

The City Record

Official Publication of the City of Cleveland

November the Twentieth, Nineteen Hundred and Ninety-Six

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DEPT. OF AGING - Rm. 122, Delores Alexander, Acting Director

COMMUNITY RELATIONS BOARD - Room 11, 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; Muqit Abdul Sabur, Louise Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

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

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

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

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

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

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

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

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

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

MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, _____, Councilmen James Rokakis, Jay Westbrook.

BOARD OF EXAMINERS OF ELECTRICIANS - Raymond Ossovicki, Chairman; _____, Anton J. Eichmuller, Samuel Montfort J. Gilbert Steele, Laszlo V. Kemes, Secretary.

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.; Earl S. Bumgarner, _____, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.

CLEVELAND LANDMARKS COMMISSION - Room 519, _____, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison, Kenneth 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 Connolly	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, NOVEMBER 20, 1996

No. 4328

CITY COUNCIL

MONDAY, NOVEMBER 18, 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:** Patmon, Chairman; Smith, Vice Chairman; Jackson, Lewis, Melena, Polensek, Robinson.

MONDAY

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

TUESDAY

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

1:30 P.M.—**Legislation Committee:** 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, Patmon, Rokakis, White, Willis.

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio November 18, 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, O'Malley, Patmon, Patton, Paulenske, Polensek, Robinson, Rokakis, Rybka, Smith, Westbrook, White, Willis, Zone.

Also present were Mayor White and Directors Carmody, Konicek, Cunningham, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Morrison, Willis and Acting Directors Alexander, Terry, Whitner.
Absent: Director Sobol Jordan.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Eugene W. Ward, Jr., Pastor of Greater Love Missionary Baptist Church. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 1999-96.
From the Division of Purchases and Supplies re: Emergency Requisition (RE-83750) for construction services at the Third District Police Station. Received.

File No. 2000-96.
From Alexander & Alexander of Indiana, Inc. re: Certificate of Insurance/Continental Casualty Co./CNA. Received.

File No. 2001-96.
From the Division of Purchases and Supplies re: Excess Property - Reference No. 013-96. Received.

File No. 2002-96.
From the Division of Purchases and Supplies re: Improving the Procurement Process. Received.

File No. 2003-96.

From the Northeast Ohio Regional District re: Construction Start of Contract RR-1A. Received.

File No. 2004-96.

From the City of Broadview Heights re: Resolution No. 96-105, expressing opposition to Ohio Senate Bill 118. Received.

File No. 2005-96.

From the Department of Public Utilities re: Puritas Avenue Relief Sewer - Contract No. 47402 (completed and accepted on November 30, 1996). Received.

File No. 2006-96.

From the Division of Purchases and Supplies re: Emergency Requisition (RE-83735) for the repair of electrical vault at Municipal Parking Lot. Received.

File No. 2007-96.

From the Department of Public Service re: Computer Hardware - MBE/FBE Set Aside. Received.

File No. 2008-96.

From the Ohio Department of Transportation re: The maintenance of Fulton Road as it relates to Ordinance No. 955-95, passed June 28, 1995. Received.

File No. 2009-96.

From the Cleveland Public Schools re: "A Commitment To Action" - 1996-1997 Strategic Plan and School-Community Covenant. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 2010-96.

Re: Stock Application - 0012160 - AAAM Food Corp. dba Speedy Superette, 4025 East 131st Street. (Ward 3). Received.

File No. 2011-96.

Re: Transfer of Ownership Application - 7403184 - Ritz Carlton Hotel Co. LLC dba Ritz Carlton - Cleveland, 1515 West Third Street. (Ward 13). Received.

File No. 2012-96.

Re: Transfer of Ownership Application - 9828800 - Yellow Aurora, Inc. dba Dove Mini Market, 10808 Dove Avenue, first floor and basement. (Ward 2). Received.

File No. 2013-96.

Re: New Application - 0049764 - Ada Meat Market, Inc. dba Ada Meat Market, 5603 Fleet Avenue, first floor only. (Ward 12). Received.

File No. 2014-96.

Re: Transfer of Ownership Application - 6551326 - 10221 Union, Inc., 10221 Union Avenue, first floor. (Ward 3). Received.

File No. 2015-96.

Re: Transfer of Ownership Application - 6549357 - 10300 Union, Inc. dba LaRobb's Night Club, 10300 Union Avenue. (Ward 3). Received.

File No. 2016-96.

Re: Transfer of Ownership Application - 6548621 - 10402 Union, Inc., 10402 Union Avenue, first floor and basement. (Ward 3). Received.

File No. 2017-96.

Re: Stock Application - 5304541 - Lotus Mini Market Corp. dba Lotus Mini Market, 17801 Euclid Avenue. (Ward 10). Received.

File No. 2018-96.

Re: Transfer of Ownership Application - 0345134 - Aziz Corp. dba West 73rd Shell, 7310 Lorain Avenue and Gas Pumps. (Ward 17). Received.

File No. 2019-96.

Re: Transfer of Ownership Application - 5940565 - Mike & Becky's Place, Inc. dba Mike's Place, 8701 Madison Avenue, first floor and basement. (Ward 18). Received.

File No. 2074-96.

Re: New Application - 8465187 - Paulette D. Stewart dba Mini Mart, 9400 Buckeye Road. (Ward 4). Received.

File No. 2075-96.

Re: Transfer of Ownership Application - 4226238 - Jamal Alnajada, Inc. dba Quick Stop, 1405 East 115th Street, first floor and basement. (Ward 9). Received.

File No. 2076-96.

Re: Stock Application - 6445219 - North Pointe Cuisine, Inc., Unit M1 Atrium & Patio, 1001 Lakeside Avenue. (Ward 13). Received.

File No. 2077-96.

Re: Stock Application - 17093610005 - Convenient Food Mart, Inc. No. 361, 12520 Lorain Avenue and Gas Pumps. (Ward 19). Received.

File No. 2078-96.

Re: Transfer of Ownership Application - 5382691 - M & K Ciccis, Inc. dba CICI's Pizza & Eatery, 13720 Lorain Avenue. (Ward 19). Received.

File No. 2079-96.

Re: Transfer of Ownership Application - 8384851 - Evelyn Joy Sorma, dba Lorain Grocery, 4010 Lorain Avenue, first floor. (Ward 14). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 2080-96. Constance Louise Morris.

Res. No. 2081-96. Shelton Beasley.

Res. No. 2082-96. Clarence Perry, Sr.

Res. No. 2083-96. Ramon Ortiz, Sr.

Res. No. 2084-96. DaNesia (Johnnell) Webb.

Res. No. 2085-96. Leonore M. Geller.

Res. No. 2086-96. Dorothy Plechaty.

Res. No. 2087-96. Lovelle Wilson.

Res. No. 2088-96. Raymond L. Neff, Jr.

CONGRATULATORY RESOLUTIONS

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

Res. No. 2089-96. Rev. Blanton Harper, Jr.

Res. No. 2090-96. Triedstone Baptist Church.

Res. No. 2091-96. East High School Blue Bombers.

Res. No. 2092-96. Eliza Bryant Center.

Res. No. 2093-96. Betty Castor.

Res. No. 2094-96. Our Lady of Angels J.V. Football Team.

Res. No. 2095-96. Glenville A's Pee Wees - 1996 Cleveland Munny League Football Association Pee Wee Division Champions.

Res. No. 2096-96. Rev. E.T. Caviness.

