joseph Marshall 15 feet to a Southeasterly corner thereof; thence Southerly along a direct line about 11 feet to the place of beginning, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1176-96.
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 6615 Lawnview Avenue to Marvin D. and Carol L. Evans.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-08-076, as more fully described in Section 2 below, to Marvin D. and Carol L. Evans.

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. 106-08-076

Situated in the city of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 63 in the Holden and Halle Subdivision of a part of Original One Hundred Acre Lot No. 341, as shown by the recorded plat of said Subdivision in Volume 7 of Maps, Page 14 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of the Northerly line of Lawnview Avenue, N.E., and the Easterly line of East 67th Street; thence Easterly, along the Northerly line of Lawnview Avenue, N.E., 24-50/100 feet; thence Northerly parallel with the Easterly line of East 67th Street, 129-06/100 feet to the Northerly line of said Sublot No. 63; thence Westerly along the Northerly line of said Sublot, 24-50/100 feet to the Easterly line of East 67 Street and thence Southerly along the Easterly line of East 67 Street, 129-08/100 feet to the place of beginning, according to the survey of the Wm. H. Evers Engineering Company, April, 1921, 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 ordi-

nance. 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1177-96.

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 7209 Linwood Avenue to Frank Kemp.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-10-122, as more fully described in Section 2 below, to Frank Kemp.

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. 106-10-122

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot No. 342, and bounded and described as follows: Beginning on the Northerly line of Linwood Avenue N.E., at a point 267

feet Easterly, measured along said Northerly line, from its intersection with the Easterly line of East 71st Street, (formerly Giddings Avenue); thence Easterly along the Northerly line of Linwood Avenue, N.E. 40 feet; thence Northerly, parallel with the Easterly line of East 71st Street, 150.70 feet to the Southerly line of Simpson & Goake's Subdivision, as shown by the recorded plat in Volume 18 of Maps, Page 23 of Cuyahoga County Records; thence Westerly along the Southerly line of Simpson and Goake's Subdivision, 40 feet; thence Southerly parallel with the Easterly line of East 71st Street, 150.80 feet to the place of beginning, and being further known as part of Sublot No. 32 and 33 in Thomas H. White's proposed Subdivision, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1178-96.

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 5713 Luther Avenue to Henry and Bertha Crowell.

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. 104-16-113, as more fully described in Section 2 below, to Henry and Bertha Crowell.

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. 104-16-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 33 in John Kelley's Subdivision of part of Original East Cleveland Township Lot No. 343, as shown by the recorded plat in Volume 12 of Maps, on Page 47 of Cuyahoga County Records and bounded and described as follows: Beginning at a point in the Easterly line of said Sublot No. 33 distant 95.00 feet Northerly therein from the Southeast corner thereof; thence Northerly 71.28 feet along said Easterly line of Sublot No. 33 to the Northeast corner thereof; thence Westerly 40.00 feet along the Northerly line of said Sublot No. 33 to the Northwest corner thereof; thence Southerly, 71.34 feet along the Westerly line of Sublot No. 33 to a point distant 95.00 feet Northerly therein from the Southwest corner thereof; thence Easterly 40.00 feet at right angles with said Westerly line of Sublot No. 33 to the place of beginning according to a survey by Robert P. Krause, Sr., Registered Ohio Surveyor No. 2885, May 25th, 1957, be the same more or less, but subject to all legal highways.

Right of Way Easement and Sewer and Utility Easement, recorded in Volume 12510, Page 273 of Cuyahoga County Records. For conditions, see record.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1179-96.

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 10010 Newton Avenue to Felton and Jackie Pitts.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-11-034, as more fully described in Section 2 below, to Felton and Jackie Pitts.

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

P.P. No. 119-11-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Easterly 31 feet of Sublot No. 20 and the Westerly 3 feet of Sublot No. 21 in The Logan Company's Subdivision of part of Original One Hundred Acre Lot No. 401, as shown by the recorded plat in Volume 40 of Maps, Page 20 of Cuyahoga County Records, and together forming a parcel of land 34 feet front on the Southerly side of Newton Avenue, N.E., and extending back about 45.95 feet on the Easterly line, about 46.35 feet on the Westerly line and having a rear line of 34 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

Community Development, this ordinance shall be repealed and shall be of no further force or effect.

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

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

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

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1180-96.

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 1178 East 85 Street to John Ervin and Mary Byrd.

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. 107-09-013, as more fully described in Section 2 below, to John Ervin and Mary Byrd.

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. 107-09-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublots Nos. 17, 18, and 19 in the Posen Subdivision of part of Original One Hundred Acre Lots Nos. 375 and Resubdivision of Sublots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 in the Oak Grove Subdivision of part of Original One Hundred Acre Lot No. 376 as shown

by the recorded plat of said Subdivision and Re-Subdivision in Volume 20 of Maps, Page 29 of Cuyahoga County Records, and bounded and described as follows: Beginning at a point in the Southerly line of Original Lot No. 375 at a point 271.58 feet Westerly from the Easterly line of said Original Lot No. 375; thence Westerly along the Southerly line of Original Lot No. 375, 81.18 feet to the Southwest corner of Sublot No. 19; thence Northerly along the Westerly line, 35 feet; thence Easterly parallel with the Southerly line of Original Lot No. 375 to a street called East 85th Street (formerly Belrose Street); thence Southerly along the Westerly line of said East 85th Street, 35 feet to the place of beginning, and being further known as Sublot No. 23 and the Southerly 5 feet of Sublot No. 24 in The Cleveland Land Company's Proposed New Superior Allotment, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1181-96.