Res. No. 2097-96. St. Mary of the Assumption Church.

Res. No. 2098-96. PAL Six Midgets - 1996 Cleveland Munny League Football Association Midget Division Champions.

Res. No. 2099-96. PAL Six Bantam - 1996 Cleveland Munny League Football Association Bantam Division Champions.

Res. No. 2100-96. Helen Tasker.

Res. No. 2101-96. Ella M. Wright.

Res. No. 2102-96. Rev. Leroy Banks, Sr.

Res. No. 2103-96. Bob Zak.

RESOLUTIONS OF RECOGNITION

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

Res. No. 2104-96. August D. Lopresti.

Res. No. 2105-96. Dagmar Celeste.

RESOLUTIONS OF WELCOME

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

Res. No. 2106-96. Christopher Reeve.

Res. No. 2107-96. Mr. Slavko Avsenik.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 2020-96.****By Councilman Coats.**

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 396.01, 396.02, 396.03, 396.04 and 396.05, relating to notification and environmental testing of closed buildings.

Whereas, any building within the City of Cleveland which is closed by a commercial enterprise should be tested for environmental contamination and/or hazardous materials prior to closing the facility and the results reported to the appropriate authorities; and

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 396.01, 396.02, 396.03, 396.04 and 396.05 thereof to read, respectively, as follows:

**CHAPTER 396
NOTIFICATION AND
ENVIRONMENTAL TESTING
OF CLOSED BUILDINGS****Section 396.01 Definitions**

As used in this Chapter:

(a) "Close" or "Closing" means the permanent cessation of business operations at a facility and adjoining grounds for any reason.

(b) "Employer" means any person, corporation or other entity which has operated an industrial or commercial enterprise in the City of Cleveland for more than six (6) months prior to the proposed date of closing, but does not include any governmental entity.

(c) "Facility" means any all buildings, equipment, structures, and other stationary items that are located on a single site or on contiguous or adjacent sites and that are operated by the same employer.

Section 396.02 Notification and Environmental Reporting Requirements

(a) Whenever an employer within the City of Cleveland makes a decision to close a facility, the employer shall notify in writing the Mayor, the Director of Law, the Fire Chief and the Clerk of Council of such intent to close not less than sixty (60) days prior to the date of such closing.

(b) The written notice required by division (a) of this section shall include:

(1) The proposed date of closing.

(2) The name, address, telephone number and social security number of an authorized representative of the employer.

(c) At least thirty (30) days prior to the date of closing a facility, the employer shall provide to the Director of Public Health and Welfare and the Fire Chief a written report from an independent environmental consultant assessing the environmental condition of the facility.

Section 396.03 Public Subsidies

Any agreement between an employer and the City of Cleveland which receives any type of public subsidy, including tax abatement, shall provide as a condition of receiving said subsidy that the employer agrees to reimburse the City the full amount of said subsidy should the employer close the facility benefiting from the subsidy prior to the expiration of the agreement.

Section 396.04 Relation to Other Laws

Compliance with the provisions of this Chapter 396 shall be in addition to any requirements contained in state or federal law and shall, in no way, alter or limit compliance with any such laws.

Section 396.05 Penalty

Any person who fails to comply with the provisions of this chapter shall be guilty of a misdemeanor of the first degree.

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

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

Ord. No. 2021-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Ohio Blow Pipe Company, or its designee, to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to make exterior improvements to their facility located at 446 East 131st Street, Cleveland, Ohio in the Cleveland Area Enterprise Zone.

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

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

Whereas, Ohio Blow Pipe Company (the "Enterprise") has proposed to make exterior improvements to their facility; 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 Ohio Blow Pipe Company, or its designee(s), for enterprise zone incentives on the basis that Ohio Blow Pipe Company 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 Ohio Blow Pipe Company 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 make exterior improvements at its facility at 446 East 131st Street, in Cleveland, Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accor-

dance with the term as set forth in the Executive Summary contained in File No. 2021-96-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. 2022-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Crane carrier cab and chassis parts and labor, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

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

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

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

Ord. No. 2023-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Everest dump body salt spreader system parts, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

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

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

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

Ord. No. 2024-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

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

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

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

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

Ord. No. 2025-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

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

items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

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

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

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

Ord. No. 2026-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21065)

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. 2027-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

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

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

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

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

Ord. No. 2028-96.

By Councilmen Coats and Rokakis (by departmental request).

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

Whereas, this ordinance consti-

tutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

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

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

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

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

Ord. No. 2029-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of parts for mowers and cutting equipment, including labor if necessary, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21068)

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

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

Ord. No. 2030-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

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

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

purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21069)

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

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

Ord. No. 2031-96.

By Councilmen Melena, Johnson, Patton, O'Malley, Patmon and Coats.

An emergency ordinance to amend Section 605.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1831-95, passed June 10, 1996, relating to minor's curfew.

Whereas, this ordinance constitutes an emergency measure providing for 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 605.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1831-95, passed June 10, 1996, is hereby amended to read as follows:

Section 605.14 Minor's Curfew

(a) No child twelve years of age or under shall be upon the streets or sidewalks or in a park or any other public place during the period from darkness to dawn, nor shall any child between the ages of thirteen and sixteen, inclusive, be upon the streets or sidewalks or in any park or any other public place between the hours of 11:00 p.m. and 5:00 a.m., nor shall any child seventeen years of age be upon the streets or sidewalks between the hours of midnight and 5:00 a.m., unless the child is accompanied by a parent or legal guardian, or a responsible adult selected by the parent or legal guardian to supervise the child.

(b) Each parent or legal guardian of a child seventeen years of age or under shall **have a duty** to prohibit the child from behaving contrary to division (a) of this section. No person shall negligently fail to fulfill the duty imposed by this division.

(c) It shall be an affirmative defense to division (b) of this section that the parent or legal guardian initiated the jurisdiction of the Juvenile Court against the child prior to the time that the child was found violating division (a) of this section.

(d) Any child who violates division (a) of this section is an unruly child and is subject to the jurisdiction of the Juvenile Court.

(e) Any person who violates division (b) of this section is guilty of negligently failing to supervise a child, a minor misdemeanor for a first offense and **shall be required to perform supervised community service work pursuant to division (H) of Revised Code Section 2951.02 in the ward in which the child was arrested or detained, the value of such service work not to exceed One**

Hundred Dollars (\$100.00). In addition to any other method of enforcement provided for in these Codified Ordinances or by statute, this offense may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure. Any person who is convicted of a second or subsequent offense for violating division (b) of this section is guilty of a misdemeanor of the fourth degree.

Section 2. That existing Section 605.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1831-95, passed June 10, 1996, is hereby repealed.

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

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

Ord. No. 2032-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide engineering and other services as necessary to complete studies and testing services, for the Division of Cleveland Public Power.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more engineers and other consultants or one or more firms of engineers and other consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to perform system planning studies, including but not limited to determining the capacity of CPP facilities, evaluation of system losses, grounding systems, and underground lines, protection and control studies, conversion of the existing distribution circuits, and obtaining, reviewing and developing system standards; to update system maps and records; design of feeders, laterals and customer connection, and to provide training for CPP staff.

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

Section 2. That the costs for such services herein contemplated shall

be paid from Fund No. 58 SF 001, Request No. 22102.

Section 3. That all contracts authorized by this ordinance shall be executed within three (3) years of the effective date 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 Utilities, Finance, Law; Committees on Public Utilities, Finance.

Ord. No. 2033-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to modify and maintain the Trac-Vac residuals collection system at the Garrett A. Morgan Waterworks Facility, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials needed to modify and maintain the Trac-Vac residuals collection system at the Garrett A. Morgan Waterworks Facility in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20970)

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. 2034-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of not to exceed ten pipe locators and cases, for the Division of Water, Department of Public Utilities.

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

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

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

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

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

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

Ord. No. 2035-96.
By Councilmen Polensek and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Public Utilities Commission of Ohio for the 1996-97 Hazardous Materials Training Program and authorizing the Director of Public Safety to enter into contracts for the purchase of equipment, supplies and services for the Program.

Whereas, this ordinance constitutes an emergency measure providing for 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 \$25,230.00, from the Public Utilities Commission of Ohio, to conduct the 1996-97 Hazardous Materials Training (HAZMAT) 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. 2035-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Safety is hereby authorized

to enter into contracts in accordance with the requirements and procedures set forth in the Charter and the Codified Ordinances, for the purchase of equipment, supplies and services to implement 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 Safety, Finance, Law; Committees on Public Safety, Finance.

Ord. No. 2036-96.

By Councilmen Polensek and Rokakis (by departmental request). An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Attorney General Local Law Enforcement Fund of the Cleveland Foundation for the Police-Purchase of Bulletproof Vests Grant.

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

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

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

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

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

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

Ord. No. 2037-96.

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

Whereas, this ordinance constitutes an emergency measure providing for 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 \$437,684.00, from the U.S. Department of Justice-Office of Community Oriented Policing Services (COPS) and a grant in the amount of \$43,769.00 from the State of Ohio, to conduct the COPS MORE: Phase II Program, for the purposes set forth in the applications 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 grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That the applications for said grants, File No. 2037-96-A, made a part hereof as if fully rewritten herein, are 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. 2038-96.

By Councilmen Robinson and Rokakis (by departmental request). An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1997 Target Cities Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$105,000.00, from the Alcohol and Drug Addiction Services Board of Cuyahoga County, to conduct the 1997 Target Cities Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 2038-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its 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. 2039-96.

By Councilmen Robinson and Rokakis (by departmental request). An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Federation for Community Planning for the 1997 Health Services for Residents of Public Housing Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$90,000, from the Federation for Community Planning, to conduct the 1997 Health Services for Residents of Public Housing Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 2039-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 2040-96.

By Councilmen Robinson and Rokakis (by departmental request). An emergency ordinance to amend the title and Section 3 of Ordinance No. 2016-95, passed December 18, 1995, relating to the 1996-97 All Kids Count Program and to enter into a contract with the Federation for Community Planning.

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

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

Section 1. That the title and Section 3 of Ordinance No. 2016-95, passed December 18, 1995, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Robert Wood Johnson Foundation for the 1996-97 All Kids Count Program and authorizing the Director of Public Health to enter into contracts with Cleveland State University and the Federation for Community Planning for the implementation and operation of the Program.

Section 3. That the Director of Public Health is hereby authorized to enter into contracts with Cleveland State University and the Fed-

eration for Community Planning 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 2. That the existing title and Section 3 of Ordinance No. 2016-95, passed December 18, 1995, are hereby repealed.

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

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

**Ord. No. 2041-96.
By Councilman Rokakis (by departmental request).**

An emergency ordinance to enter into contract for the purchase of labor and materials necessary to perform carpentry work, repair or replace countertops, and make other needed improvements to the offices of the Clerk of the Cleveland Municipal Court.

Whereas, On March 5, 1996, the City of Cleveland and the Board of Commissioners of Cuyahoga County entered into a Settlement Agreement that contemplates that the County will perform painting and carpeting for the Clerk upon approval of the City's Director of Finance; and

Whereas, certain other needed improvements to the offices occupied by the Clerk of the Cleveland Municipal Court are not expressly covered by that Settlement Agreement; and

Whereas, certain of the items of labor and materials needed for the contemplated improvements are solely available through the co-occupant of the building, Cuyahoga County, while others can be purchased by competitive bid; and

Whereas, it is the intent of this Council to grant the Clerk of the Cleveland Municipal Court authority to obtain the necessary labor and materials for these improvements both through direct contract with

Cuyahoga County and through competitive purchases made by the City's Division of Purchases and Supplies; and

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

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

Section 1. That certain items of labor and materials needed to make improvements to the offices of the Clerk of the Cleveland Municipal Court cannot be secured from any source other than the co-occupant of the building, Cuyahoga County. Therefore, the Director of Finance is hereby authorized to make a written contract with the Board of Commissioners of Cuyahoga County on the basis written proposals received from the Superintendent of the Justice Center Complex for various items of labor or materials needed for such improvements, including the purchase of carpentry services, drywall, signs, painting supplies and other items of labor or materials necessary to make improvements to the offices in the Justice Center occupied by the Clerk of Courts, to be purchased by the Commissioner of Purchases and Supplies upon either a gross or unit basis.

Section 2. That in addition to the authority granted in Section 1, the Director of Finance is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for items of labor and materials that are needed to improve the offices of the Clerk of the Cleveland Municipal Court including, without limitation, each or all of the following items: labor and materials necessary to repair or replace countertops, perform carpentry, relocate a wall or walls, and to make other necessary improvements to the offices occupied by the Clerk of the Cleveland Municipal Court, to be purchased by the Commissioner of Purchases and Supplies for either a unit or a gross price, for the Clerk of the Cleveland Municipal Court.

Section 3. That the cost of the contracts authorized by this ordinance shall be paid from Fund Nos. 20 SF 320 and 20 SF 310, Request No. 22634.

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

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

**Ord. No. 2042-96.
By Councilman Rokakis (by departmental request).**

An emergency ordinance authorizing and directing the purchase by contract of labor and materials needed to remove and install carpeting in the courtrooms, judges' chambers and offices, for the Department of Finance, on behalf of the Cleveland Municipal Court.

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials needed to remove and install carpeting in the courtrooms, judges' chambers and offices, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Finance, on behalf of the Cleveland Municipal Court.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 20 SF 331, Request No. 21813.

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

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

**Ord. No. 2043-96.
By Councilmen Westbrook and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.**

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

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

Section 1. That the Director of Finance is hereby authorized and directed to pay as Moral Claims the sums set forth opposite and names of the following claimants and charged against the fund numbers opposite the names of the claimants:

Claimant	Claim No.	Amount	Division	Fund
Dallas Palmer	10120	\$ 85.00	Water Pollution Control	54 SF 001
Lewis Krehel	10121	1,200.00	Water Pollution Control	54 SF 001
Freddie Stewart	10124	141.60	Water Pollution Control	54 SF 001
Alan Negrelli	10136	2,550.00	Water Pollution Control	54 SF 001
Connie Parsons	10159	419.78	Water Pollution Control	54 SF 001
Hiley D. Rainey	10213	1,500.00	Water Pollution Control	54 SF 001