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 8513 and 8409 Sowinski Avenue to Fred L. Taylor.

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. 107-06-096 and 107-06-097, more fully described in Section 2 below, to Fred L. Taylor.

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. 107-06-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 186 in Jos. Hoffman's Posen Subdivision of part of Original One Hundred Acre Lots Nos. 375 and 376, as shown by the recorded plat in Volume 20 of Maps, Page 29 of Cuyahoga County Records and being 30 feet front on the Northerly side of Sowinski Avenue, N.E. (formerly Sowinski Street) and extending back of equal width 100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P.P. No. 107-06-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 185 in Joseph Hoffman's Posen Subdivision of part of Original One Hundred Acre Lots Nos. 375 and 376, as shown by the recorded plat of said Subdivision in Volume 20 of Maps, Page 29 of Cuyahoga County Records. Said Sublot No. 185 has a frontage of 30 feet on the Northerly side of Sowinski Avenue, N.E., (formerly Sowinski Street), and extends back between parallel lines 100 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 neces-

sary 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 August 14, 1996.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 1193-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the payment of membership dues of the City of Cleveland in Build Up Greater Cleveland for the year 1996.

Whereas, this ordinance constitutes an emergency measure providing for 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 cause payment of 1996 membership dues of the City of Cleveland, to be made to Build Up Greater Cleveland, from Fund No. 01-99-98-0239, Request No. 20451.

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 August 14, 1996.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 1195-96.
By Councilmen Willis, 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 12400, 12316-18, 12314, 12312, 12401-03, 1351, 1405 East 124th Street aka 12331-23 Auburndale Avenue, 1404, 1400, 1396, 1390 East 124th Street to Northeastern Neighborhood Development Corp. or designee.

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

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

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

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

Section 1. That pursuant to 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 Nos. 120-13-046, 120-13-047, 120-13-048, 120-13-049, 120-13-052, 120-13-071, 120-13-077, 120-13-078, 120-13-079, 120-13-080, 120-13-081, 120-13-082, as more fully described in Section 2 below, to Northeast Neighborhood Development Corp. or designee.

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

P.P. No. 120-13-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in House and Cody's Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records, and being 35 feet front on the Southwesterly side of Auburndale Road, N.E. (formerly Auburndale Avenue) and extending back 141.47 feet on the Northwesterly line, 141.52 feet on the Southeasterly line, and having a rear line of 35 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 120-13-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublot Nos. 34 and 35 in House and Cody's Subdivision of a part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records, bounded and described as follows:

Beginning at the angle in the Southerly line of Auburndale Avenue, N.E., at the most Northerly corner of said Sublot No. 35; thence Westerly along the Southerly line of Auburndale Avenue, N.E., 40 feet; thence Southeasterly in a direct line to a point in the rear of said Sublot No. 34; 43/100 feet Southwesterly from the most Easterly corner of said Sublot No. 34; thence Northwesterly along the rear line of Sublot Nos. 34 and 35, 36.90 to the Southwesterly line of Auburndale Avenue, N.E., 70.49/100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances if any.

P.P. No. 120-13-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 33, 35 and 35 in House and Cody's Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of Auburndale Road, N.E., at a point 40 feet Westerly, measured along said Southerly line from the Northeast corner of said Sublot No. 35, thence Westerly along the said Southerly line of Auburndale Road, N.E., 43.40 feet, thence Southeasterly to a point in the Southeasterly line of said Sublot No. 33, .25 of a foot Southwesterly, measured along the said Southeasterly line from the most Easterly corner of said Sublot No. 33, thence Northeasterly along the

Southeasterly line of said Sublot Nos. 33 and 34, 34.72 feet to a point 37 feet Southerly measured along the Southeasterly line of said Sublot Nos. 34 and 35, from the most Easterly corner of said Sublot No. 35, thence Northwesterly about 92 feet to the place of beginning.

Also subject to zoning ordinances, if any.

P. P. No. 120-13-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 33 and 34 in House and Cody's Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of Auburndale Road, N.E., at a point 83.40 feet Westerly along said Southerly line from the most Northerly corner of Sublot No. 35 in said Subdivision, thence Westerly along said Southerly line of Auburndale Road, N.E., 36.49 feet to the Northeasterly corner of land conveyed by Henry B. Cody and wife, to Vincent Kadleck by deed dated July 13, 1898, and recorded by Volume 681, Page 575 of Cuyahoga County Records, thence Southeasterly along the Northeasterly line of land so conveyed about 134.20 feet to the Southeasterly line of said Sublot No. 33, thence Northeasterly along said Southeasterly line of Sublot No. 33, 29.75 feet to a point 71.72 feet Southwesterly measured along the Southeasterly line of Sublot Nos. 33, 34 and 35 from the most Easterly corner of said Sublot No. 35, thence Northwesterly to the place of beginning.