Claimant	Claim No.	Amount	Division	Fund
W. Robert Chambers	9968	500.00	Water	54 SF 001
Bertha Brooks	9874	300.00	Cleveland	54 SF 001
			Public Power	
Essex Howard	10043	71.00	Police	01-60-02-0720
Albert Haas	10090	500.00	Police	01-60-02-0720
Lewis A. Fant	10097	502.90	Police	01-60-02-0720
Brian DeLaney	10102	96.00	Police	01-60-02-0720
Mike Matyjasik	10117	1,856.50	Police	01-60-02-0720
Bennie and Jean Perkins	10119	261.13	Police	01-60-02-0720
Frances Edmunds	10125	200.00	Police	01-60-02-0720
Tim and Shirley Kowalski	10143	500.00	Police	01-60-02-0720
Kimberly Jacobs	10150	220.00	Police	01-60-02-0720
Kevin Nahrstedt	10158	1,000.00	Police	01-60-02-0720
John Thompson	10160	70.00	Police	01-60-02-0720
Phillip Stutzman	10161	319.53	Police	01-60-02-0720
Thomas J. Roche	10191	250.00	Police	01-60-02-0720
Jerome D. Diggs	10205	900.00	Police	01-60-02-0720
Valarie McKnight	10209	80.00	Police	01-60-02-0720
Annetta Holliman	10218	80.00	Police	01-60-02-0720
John Simmerly	10217	500.00	Fire	01-60-03-0720
Donna Sandor	10127	445.27	Emergency	01-60-04-0720
			Medical Service	
Catherine Lynch	9914	126.49	Recreation	01-70-02-0720
Walter and Frances Lynn	10001	250.00	Park Maintenance and Properties	01-70-10-0720
Edward and Gloria Rowell	10123	62.00	Park Maintenance and Properties	01-70-10-0720
Dolores Clay	10173	60.00	Park Maintenance and Properties	01-70-10-0720
Jerry White	10175	439.72	Park Maintenance and Properties	01-70-10-0720
Donald Reddick	10186	151.41	Park Maintenance and Properties	01-70-10-0720
The Illuminating Company	10202	150.00	Park Maintenance and Properties	01-70-10-0720
Ora Kirksey	10203	175.00	Park Maintenance and Properties	01-70-10-0720
Theresa Zelesnik	10171	350.00	Park Maintenance (Urban Forestry)	01-70-10-0720
Alice Weldy	10195	36.75	Park Maintenance (Highland Park)	65 SF 001
Bertha Hunter	10212	30.50	Park Maintenance (Highland Park)	65 SF 001
Mary Nagy	10163	2,300.00	Building and Housing	01-80-05-0720
Kasprzak Furniture Co.	10131	209.00	Streets	10 SF 401
John Zadnik	10178	132.20	Streets	10 SF 401
Eric and Pamela Morgan	10145	250.00	Waste Collection	01-40-03-0720
Cheryl Chubokas	10156	310.92	Waste Collection	01-40-03-0720
Robert Beard	10183	104.32	Waste Collection	01-40-03-0720
Tanya Rumbold, on behalf of Husain Al-Sherif, a minor	10177	13.99	Cleveland Hopkins Airport	60 SF 001
Samsel Supply Co.	10006	469.14	Water Pollution Control	54 SF 001
		— and —		
		469.15	Engineering and Construction	01-40-02-0720

Section 2. That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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

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

Ord. No. 2044-96.**By Councilman Smith.**

An emergency ordinance to amend the title and Section 4 of Ordinance No. 2122-93, passed November 22, 1993, as amended by various ordinances, relating to an off-street parking facility at West 26th Street and Market Avenue.

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

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

Section 1. That the title and Section 4 of Ordinance No. 2122-93, passed November 22, 1993, as amended by Ordinance Nos. 2154-95 and 649-96, passed December 18, 1995 and June 10, 1996, respectively, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Economic Development to provide economic assistance to partially finance the acquisition of property, demolition of a building and construction of an off-street parking facility at West 26th Street and Market Avenue, and to enter into a contract with **Ohio City Near West Development Corp.**, or its designee, to provide economic development assistance for the project.

Section 4. That the Director of Economic Development is hereby authorized to enter into a contract with **Ohio City Near West Development Corp.**, or its designee, to provide economic development assistance to partially finance the acquisition of property, demolition of a building and construction of an off-street parking facility at West 26th Street and Market Avenue.

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

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

**FIRST READING EMERGENCY
RESOLUTION REFERRED**

Res. No. 2045-96.

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

An emergency resolution declaring the necessity and intention to appropriate property for redevelopment and/or rehabilitation of the blighted premises located at 2654 Lisbon Road, Cleveland, Ohio.

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

Whereas, pursuant to the authority of Chapter 324 of the Codified Ordinances, the Council of the City of Cleveland approved and adopted Ordinance No. 144-96, passed June 18, 1996, wherein Council found and determined that 2654 Lisbon Road, Permanent Parcel 126-20-025, is blighted premises and that the acquisition and redevelopment of

the blighted premises is necessary in order to eliminate the blight and prevent its recurrence; and

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

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

Section 1. That for the public purpose of eliminating blight and preventing the recurrence of blight in the neighborhood surrounding the blighted premises located at 2654 Lisbon Road through acquisition and redevelopment, rehabilitation and/or demolition, it is necessary to appropriate in fee simple the blighted premises, and the Council does hereby declare its intent to appropriate such fee simple interest in and to the following described blighted premises:

2654 Lisbon Road

PPN: 126-20-025

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. 415 and 423, and bounded and described as follows:

Beginning at the intersection of the Northwesterly line of Lisbon Road, S.E., (50 feet wide), with the Southwesterly line of Evins Avenue, S.E., (40 feet wide);

Thence Northeasterly along the Northwesterly line of Lisbon Road, S.E., 44.66 feet to a Northeasterly corner of land conveyed to the Gerson-Stewart Corporation by deed dated October 7, 1941, and recorded in Volume 5405, Page 737 of Cuyahoga County Records;

Thence North 59° 14' 30" West, along a Northeasterly line of land so conveyed to the Gerson-Stewart Corporation, 32 feet to an angle;

Thence South 64° 19' 50" West along a Northwesterly line of land so conveyed to the Gerson-Stewart Corporation, 17.60 feet to a Southerly corner of land conveyed to Jay C. Price and Nina E. Price by deed dated August 18, 1942, and recorded in Volume 5462, Page 296 of Cuyahoga County Records, and the principal place of beginning;

Thence North 83° 20' 30" West along a Southerly line of land so conveyed to Jay C. and Nina E. Price, 63.43 feet to an angle therein;

Thence North 59° 37' 40" West along a Southwesterly line of land so conveyed to Jay C. and Nina E. Price, 52.79 feet to a Southwesterly corner thereof;

Thence North 03° 21' 50" West, along a Westerly line of land so conveyed to Jay C. and Nina E. Price, 111.09 feet to an Easterly line of land conveyed to Pennsylvania Refining Company by deed dated July 31, 1941, and recorded in Volume 5403, Page 645 of Cuyahoga County Records;

Thence South 09° 27' 00" West along an Easterly line of land so conveyed to Pennsylvania Refining Company, 36.81 feet to a point of curvature;

Thence Southerly along an Easterly line of land so conveyed to Pennsylvania Refining Company along the arc of a curve deflecting to the right, 70.76 feet, said arc having a radius of 238.37 feet and a chord which bears South 17° 57' 15" West, 70.50 feet to a Southeasterly corner thereof;

Thence North 56° 26' 10" West along a Southwesterly line of land

so conveyed to Pennsylvania Refining Company, 65.92 feet to an inner corner thereof;

Thence South 45° 07' 40" West along a Southeasterly line of land so conveyed to Pennsylvania Refining Company, 148.34 feet to an inner corner thereof;

Thence South 44° 52' 20" East along a Northeasterly line of land so conveyed to Pennsylvania Refining Company 55.33 feet to a Southeasterly corner thereof;

Thence South 45° 07' 40" West along a Southeasterly line of land so conveyed to Pennsylvania Refining Company, 87.85 feet to the most Northerly corner of land conveyed to Pennsylvania Refining Company by deed dated August 25, 1942, and recorded in Volume 5466, Page 400 of Cuyahoga County Records;

Thence South 44° 52' 20" East, along a Northeasterly line of land conveyed to Pennsylvania Refining Company by deed last aforesaid, 106.88 feet to the most Easterly corner thereof;

Thence South 45° 07' 40" West along a Southeasterly line of land conveyed to Pennsylvania Refining Company by deed last aforesaid, about 7.38 feet to the most Northerly corner of land conveyed to Pennsylvania Refining Company by deed dated October 11, 1957, and recorded in Volume 9021, Page 154 of Cuyahoga County Records;

Thence South 44° 54' 40" East along the Northeasterly line of land conveyed to Pennsylvania Refining Company as last aforesaid, about 54.17 feet to the most Westerly corner of land conveyed to The Ohio Confection Company by deed dated December 10, 1941, and recorded in Volume 5418, Page 553 of Cuyahoga County Records;

Thence North 45° 06' 20" East along a Northwesterly line of land so conveyed to The Ohio Confection Company, 69.73 feet to a Northwesterly corner thereof;

Thence South 44° 53' 40" East along a Northeasterly line of land so conveyed to The Ohio Confection Company, 18.06 feet to an inner corner thereof;

Thence North 45° 06' 20" East along a Northwesterly line of land so conveyed to The Ohio Confection Company, 105.80 feet to an inner corner thereof;

Thence North 44° 53' 40" West along a Southwesterly line of land so conveyed to The Ohio Confection Company, 38.43 feet to a Northwesterly corner thereof;

Thence North 45° 06' 20" East, along a Northwesterly line of land so conveyed to The Ohio Confection Company and along a Northwesterly line of land conveyed to The Gerson-Stewart Corporation by deed aforesaid, 153.14 feet to the principal place of beginning, according to a survey dated March, 1947, made by Charles W. Root, Registered Professional Engineer, be the same more or less, but subject to all legal highways.

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

Section 3. That this resolution is

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 2046-96.

By Councilman Jackson.
An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2175 to 2181 East 69 Street to Burten, Bell & Carr Development Corp. or designee.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-23-045 and Southerly part of 118-23-046 and 118-23-047 and Northerly part of 118-23-046, as more fully described in Section 2 below, to Burten, Bell & Carr 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. 118-23-045

and

the Southerly part of 118-23-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot 8 and part of Sublot 7 in the Payne and Clark Allotment of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 11, Page 33 of Cuyahoga County Records, and being bounded and described as follows:

Beginning at an iron pin set at the Southwesterly corner of Sublot 8; thence North 90° 00' 00" East along the Southerly line of Sublot 8 139.41 feet to an iron pin set at the Southeasterly corner thereof; thence North 00° 04' 34" East along the Easterly line of Sublot 8 and its Northerly prolongation 50.00 feet to an iron pin set; thence South 90° 00' 00" West 139.48 feet to an iron pin set in the Easterly line of East 69th Street (formerly Jessie St.) 60 feet

wide; thence South 00° 00' 00" W along the Easterly line of East 69th Street 50.00 feet to the place of beginning, and containing 6,972.25 square feet of land, according to a survey by Nicholas Marino, Ohio Registered Surveyor No. 7769, in October 1996, be the same more or less, but subject to all legal high-ways.

P. P. No. 118-23-047

and

the Northerly part of 118-23-046

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot 6 and part of Sublot 7 in the Payne and Clark Allotment of part of Original One Hundred Acre Lot No. 335, as shown by the recorded plat in Volume 11, Page 33 of Cuyahoga County Records, and being bounded and described as follows:

Beginning at an iron pin set at the Northwesterly corner of Sublot 6; thence North 90° 00' 00" East along the Northerly line of Sublot 6 139.57 feet to an iron pin set at the Northeasterly corner thereof thence South 00° 04' 34" West along the Easterly line of Sublot 6 and its Southerly prolongation 70.53 feet to an iron pin set; thence South 90° 00' 00" West 139.48 feet to an iron pin set in the Easterly line of East 69th Street (formerly Jessie St.) 60 feet wide; thence North 00° 00' 00" East along the Easterly line of East 69th Street 70.53 feet to the place of beginning, and containing 9,840.70 square feet of land, according to a survey by Nicholas Marino, Ohio Registered Surveyor No. 7769, in October 1996, be the same, more or less, but subject to all legal high-ways.

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

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

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

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

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

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

Ord. No. 2047-96.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Cornelius J. Sandford).

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5: Cornelius J. Sandford.

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

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

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

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

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

Ord. No. 2048-96.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Phillip Alexander - southeast corner of East 40th Street and Cedar Avenue).

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage

in peddling in the public rights of way of Ward 5 at the locations specified: Phillip Alexander at the southeast corner of East 40th Street and Cedar Avenue.

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

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

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

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

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

Ord. No. 2049-96.

By Councilman Polensek.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Shore Acres Association to hang Christmas Trees on Lake Shore Blvd., between E. 149th Street and East 150th Street, and on Shore Acres Drive for the period from December 1, 1996 to January 10, 1997, inclusive, publicizing the Holiday Season.

Whereas, this ordinance constitutes an emergency measure providing for 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 Shore Acres Association to install, maintain and remove Christmas Trees for the period from December 1, 1996 to January 10, 1997, inclusive. Said Christmas Trees 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 Christmas Trees will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said Christmas Trees and said Christmas Trees 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 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 2050-96.

By Councilmen Smith and Melena.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Detroit Shoreway Community Development Organization to stretch Christmas banners and lights on Detroit Avenue, from West 45th Street to West 80th Street, for the period from November 22, 1996 to January 8, 1997, inclusive, publicizing the Holiday Season.

Whereas, this ordinance constitutes an emergency measure providing for 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 Detroit Shoreway Community Development Organization to install, maintain and remove Christmas banners and lights on Detroit Avenue, from West 45th Street to West 80th Street, for the period from November 22, 1996 to January 8, 1997, inclusive. Said Christmas banners and lights 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 Christmas banners and lights will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said Christmas banners and lights and said Christmas banners and lights 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 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 2051-96.

By Councilman Westbrook.

An emergency ordinance to affirm and approve the proposal of Texcel, Inc. as the lowest and best proposal for computer hardware, software, installation, training, and related services for the Clerk of City Council.

Whereas, this ordinance constitutes an emergency measure providing for 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 proposal of Texcel, Inc. for computer hardware, software, installation and training

as necessary for the design, development, installation and implementation of computer upgrade received on September 16, 1996, pursuant to the authority of Ordinance No. 948-96, passed May 20, 1996, on the basis of the estimated cost of \$304,176.00 is hereby affirmed and approved as the lowest and best proposal and that the Clerk of City Council proceed to enter into a contract for such supplies and services.

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

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

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

Ord. No. 2052-96.

By Councilman Westbrook.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Detroit Avenue Neighborhood Association to stretch Holiday Trees on Detroit Avenue, between West 107th Street and West 117th Street, for the period from November 15, 1996 to January 30, 1997, inclusive, publicizing the Holiday Season.