P.P. No. 120-13-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 37 in House and Cody's Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records, and part of Sublot No. 31 in the Lakeview Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 23 of Maps, Page 10 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the Northeasterly line of Auburndale Avenue, N.E., and the Southeasterly line of East 124th Street; thence Southeasterly along the Northeasterly line of said Auburndale Avenue, N.E. 35 feet to the most Southerly corner of said Sublot No. 37; thence Northeasterly, along the Southeasterly line of said Sublot No. 37, 90 feet; thence Northwesterly parallel with the Northeasterly line of said Auburndale Avenue, N.E., 35 feet to the Northwesterly line of said Sublot No. 37; thence Westerly to the Easterly line of said East 124th Street distant Northerly measured along said Easterly line 14 feet from the most Southerly point of said Sublot No. 31; thence Southerly along the Easterly line of said East 124th Street 14 feet to said most Southerly point of Sublot No. 31 at an angle in the Easterly line of said East 124th Street; thence Southwesterly along the Southeasterly line of East 124th Street, 73.89

feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

P.P. No. 120-13-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 39 feet from front to rear of Sublot No. 25 in the Lakeview Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 23 of Maps, Page 10 of Cuyahoga County Records, and being 39 feet front on the Easterly side of East 124th Street, (formerly Archer Avenue) and extending back of equal width 115 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Sidewalk easement from Elizabeth and John Lamb to East End Building Company, dated June 30, 1915, filed for record July 15, 1915 at 11:33 a.m. and recorded in Volume 1694, Page 438 of Cuyahoga County Records

Subject to zoning ordinances, if any.

P.P. No. 120-13-077

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 30 and 31 in the Lake View Subdivision of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 23 of Maps, Page 10 of Cuyahoga County Records, and part of Sublot No. 37 in House and Cody Subdivision, of part of Original One Hundred Acre Lot Nos. 388 and 389 as shown by the recorded plat in Volume 25 of Maps, Page 5 of Cuyahoga County Records, and part of Sublot No. 20 in James W. Houses' Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 8 of Maps, Page 9 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 124th Street (formerly Archer Avenue) at the Southwesterly corner of land conveyed to Sadie J. Bone by deed dated May 9, 1921, and recorded in Volume 2497, Page 496 of Cuyahoga County Records said place of beginning being 30.16 feet Southerly measured along said Easterly line of East 124th Street, from the Northwesterly corner of Sublot No. 31; thence Northerly, along said Easterly line of East 124th Street, 35.16 feet to the Northwesterly corner of land so conveyed; thence Easterly along the Northerly line of land so conveyed to Sadie J. Bone, to the Northeasterly corner thereof; thence Southwesterly, along the Southeasterly line of land so conveyed to Sadie J. Bone, to a point in the Southwesterly line of Sublot No. 20, distant 20.26 feet Southeasterly, measured along said Southwesterly line of Sublot No. 20, from the Northwesterly line of Sublot No. 20; thence Northwesterly, along said Southwesterly line of Sublot No. 20, 7.26 feet to the most Easterly corner of Sublot No. 20, 7.26 feet to the most Easterly corner of Sublot No. 37; thence Southwesterly, along the Southeasterly line of Sublot No. 37, 27 feet; thence Northwesterly in a direct line, to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 120-13-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 19 in Lake View Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 23 of Maps, Page 10 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 124th Street, (formerly Archer Avenue), at the Northeasterly corner of said Sublot No. 19; thence Southerly along the Westerly line of East 124th Street, 8.54 feet to an angle therein; thence Southwesterly along the Northwesterly line of East 124th Street, 35.37 feet to the Easterly end of the turnout between the Northwesterly line of East 124th Street, and the Northwesterly line of Auburndale Avenue, N.E.; thence Westerly along said turnout 35.36 feet; thence Northwesterly along the Northeasterly line of Auburndale Avenue, N.E., 19.69 feet to an angle therein; thence Southwesterly along the Northwesterly line of Auburndale Avenue, N.E., 1-39 feet to a point which is distant 14 feet Easterly at right angle measure from the Westerly line of said Sublot No. 39.77 feet to the Northerly line of said Sublot; thence Easterly along the Northerly line of said Sublot No. 106.17 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 120-13-079

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 18 in the Lakeview Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 23 of Maps, Page 10 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 124th Street (formerly Archer Avenue) and extending back 122.58 feet on the Northerly line, 120.20 feet on the Southerly line and having a rear line of 40.7 feet as appears by said plat.

Subject to Easement recorded in Volume 5479, Page 291 of Cuyahoga County Records.

Subject to Easement recorded in Volume 5479, Page 292 of Cuyahoga County Records.

Also subject to zoning ordinances, if any.

P.P. No. 120-13-080

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 17 in the Lakeview Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 23 of Maps, Page 10 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 124th Street, and extending back 124.95 feet on the Northerly line, 122.58 feet on the Southerly line, and having a rear line of 40.07 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

1. Driveway easement from Pietro and Rosaria Fomicca to Pasquale and Antoinetta Miorano, dated

November 27, 1942, filed for record December 1, 1942 at 10:15 a.m. and recorded in Volume 5479, Page 291 Cuyahoga County Records.