Whereas, this ordinance constitutes an emergency measure providing for 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 Detroit Avenue Neighborhood Association to install, maintain and remove Holiday Trees on Detroit Avenue, between West 107th Street and West 117th Street, for the period from November 15, 1996 to January 30, 1997, inclusive. Said Holiday Trees 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 Holiday Trees will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said Holiday Trees and said Holiday Trees 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 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

Ord. No. 2053-96.

By Councilmen Willis and Britt.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Inc. to stretch banners on Martin Luther King Jr. Blvd. (east of the Cleveland Museum of Natural History) and on Stokes Blvd. for the period from November 11, 1996 to December 5, 1996, inclusive, publicizing its Holiday CircleFest Celebration.

Whereas, this ordinance constitutes an emergency measure providing for 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 University Circle Inc. to install, maintain and remove banners on Martin Luther King Jr. Blvd. (east of the Cleveland Museum of Natural History) and on Stokes Blvd. for the period from November 11, 1996 to December 5, 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 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 2054-96.

By Councilman Johnson.
An emergency resolution withdrawing objection to the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit to 3065-77 East 123rd Street, and repealing Res. No. 1357-96, objecting to said transfer of ownership and location.

Whereas, this Council objected to the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit to 3065-77 East 123rd Street, by Res. No. 1357-96, adopted July 17, 1996; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and location

and consents to said transfer of ownership and location; and

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

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

Section 1. That objection to the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit to 3065-77 East 123rd Street, be and the same is hereby withdrawn and Res. No. 1357-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

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

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

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

Res. No. 2055-96.

By Councilman Johnson.
An emergency resolution withdrawing objection to the transfer of ownership and location of a C2 and C2X Liquor Permit to 12916 Forest Avenue, first floor and basement, and repealing Res. No. 1851-96, objecting to said transfer of ownership and location.

Whereas, this Council objected to the transfer of ownership and location of a C2 and C2X Liquor Permit to 12916 Forest Avenue, first floor and basement, by Res. No. 1851-96, adopted October 7, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership and location of a C2 and C2X Liquor Permit to 12916 Forest Avenue, first floor and basement, be and the same is hereby withdrawn and Res. No. 1851-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

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

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

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

Res. No. 2056-96.

By Councilman Lewis.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 8802-06 Superior 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. 4226245, Jamal & Said Inc., dba Superior Food Market, 8802-06 Superior Avenue, Cleveland, Ohio 44114, to Permit No. 8702532, Superior Hawk Inc., dba Superior Food Market, 8802-06 Superior Avenue, Cleveland, Ohio 44101; 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. 4226245, Jamal & Said Inc., dba Superior Food Market, 8802-06 Superior Avenue, Cleveland, Ohio 44114, to Permit No. 8702532, Superior Hawk Inc., dba Superior Food Market, 8802-06 Superior Avenue, Cleveland, Ohio 44101, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

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

Res. No. 2057-96.

By Councilman Miller.

An emergency resolution withdrawing objection to the issuance of a D3A Liquor Permit to 15318 Brookpark Road, and repealing Res. No. 1764-96, objecting to said issuance.

Whereas, this Council objected to the issuance of a D3A Liquor Permit to 15318 Brookpark Road by Res. No. 1764-96, adopted September 23, 1996; and

Whereas, this Council wishes to withdraw its objection to the above issuance and consents to said issuance; and

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

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

Section 1. That objection to the issuance of a D3A Liquor Permit to 15318 Brookpark Road be and the same is hereby withdrawn and Res. No. 1764-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

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

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

Res. No. 2058-96.

By Councilman Miller.

An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 13408 Enterprise Avenue, and repealing Res. No. 1359-96, objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 13408 Enterprise Avenue by Res. No. 1359-96, adopted July 17, 1996; and

Whereas, this Council wishes to withdraw its objection to the above issuance and consents to said issuance; and

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

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

Section 1. That objection to the issuance of a C1 Liquor Permit to 13408 Enterprise Avenue be and the same is hereby withdrawn and Res. No. 1359-96, containing said objection, be and the same is hereby repealed and that this Council con-

sents to the immediate issuance thereof.

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

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

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

Res. No. 2059-96.

By Councilman Miller.

An emergency resolution withdrawing objection to the transfer of ownership and location of a D2, D2X and D3 Liquor Permit to 15318 Brookpark Road, and repealing Res. No. 1763-96, objecting to said transfer of ownership and location.

Whereas, this Council objected to the transfer of ownership and location of a D2, D2X and D3 Liquor Permit to 15318 Brookpark Road by Res. No. 1763-96, adopted September 23, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership and location of a D2, D2X and D3 Liquor Permit to 15318 Brookpark Road be and the same is hereby withdrawn and Res. No. 1763-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

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

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

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

Res. No. 2060-96.

By Councilman Miller.

An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 16120 Brookpark Road, and repealing Res. No. 1502-96 (amended Res. No. 1640-96), objecting to said renewal.

Whereas, this Council objected to the renewal of a Liquor Permit to 16120 Brookpark Road by Res. No. 1502-96 (amended Res. No. 1640-96), adopted August 14, 1996; and

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

Whereas, this resolution consti-

tutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That objection to the renewal of a Liquor Permit to 16120 Brookpark Road be and the same is hereby withdrawn and Res. No. 1502-96 (amended Res. No. 1640-96), containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 2061-96.

By Councilman Melena.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 7310 Lorain Avenue and gas pumps.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 11020360005, Dan Burch Est., Karan M. Dodson Admx., 7310 Lorain Avenue and gas pumps, Cleveland, Ohio 44102, to Permit No. 0345134, Aziz Corp., dba West 73rd Shell, 7310 Lorain Avenue and gas pumps, Cleveland, Ohio 44102; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Direc-

tor of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 11020360005, Dan Burch Est., Karan M. Dodson Admx., 7310 Lorain Avenue and gas pumps, Cleveland, Ohio 44102, to Permit No. 0345134, Aziz Corp., dba West 73rd Shell, 7310 Lorain Avenue and gas pumps, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 2062-96.

By Councilman Paulenske.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3291 East 49th Street, and repealing Res. No. 1644-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 3291 East 49th Street by Res. No. 1644-96, adopted September 9, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 3291 East 49th Street be and the same is hereby withdrawn and Res. No. 1644-96, 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 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

Res. No. 2063-96.

By Councilman Polensek.

An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 15914 St. Clair Avenue, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 19249660005, Edward Dapice, dba Shuffle Inn, 15914 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44110, to Permit No. 3821080, Hiccup Inc., dba D Joint, 15914 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 19249660005, Edward Dapice, dba Shuffle Inn, 15914 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44110, to Permit No. 3821080, Hiccup Inc., dba D Joint, 15914 St. Clair Avenue, first floor and basement, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 2064-96.

By Councilman Robinson.

An emergency resolution objecting to the stock transfer of a C1 and C2 Liquor Permit to 4025 East 131st Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a C1 and C2 Liquor Permit to Permit No. 0012160, Aaam Food Corp., dba Speedy Superette, 4025 East 131st Street, 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 stock transfer of a C1 and C2 Liquor Permit to Permit No. 0012160, Aaam Food Corp., dba Speedy Superette, 4025 East 131st Street, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

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

Res. No. 2065-96.

By Councilman Rokakis.

An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 5200 Memphis Avenue, and repealing Res. No. 1529-96, objecting to said renewal.

Whereas, this Council objected to the renewal of a Liquor Permit to 5200 Memphis Avenue by Res. No. 1529-96, adopted August 14, 1996; and

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

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

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

Section 1. That objection to the renewal of a Liquor Permit to 5200 Memphis Avenue be and the same is hereby withdrawn and Res. No. 1529-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 2066-96.