2. Appurtenant driveway easement from Pasquale and Antoinette Miorano, to Pietro and Rosaria Fomica, dated November 27, 1942, filed for record December 1, 1942 at 10:16 a.m. and recorded in Volume 5479, Page 292 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

P.P. No. 120-13-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 16 in the Lakeview Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 399, as shown by the recorded plat of said Subdivision in Volume 23 of Maps, Page 10 of Cuyahoga County Records. Said Sublot No. 16 has a frontage of 40 feet on the Westerly side of East 124th Street (formerly Archer Avenue), and extends back 127 33/100 feet on the Northerly line and 124 95/100 feet on the Southerly line and has a rear line of 40 7/100, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 120-13-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in the Lakeview Subdivision of part of Original One Hundred Acre Lot Nos. 388 and 389, as shown by the recorded plat in Volume 23 of Maps, Page 10 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 124th Street (formerly Archer Avenue) and extending back 129.71 feet on the Northerly line 127.33 feet on the Southerly line and has a rear line of 40.07 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel No. 120-12-066

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being the Westerly one-half of Sublot No. 40 in the Superior Land Co.'s Allotment of part of Original 100 Acre Lot No. 388, as shown by the recorded plat in Volume 38 of Maps, Page 7 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 124th Place and extending back 70.26 feet on the Northerly line, 67.39 feet on the Southerly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject toll legal highways.

Permanent Parcel No. 120-12-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being Sub-Lot No. 39 in Superior Land Company's Allotment of part of Original One Hundred Acre Lot No. 388, as shown by the recorded plat in Volume 38 of Maps, Page 7 of Cuyahoga County Records.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

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, certain 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.

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

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 Ord-

nances 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 Ansel 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.

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

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.

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

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.

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

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.

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

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.

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

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.

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

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.

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

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 Services, 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.

Passed August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1474-96.

By Councilman Britt (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Zaremba, Inc. to construct, use and maintain six (6) banners (to be attached to CPP Utility Poles by separate permit), and which banners will encroach into the public right-of-way of Euclid Avenue between East 80th and East 84th Streets.

Whereas, this ordinance constitutes an emergency measure providing for 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 and assignable by the Permittee with the consent of the Director of Public Service to Zaremba, Inc. 905 Corporate Way, Suite 200 Cleveland, Ohio, 44115; its successors and assigns, to construct, use and maintain six (6) banners to create interest and activity by directing pedestrians and motorists to Beacon Place Development at Church Square. These banners will be attached to Cleveland Public Power Utility Poles (by separate permit), and will remain in place for a minimum of one year or until the Development is sold out, and will encroach into the public right-of-way of the north side of Euclid Avenue between East 80th and East 84th Streets at the locations more fully described as follows:

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

ADDRESS	POLE #:	POLE TYPE	ATTACHMENT
Euclid Ave./E. 81st (N. Side)	3-86	Light/Electric	Banner/18"x 60"
Euclid Ave./E. 82nd (N. Side)	3-88	Light/Electric	Banner/18"x 60"
Euclid Ave./bet. E. 82nd & E. 83rd (N. Side)	3-90	Light/Electric	Banner/18"x 60"
Euclid Ave./bet. E. 82nd & E. 83rd (N. Side)	3-92	Light/Electric	Banner/18"x 60"
Euclid Ave./E. 83rd (N. Side)	3-94	Light/Electric	Banner/18"x 60"
Euclid Ave./E. 80th (N. Side)	3-84	Light/Electric	Banner/18"x 60"

— All Poles are Steel —

Section 2. That these Banners may be placed in the public right-of-way on Euclid Avenue between East 80th and East 84th Streets and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1475-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Service to apply for a grant from the Ohio Department of Natural Resources for the 1997 Recycle Ohio 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 Service is hereby authorized to apply for a grant in the amount of \$200,000, from the Ohio Department of Natural Resources, to conduct the 1997 Recycle Ohio Program.

Section 2. That the application for said grant, File No. 1475-96-A, made a part hereof as if fully rewritten herein, including the obligation of

the City of Cleveland to provide cash matching funds in the sum of not to exceed \$100,000.00, payable from Fund No. 01-40-03-0901, is hereby approved in all respects.

Section 3. That the Director of Public Service is hereby authorized to enter into an agreement with the Department of Natural Resources to implement said grant program.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1476-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 918-96, passed June 18, 1996, relating to the purchase, lease or lease with option to purchase of trucks, vans, passenger cars and heavy equipment.

Whereas, this ordinance constitutes an emergency measure providing for 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. 918-96, passed June 18, 1996, is hereby amended to read as follows:

Section 1. That the Director of Public Service is hereby authorized to make a written contract or contracts in accordance with the Char-

ter and the Codified Ordinances of Cleveland, Ohio, 1976, for the necessary items of trucks, vans, passenger cars and heavy equipment for use by the various departments and divisions of the City, as detailed in the document entitled "Listing of 1996 Vehicle Purchases" contained in File No. 918-96-B. For each type of vehicle listed under the column entitled "Description" on the document to said file, the vehicle(s) shall be purchased solely for the use of the department or division listed under the column entitled "Division," the total cost of each type of vehicle shall not exceed the total amount listed under the column entitled "Total Estimated Cost" and the cost of each type of vehicle shall be paid solely from the funds identified under the appropriate column. The total amount of all purchases pursuant to this ordinance shall not exceed \$5,447,720.00. Bids shall be taken in such a manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 2. That existing Section 1 of Ordinance No. 918-96, passed June 18, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1477-96.
By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of arboricultural services in the Shaker Square Assessment District, for the Division of Park Maintenance and Properties, 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 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 arboricultural services in the Shaker Tree Assessment District, including but not limited to the purchase and planting of new trees, the pruning of existing trees and tree removal in the estimated sum of \$26,875.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such a 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 20499).

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1478-96.
By Councilmen Jackson and Rokakis (by departmental request).
An emergency ordinance to amend Section 1 of Ordinance No. 921-96, passed June 18, 1996, relating to the provision of social programs.

Whereas, this ordinance constitutes an emergency measure providing for 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. 921-96, passed June 18, 1996, is hereby amended to read as follows:

Section 1. That the Director of Community Development is hereby authorized to enter into contract with the following agencies to provide social service programs:

A Cultural Exchange
AACCESS, Ohio
Alta Social Settlement
American Sickle Cell Anemia Association
Bellflower Center for Prevention of Child Abuse, Inc.
Better Living Center
Boys and Girls Clubs of Cleveland (Broadway)
Boys and Girls Clubs of Cleveland (Mt. Pleasant)
Boys and Girls Clubs of Cleveland (West Side)
Brooklyn Memorial Community Youth Center
Brownettes Academy of Charm, Inc.
Catholic Youth and Community Services Corp. Hispanic Senior Center
Catholic Youth and Community Services Corp. Martin DePorres Center
Center for Families and Children Center for the Prevention of Domestic Violence
Cleveland Mediation Center
Cleveland Women, Inc.
Collinwood Community Services Center/Elderly

Collinwood Community Services Center/Youth
Community Re-Entry, Inc./Elderly
Community Re-Entry, Inc./Counseling
Community Re-Entry, Inc./Youth Counseling
Community Socialization Program/Ward 6
Cornerstone Connection
Cory Senior Citizens Program
Custom Enrichment Center
Delta Tutoring and Nutrition Program, Inc.
Department of Public Health (HIV/AIDS Programs)
Department of Public Safety (Youth at Risk)
Department of Parks, Recreation & Properties (After School Recreation)
East End Neighborhood House
EBC Fery Development Corp.
El Barrio
Esperanza, Inc.
First United Methodist Church/Project Heat
Garden Valley Neighborhood House
GLAD Center, Inc.
Golden Age Centers of Greater Cleveland
Goodrich Gannett Neighborhood Center
Greater Cleveland Neighborhood Centers Assn./Midtown Professional Center/Elderly
Greater Cleveland Neighborhood Centers Assn./Midtown Professional Center/SNR
Guardian House Shelter aka Golgotha Baptist Church
Harambee: Services to Black Families
Harvard Community Services Center
Hijos de Borinquen Spanish American Center
Hunger Network of Greater Cleveland
Interchurch Council of Greater Cleveland
Karamu House, Inc.
Lexington Bell Community Center
M.C. Chatman Center for Humanitarian Services
Marotta Montessori Schools of Cleveland
May Dugan Multi-Service Center
Merrick House, Inc./Adult
Merrick House, Inc./Youth
Neighborhood Counseling Services
New Cleveland Food Basket Program
New Eye Glass Service
Nottingham Youth Center
OUR Community Center, Inc.
Glenville A.C.'s
Phyllis Wheatley Association
Police Athletic League
Salvation Army, The/Family
Salvation Army, The/Elderly
Senior Citizen Resources/Elderly Comprehensive
Senior Citizen Resources/Transportation Program
Senior Outreach Services
Services for Independent Living, Inc.
Spanish American Committee for a Better Community
Starting Point
Substance Abuse Initiative of Greater Cleveland
Triumph House
Werner Community Outreach Program
West Side Community House/Elderly
West Side Community House/Child Day Care
West Side Counseling Consortium
West Side Ecumenical Ministry
YMCA - Broadway Branch

YMCA - Central Branch/West Side
 YMCA - Glenville Branch
 YMCA - Midtown East Branch aka
 East Urban YMCA
 YMCA - West Park Branch

Section 2. That existing Section 1 of Ordinance No. 921-96, passed June 18, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1479-96.

By Councilman Johnson.
An emergency ordinance to vacate a portion of East 92nd Place, hereinafter described.

Whereas, on the 13th day of May, 1996 the Council of the City of Cleveland adopted Resolution No. 263-96 declaring its intention to vacate a portion of East 92nd Place, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 263-96 has been served upon the owners of all the property abutting East 92nd Place, 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 9th day of August, 1996, the Board of Revision of Assessments approved the vacation of East 92nd Place, 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 92nd Place, 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 92nd Place, (12.00 feet wide), extending 140.17 feet Northerly from the Northerly line of Kennedy Avenue (50.00 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 Light and Power equipment. The description of easement is as follows:

That portion of East 92nd Place, (12.00 feet wide), extending 140.17 feet Northerly from the Northerly line of Kennedy Avenue (50.00 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 Light and Power 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 92nd Place, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1480-96.

By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties and Finance to enter into contract with the Cleveland Board of Education to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 1996-97 school year.

ricular programs for the benefit of school children during the 1996-97 school year.

Whereas, pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax and increases in the motor vehicle lessor tax and the admissions tax can be used to fund recreational, cultural and extracurricular programs within the Cleveland School System; and

Whereas, the Joint Board established by Ordinance No. 1025-A-95 has recommended that a portion of the tax proceeds be used to fund a number of recreational, cultural and extracurricular programs for City school children during the 1996-97 school year, including dance, drama, instrumental, vocal, cheerleading, aquatic, sports and academic enrichment 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 and Finance are hereby authorized to enter into contract with the Board of Education of the Cleveland City School District to conduct various recreational, cultural and extracurricular program for the benefit of City school children, in accordance with the program description contained in File No. 1480-96-A, for an amount not to exceed \$1,802,292.00, payable from the fund or funds to which are credited the proceeds of the taxes levied pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, under such terms and conditions as are acceptable 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1481-96.