By Councilman Rybka.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 5603 Fleet Avenue, first floor only.

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. 0049764, Ada Meat Market Inc., dba Ada Meat Market, 5603 Fleet Avenue, first floor only, Cleveland, Ohio 44105; and

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has oper-

ated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 0049764, Ada Meat Market Inc., dba Ada Meat Market, 5603 Fleet Avenue, first floor only, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 2067-96.

By Councilman White.

An emergency resolution objecting to the stock transfer of a D5 and D6 Liquor Permit to 3880 Martin Luther King Jr. Drive and repealing Res. No. 965-96, objecting to said stock transfer.

Whereas, this Council objected to the stock transfer of a D5 and D6 Liquor Permit to 3880 Martin Luther King Jr. Drive by Res. No. 965-96, adopted May 20, 1996; and

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

Whereas, this resolution consti-

tutes 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 stock transfer of a D5 and D6 Liquor Permit to 3880 Martin Luther King Jr. Drive be and the same is hereby withdrawn and Res. No. 965-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

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

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

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

Res. No. 2068-96.

By Councilman Westbrook.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 1991 West Boulevard.

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. 8060034, Abdelsalam A. Shehadeh, dba West Boulevard Market, 1991 West Boulevard, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does here-

by record its objection to the issuance of a C1 Liquor Permit to Permit No. 8060034, Abdelsalam A. Shehadeh, dba West Boulevard Market, 1991 West Boulevard, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 2069-96.

By Councilman Westbrook.

An emergency resolution withdrawing objection to the issuance of a C1 Liquor Permit to 8806 Almira Avenue, and repealing Res. No. 1369-96, objecting to said issuance.

Whereas, this Council objected to the issuance of a C1 Liquor Permit to 8806 Almira Avenue by Res. No. 1369-96, adopted July 17, 1996; and

Whereas, this Council wishes to withdraw its objection to the above issuance and consents to said issuance; and

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

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

Section 1. That objection to the issuance of a C1 Liquor Permit to 8806 Almira Avenue be and the same is hereby withdrawn and Res. No. 1369-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate issuance thereof.

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

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

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

Res. No. 2070-96.

By Councilman Willis.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1405 East 115th Street, first floor and basement.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 46374000005, Kimberly, Inc., 1405 East 115th Street, first floor and basement, Cleveland, Ohio 44106, to Permit No. 4226238, Jamal Alnajada Inc., dba Quick Stop, 1405 East 115th Street, first floor and basement, Cleveland, Ohio 44106; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 46374000005, Kimberly, Inc., 1405 East 115th Street, first floor and basement, Cleveland, Ohio 44106, to Permit No. 4226238, Jamal Alnajada Inc., dba Quick Stop, 1405 East 115th Street, first floor and basement, Cleveland, Ohio 44106, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Motion to suspend rules. Charter

and statutory provisions and place on final passage.

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

Res. No. 2071-96.

By Councilman Willis.

An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 780-786 East 125th Street, and repealing Res. No. 1558-96, objecting to said renewal.

Whereas, this Council objected to the renewal of a Liquor Permit to 780-786 East 125th Street by Res. No. 1558-96, adopted August 14, 1996; and

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

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

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

Section 1. That objection to the renewal of a Liquor Permit to 780-786 East 125th Street be and the same is hereby withdrawn and Res. No. 1558-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 2072-96.

By Councilman Zone.

An emergency resolution objecting to the transfer of ownership of a D1 and D2 Liquor Permit to 13720 Lorain Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1 and D2 Liquor Permit from Permit No. 1483461, Cicis III Inc., dba Cicis Italian, 13720 Lorain Avenue, Cleveland, Ohio 44111, to Permit No. 5382691, M & K Cicis Inc., dba Cicis Pizza & Eatery, 13720 Lorain Avenue, Cleveland, Ohio 44111; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement

officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1 and D2 Liquor Permit from Permit No. 1483461, Cicis III Inc., dba Cicis Italian, 13720 Lorain Avenue, Cleveland, Ohio 44111, to Permit No. 5382691, M & K Cicis Inc., dba Cicis Pizza & Eatery, 13720 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 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 2073-96.

By Councilman Zone.

An emergency resolution objecting to the stock transfer of a C1 and C2 Liquor Permit to 12520 Lorain Avenue and gas pumps.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a C1 and C2 Liquor Permit to Permit No. 1709361-0005, Convenient Food Mart Inc., No. 361, 12520 Lorain Avenue and gas pumps, Cleveland, Ohio 44111; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the stock transfer of a C1 and C2 Liquor Permit to Permit No. 1709361-0005, Convenient Food Mart Inc., No. 361, 12520 Lorain Avenue and gas pumps, Cleveland, Ohio 44111, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 1034-96.

By Councilmen Polensek, 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 17633 Dorchester Drive to East Shore Park Club Company.

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

Ord. No. 1101-96.

By Councilmen Coats, 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 981-1003 East 149th Street aka 14900-14918 St. Clair Avenue to Collinwood Community Services Center.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Recommended by Committee on Finance.

Ord. No. 1279-96.

By Councilman Britt.

An emergency ordinance to vacate a portion of East 88th Street, hereinafter described.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning.

Ord. No. 1318-96.

By Councilman Rokakis.

An emergency ordinance to vacate a portion of Ardoyne Avenue, S.W., hereinafter described.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning.

Ord. No. 1593-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10603-05 Hulda Avenue to Lawrence Cooper.

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

Ord. No. 1599-96.

By Councilmen Melena, 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 3133 West 50 Street to Joseph J. and Jennie V. Dudash.

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

Ord. No. 1602-96.

By Councilmen Miller, 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 Carrington Avenue to Thomas J. Dlugo Jr. and Thomas J. Dlugo, Sr.

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

Ord. No. 1614-96.

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 Pro-

gram and located at 1638 East 49th Street to Enrique Solis and Magaly Heredia.

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

Ord. No. 1615-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Attorney General's Office for the 1996-97 DARE Program.

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

Ord. No. 1706-96.

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 9101 Blaine Avenue to Evelyn Robinson.

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

Ord. No. 1835-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept ski lessons and other related services for children enrolled in City programs in exchange for a ski lift located at Camp Forbes, for the Division of Recreation, Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Parks, Property and Recreation, Finance.

Ord. No. 1942-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Sections 2 and 3 of Ordinance No. 646-96, passed May 20, 1996; and to supplement said ordinance by adding new Section 3a, relating to the purchase of long distance telephone service for various city departments, the sale of long distance telephone services through pay telephones located on City property, and the vending of prepaid telephone calling cards on City property.

Approved by Directors of Finance, Law; Recommended by Committee on Finance.

**SECOND READING
EMERGENCY RESOLUTION**

Res. No. 1323-96.

By Councilman Smith (by request).

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

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning, Finance.

**SECOND READING EMERGENCY
ORDINANCES PASSED**

Ord. No. 1596-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance to amend Section 7 of Ordinance No. 908-93, passed June 14, 1993 and Section 15 of Ordinance No. 1092-94, passed June 13, 1994, as amended, relating to the public improvement of rehabilitation East 79th Street and the rehabilitation of East 9th Street, respectively.

Approved by Directors of Public Service, Finance, Law; Relieved of Committee on Public Service; Recommended by Committee on Finance.

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

Ord. No. 1793-96.