By Councilman Patton (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Miles Ahead Development Corporation to construct, use and maintain approximately fifty-one (51) double sided banners (to be attached to CPP and CEI Utility Poles by separate permit), which will encroach into the public right-of-way of Lee Road, Harvard Avenue, East 160th and East 161st Streets.

Whereas, this ordinance constitutes an emergency measure providing for 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 Miles Ahead Development Corporation, 17410 Harvard Avenue, Cleveland, Ohio 44128; its successors and assigns, to construct, use and maintain approximately fifty-one (51) double-sided banners in celebration of the residential/commercial area of the Lee-Harvard District. These double-sided banners will be attached to single CPP and CEI Utility Poles (by separate permit), and will encroach into the public right-of-way of Lee Road, Harvard Avenue, East 160th and East 161st Streets at the locations more fully described as follows:

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

PROCEEDING NORTH ON LEE ROAD, EAST SIDE OF LEE ROAD:

UTILITY:	POLE #:	LOCATION:
1) CPP	32A-2	Renters Choice
2) CPP	32A-3	International Graphics, 3985 Lee Rd.
3) CPP	32A-4	DOCK's
4) CPP	32A-5	3949 Lee Rd.
5) CPP	32A-6	3949 Lee Rd.

<u>UTILITY:</u>	<u>POLE #:</u>	<u>LOCATION:</u>
6) CPP	32A-7	Biltmore & Lee Rd.
7) CPP	32A-8	Forest City Auto Parts
8) CPP	32A-9	Daily Mart 3895 Lee Rd.
GLENDALE:		
9) Unmarked Pole		Long John Silver's
10) CEI	210748	Lee Heights Auto
WEST ON LEE ROAD, SOUTH TO HARVARD AVENUE:		
1) CEI	511282	Talford & Lee at Kenny King's Chicken Restaurant
2) CPP	511283	Kenny King's Chicken Restaurant
3) CEI	80108 + 57*04	Farrow Carpeting "We Install"
4) CEI	709958	3914 Lee Rd.
5) CEI	Unmarked	Between 3902 and Parking Lot
6) CEI	533465	Between S & M Auto Sales and Watson -or-
	518627	Biltmore and Lee Rd.
7) CEI	Unmarked	Between Watson 3936 and Beauty Salon 3942 Lee Rd.
8) CEI	103 + 01*02	At Praying Mantis
9) CEI	509404	@ Unity 3982 Lee Rd.
10) CEI	334519	Gibson Tire
SOUTH OF HARVARD AVENUE ON LEE ROAD, WEST SIDE OF STREET:		
1) CEI	550713	In front of Shell Station
2) CEI	814249	In front of Shell Station
3) CEI	119246	Jordan Dental Center
4) CEI	814248	Between 4106 Lee Rd. & 4102 Lee Rd.
5) CEI	87 + 05*88	Between Taco Bell & Uniontown Gas
6) CEI	814245	Vacant Lot South of Uniontown Gas
PROCEEDING SOUTH ON LEE ROAD FROM HARVARD AVENUE ON THE EAST SIDE OF LEE ROAD:		
1) CPP	32-1	Lee Harvard Plaza
2) CPP	32-2	Lee Harvard Plaza
3) CPP	32-3	Lee Harvard Plaza
4) CPP	32-5	
5) CPP	32-6	Perfect Pagers 3117 Lee Rd.
6) CPP	32-7	Jud-Lee Plaza
7) CPP	32-8	Jud-Lee Plaza
8) CPP	32-9	McDonald's
SOUTH SIDE OF HARVARD AVENUE HEADED EAST FROM LEE ROAD		
1) CPP	32A-33	In front of Revco Drug
2) CPP	32A-34	In front of Revco Drug
3) CPP	32A-35	Finast Supermarket
4) CPP	32A-36	
5) CPP	32A-37	Finast Supermarket
6) CPP	32A-38	Cleveland Public Library
HARVARD AVENUE N.E. QUADRANT HEADED WEST AT LEE ROAD:		
1) CEI	-----	In front of 16915 Harvard
2) CEI	-----	16815 Harvard Avenue
3) CEI	537373	16803 Harvard Avenue
4) CEI	537374	16709 Harvard Avenue
5) CEI	537375	16621 Harvard Avenue
6) CEI	660141	16511 Harvard Avenue
N.W. QUADRANT HARVARD AVENUE PROCEEDING WEST FROM LEE ROAD:		
1) CPP	32A-29	In front of Uniontown Gas
2) CPP	32A-24	At N.E. Corner of E. 161 St.
3) CPP	32A-23	16003 Harvard Avenue
S.W. QUADRANT ON HARVARD AVENUE HEADED EAST:		
1) CEI	537369	S.E. Corner of E. 160th Street & Harvard Ave.
2) CPP	32A-30	At Shell Gas Station

Section 2. That nothing herein contained shall create the right or grant permission from any owner/owners of the utility poles for their use to attach hanging brackets and aforesaid banners which will encroach into the public right-of-way of Lee Road, Harvard Avenue, East 160th Street and East 161st Street at the locations herein aforesaid.

Section 3. That the banners are to be placed in the public right-of-way aforesaid, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1482-96.

By Councilmen Patton, White, Robinson, Johnson, Jackson, Britt, Patmon, Willis, Coats, Polensek, Rybka, Paulenske, Smith, Rokakis, Melena, Westbrook, Zone and McGuirk.

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract with the NAACP for sponsorship of a black family 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 the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into contract with the NAACP for services necessary to sponsor a black family picnic which will foster community relations in the total sum of Thirty Four Thousand Five Hundred Dollars (\$34,500.00), payable from Fund No. 01-99-98-0380.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1483-96.

By Councilman Polensek.

An emergency ordinance to extend the retirement date of Officer Arssie Taylor 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 Arssie Taylor, who possesses a great wealth of knowledge and expertise and has proven invaluable in attaining the goals of the Fourth District, will attain the age of sixty-five years on August 27, 1996; and

Whereas, Police Chief Rocco Polutro has made written request that Patrolman Arssie Taylor continue on active duty for a period of one year; and

Whereas, Director of Public Safety, William Denihan has approved the continuation on active duty by Patrolman Arssie Taylor 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 Patrolman Arssie Taylor of the Division of Police,

Department of Public Safety, shall continue on active duty for a one (1) year period beginning on August 27, 1996, and that such continuation is hereby approved by this Council.

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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1484-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Warehouse District Food and Bar Inc., dba Hilarities Comedy Hall, or its designee, to provide economic development assistance to partially finance tenant improvements and the acquisition of furniture, fixtures and equipment to be installed at 811 Prospect Avenue, 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 the Warehouse District Food and Bar Inc., dba Hilarities Comedy Hall, or its designee, to provide economic development assistance to partially finance tenant improvements and the acquisition of furniture, fixtures and equipment to be installed in their new facility located at 811 Prospect Avenue, Cleveland, Ohio subject to the availability of the funds identified in Section 3.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1484-96-A.

Section 3. That the costs of said contract shall not exceed Three Hundred Thousand Dollars (\$300,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 22274.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1485-96.

By Councilman Smith.

An emergency ordinance to vacate a portion of McLean Court, N.W., hereinafter described.

Whereas, on the 10th day of June, 1996 the Council of the City of Cleveland adopted Resolution No. 653-96 declaring its intention to vacate a portion of McLean Court N.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 653-96 has been served upon the owners of all the property abutting McLean Court N.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 9th day of August, 1996, the Board of Revision of Assessments approved the vacation of McLean Court N.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 McLean Court N.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 McLean Court N.W., (12.00± feet wide), extending Westerly from the Westerly line of West 26th Street (50.00 feet wide), about 109.00 feet, 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 equipment. The description of easement is as follows:

That portion of McLean Court N.W., (12.00± feet wide), extending Westerly from the Westerly line of West 26th Street (50.00 feet wide), about 109.00 feet.

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 Light and Power 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 McLean Court N.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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1486-96.

By Councilman Smith.

An emergency ordinance to vacate a portion of West 26th Place, hereinafter described.

Whereas, on the 10th day of June, 1996 the Council of the City of Cleveland adopted Resolution No. 654-96 declaring its intention to vacate a portion of West 26th Place, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 654-96 has been served upon the owners of all the property abutting West 26th Place, 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 9th day of August, 1996, the Board of Revision of Assessments approved the vacation of West 26th Place, 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 26th Place, 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 26th Place, (16.00 feet wide), extending Northerly from the Northerly line of Carroll Avenue N.W. (50.00 feet wide), to the Southerly line of Bridge Avenue N.W. (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 Light and Power equipment. The description of easement is as follows:

That portion of West 26th Place, (16.00 feet wide), extending Northerly from the Northerly line of Carroll Avenue N.W. (50.00 feet wide), to the Southerly line of Bridge Avenue N.W. (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 Light and Power 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 West 26th Place, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1552-96.

By Councilman Patton.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Ward One Festival Committee to stretch banners at the intersection of Lee Road and Miles Avenue, at Lee Road and Tarkington Avenue, and at Lee Road and Harvard Avenue for the period from August 15, 1996 to September 15, 1996, inclusive, publicizing its Ward One Harvard-Lee-Seville-Miles 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 One Festival Committee to install, maintain and remove banners at the intersection of Lee Road and Miles Avenue, at Lee Road and Tarkington Avenue, and at Lee Road and Harvard Avenue for the period from August 15, 1996 to September 15, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1553-96.

By Councilmen Johnson and Robinson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Soul of Buckeye Festival Committee to stretch banners at E. 93rd Street and Buckeye, at E. 116th Street and Buckeye, at South Moreland and Buckeye, and at Kinsman and E. 116th Street for the period from August 23, 1996 to September 17, 1996, inclusive, publicizing its 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 Soul of Buckeye Festival Committee to install, maintain and remove banners at E. 93rd Street and Buckeye, at E. 116th Street and Buckeye, at South Moreland and Buckeye, and at Kinsman and E. 116th Street for the period from August 23, 1996 to September 17, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1554-96.

By Councilmen Paulenske and Patton.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Regional Transit Authority to stretch banners on E. 55th Street at St. Clair, on St. Clair at E. 71st Street, and on Lee Road in front of the Lee-Harvard Shopping Center for the period from September 9, 1996 to October 9, 1996, inclusive, publicizing its new Circulator Bus Line in Cleveland's neighborhoods.

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 the Regional Transit Authority to install, maintain and remove banners on E. 55th Street at St. Clair, on St. Clair at E. 71st Street, and on Lee Road in front of the Lee-Harvard Shopping Center for the period from September 9, 1996 to October 9, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1555-96.

By Councilman Robinson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Union Avenue Merchants Association to stretch three banners on Union Avenue at E. 93rd Street, at E. 116th Street and at E. 140th Street for the period from August 16, 1996 to September 2, 1996, inclusive, publicizing the African-American Cultural 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 Union Avenue Merchants Association to install, maintain and remove three banners on Union Avenue at E. 93rd Street, at E. 116th Street and at E. 140th Street for the period from August 16, 1996 to September 2, 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 August 14, 1996.

Awaiting the approval or disapproval of the Mayor.

**RULES AND REGULATIONS
PURSUANT TO CHAPTER 196
OF THE CODIFIED
ORDINANCES**

Tax on the Privilege of Housing, Storing or Parking a Motor Vehicle in or on Any Parking Facility in the City of Cleveland

Concerning the privilege of housing, storing or parking a motor vehicle in or on any parking facility in the City of Cleveland and subject to tax pursuant to Section 196.03 and pursuant to Section 196.06 authorizing the Commissioner of Assessments and Licenses to adopt, promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of this Chapter, including but not limited to provisions relating to recordkeeping, the following rules and/or regulations are hereby promulgated by the Commissioner of Assessments and Licenses.

Rule 1

(a) It shall be the duty of every operator of a parking facility within the City of Cleveland to issue to each patron a distinctive ticket or claim check unless one of the following conditions apply:

(i) the patron has reserved his/her space in the parking facility for a period of more than one day by means of a lease, contract or similar arrangement; or

(ii) the operator did not have a ticketing system in place on the date of enactment of this Chapter **and/or has another reasonable method of ascertaining the number of patrons and the tax due, and has notified the Commissioner of such method.**

(iii) If a parking facility becomes an honor lot after the effective date of these regulations, then the operator must comply with (ii) above.

(b) Any operator who fails to comply with paragraph (a) herein may be required, **in connection with an audit**, to submit federal, state and/or city income or net profits tax returns and schedules relating thereto. Such returns shall be kept confidential.

Rule 2

(a) Tickets or claim checks shall be issued by an operator in numerical sequence, except that, where practical for the operator, a numerical sequence may mean a sequence fitting for the day, week or period involved.

(b) When an operator conducts business at more than one location, separate tickets or claim checks shall be issued for each location.

(c) In addition to the information required by Section 196.03(e), each operator shall report to the Commissioner the gross receipts arising out of early bird, hourly, daily, monthly and special-event parking for the relevant time period and the claim check numbers applicable to each category. **However, if the operator demonstrates to the Commissioner, a different method of reporting such gross receipts may be acceptable to the Commissioner. If the operator does not keep track of early bird or hourly, for example, and refers to those types of transactions as daily, then the operator can report those transactions in that manner. The operator must report the aggregate of the receipts collected including the tax collected, and report those receipts in the same manner as the operator keeps his own records.**

Rule 3

It is presumed that each transaction for consideration is taxable absent a signed certificate prescribed by the Commissioner from the patron claiming an exemption from the tax pursuant to Section 196.03(d). If a certificate has been obtained from the patron, the operator shall keep such certificate on file. Every operator who maintains one or more exemption forms on file for patrons shall file an exemption form prescribed by the Commissioner annually with the operator's January return and at such other times as may be requested by the Commissioner.

Rule 4

Except as provided in Rule 3, it shall be the duty of every operator of a parking facility within the City of Cleveland to collect the tax levied by this Chapter from the patron at the time the operator collects the price, charge, fee or other consideration on which the tax is levied. If the patron is given any invoice, receipt or other statement or evidence of said price, charge, fee or other consideration paid or payable, the tax shall be shown separately on said documents. In the case of early bird, hourly, daily, monthly and special-event parking, if the ticket or claim check required by Rule 2(b) or the invoice, receipt or other statement or evidence does not clearly and separately state the amount of the tax charged and collected, then the operator shall post signage in plain sight containing the total parking charges and indicating that the charges include an 8% parking tax; otherwise, it shall be presumed that the tax was not collected and the tax shall be assessed on the total consideration charged for each such transaction.

Rule 5

The tax shall apply even if the operator receives the charge, fee or other consideration from a person other than the patron (for example,

when a merchant provides "complimentary" or "discounted" parking for one or more of his/her customers, and the merchant pays the operator a fee, charge or other consideration in lieu of the customer paying the charge to the operator).

Rule 6

Ticket and claim check stubs shall be retained by the operator for a period of not less than **three (3) months** subsequent to the date of filing the return reporting the transaction. All other books and records shall be retained by the operator for a period of not less than three (3) years subsequent to the date of filing the return reporting the transaction.

Rule 7

Operators may report on a form that is a reasonable facsimile of the Commissioner's form if all information required on the Commissioner's form is included in the reasonable facsimile form. **Such reasonable facsimile form shall be approved by the Commissioner prior to its use.**

Rule 8

All such parking tax returns submitted to the Commissioner, shall be held confidential and no information from such returns shall be released, or shared in any manner with any person or entity, except a lawful agent of the United States Internal Revenue Service upon proper demand, by an order from a court of competent jurisdiction, or in con-

nection with the performance of the official business of the Commissioner of the Division of Assessments and Licenses of the City of Cleveland.

John A. Hunt,
Commissioner
Division of Assessments
and Licenses

August 21, 1996

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