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

An emergency ordinance authorizing the Director of Public Service to enter into a fourth amendment to Contract No. 38890 with Pleasant Valley Enterprises for the lease of property located at 14550 Lorain Avenue.

Approved by Directors of Public Service, Finance, Law; Relieved of Committee on Public Service; Recommended by Committee on Finance.

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

LAID ON THE TABLE

Ord. No. 707-96.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to transfer property described as a parking area to the control, possession and use of the Department of Port Control.

Ord. No. 1281-96.

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

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

Without objection, Ordinance Nos. 707-96 and 1281-96 were Laid on the Table pursuant to the rules of Council.

MOTION

The Council adjourned at 8:45 p.m. to meet on Monday, November 25, 1996 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES

Ord. No. 1034-96.

By Councilmen Polensek, 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 17633 Dorchester Drive to East Shore Park Club Company.

Ord. No. 1101-96.

By Councilmen Coats, 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 981-1003 East 149th Street aka 14900-14918 St. Clair Avenue to Collinwood Community Services Center.

Ord. No. 1279-96.

By Councilman Britt.

An emergency ordinance to vacate a portion of East 88th Street, hereinafter described.

Ord. No. 1318-96.

By Councilman Rokakis.

An emergency ordinance to vacate a portion of Ardoyne Avenue, S.W., hereinafter described.

Ord. No. 1593-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10603-05 Hulda Avenue to Lawrence Cooper.

Ord. No. 1599-96.

By Councilmen Melena, 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 3133 West 50 Street to Joseph J. and Jennie V. Dudash.

Ord. No. 1602-96.

By Councilmen Miller, 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 Carrington Avenue to Thomas J. Dlugo Jr. and Thomas J. Dlugo, Sr.

Ord. No. 1614-96.

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 1638 East 49th Street to Enrique Solis and Magaly Heredia.

Ord. No. 1615-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Attorney General's Office for the 1996-97 DARE Program.

Ord. No. 1706-96.

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 9101 Blaine Avenue to Evelyn Robinson.

Ord. No. 1835-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept ski lessons and other related services for children enrolled in City programs in exchange for a ski lift located at Camp Forbes, for the Division of Recreation, Department of Parks, Recreation and Properties.

Ord. No. 1942-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Sections 2 and 3 of Ordinance No. 646-96, passed May 20, 1996; and to supplement said ordinance by adding new Section 3a, relating to the purchase of long distance telephone service for various city departments, the sale of long distance telephone services through pay telephones located on City property, and the vending of prepaid telephone calling cards on City property.

RESOLUTION**Res. No. 1323-96.**

By Councilman Smith (by request).

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

BOARD OF CONTROL

November 13, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 13, 1996, at 11:00 a.m., with Director Sobol Jordan presiding.

Present: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Directors Balraj, Alexander.

Absent: Mayor White.

Others: William Moon, Commissioner, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 818-96.

By Acting Director Carmody.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following sub-contractor by Jeter Systems Corp. under the contract authorized by Board of Control Resolution No. 743-96, adopted October 16, 1996, for the delivery of file folders, is hereby approved:

Friendly Delivery, Inc.
(\$600.00, MBE)

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Guzman,

Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Directors Balraj, Alexander.

Nays: None.

Absent: None.

Resolution No. 819-96.

By Director Konicek.

Whereas, pursuant to authority of Ordinance No. 111-93, passed by the Council of the City of Cleveland on February 8, 1993, and Resolution No. 105-95, adopted by this Board of Control on February 15, 1995, the City, through its Director of Public Utilities, entered into an agreement with the firm of Finkbeiner, Pettis & Strout, Limited ("Consultant"), Contract No. 48626 for the design services required for the public improvement of Spring Road relief sewer; and

Whereas, pursuant to Resolution No. 62-96, adopted by this Board of Control on February 6, 1996, the City, through its Director of Public Utilities, entered into a first modification to said contract No. 48626, for additional design services required for the public improvement of Spring Road relief sewer; and

Whereas, the City desires to modify the scope of services to include additional design development services, soil investigations and other engineering services for an additional 1600 linear feet of new sewer on South Hills Drive from Spring Road to Tampa Avenue, on Tampa Avenue from South Hills Drive to Broadale Avenue, and on Broadale Avenue from Tampa Avenue to Saratoga Avenue; and

Whereas, Consultant has proposed by its September 10, 1996 letter to provide such additional consulting services for an amount not to exceed \$46,750; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that the Director of Public Utilities is hereby authorized to enter into a second modification to Contract No. 48626 with Finkbeiner, Pettis & Strout, Limited for the additional design services required for the public improvement of Spring Road relief sewer, on the basis of Consultant's September 10, 1996 proposal letter. The compensation for such additional services shall not exceed a total of \$46,750, thereby increasing the total compensation under the Agreement as modified from \$93,850 to \$140,600. The modification authorized hereby shall be prepared by the Director of Law and shall include such additional provisions as said Director deems necessary to benefit and protect the public interest.

Be it further resolved that Resolution No. 62-96 is hereby amended by decreasing the amount of participation of subconsultant Ralph C. Tyler, P.E., P.S., Inc. from 34.15% to 30%. All other provisions of said Resolution No. 62-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Directors Balraj, Alexander.

Nays: None.

Absent: None.

Resolution No. 820-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 31-95, passed by the Council of the City of Cleveland on May 22, 1995, EMA Services, Inc., is hereby selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide professional services necessary to establish an information management system, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities hereby is requested to enter into a contract with EMA Services, Inc. based upon its proposal dated August 30, 1996 which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal upon execution of a contract for an aggregate fee not in excess of \$490,000.00 and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by EMA Services, Inc., for the above-mentioned professional service is hereby approved:

SUBCONTRACTORS	WORK
Vista Consulting Group, Inc.	Professional IT Consulting
Ralph Tyler Companies	Professional IT Consulting (5%, MBE)
TriLogic Corporation	Professional IT Consulting (20%, MBE)
JasTech	Professional IT Consulting (10%, FBE)
White's Information Systems	Professional IT Consulting (5%, MBE)

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Directors Balraj, Alexander.

Nays: None.

Absent: None.

Resolution No. 821-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Columbia/St. Vincent Charity Hospital for an estimated quantity of Drug Testing (All Items) for the Various Divisions of the Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on the 12th day of September, 1996, pursuant to Section 135.43 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would

amount to Fourteen thousand, three hundred thirty seven and 50/100 Dollars, (\$14,337.50), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81878

95 Drug Screen tests, Item #1, as specified, which shall be certified against such contract in the sum of One thousand four hundred twenty and 25/100 Dollars, (\$1,420.25).

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

Yeas: None.

Nays: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Directors Balraj, Alexander.

Absent: None.

Resolution No. 822-96.

By Director Denihan.

Whereas by Resolution No. 758-96, adopted October 23, 1996, pursuant to Section 135.06 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, this Board of Control approved the bid of Dicar Corporation as the lowest and best for the purchase of Turnout Clothing, Item Nos. 1, 2, 3, 4, 5, 6, 7, and 10, for the Division of Fire, Department of Public Safety; and

Whereas, in said Resolution No. 758-96, the base requisition amount was incorrect; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 758-96 adopted October 23, 1996, affirming and approving the bid of Dicar Corporation as the lowest and best for the purchase of Fire Turnout Clothing, Item numbers 4 and 5, hereby is amended by changing the base requisition amount from "\$61,700.00" to "\$62,700.00", where appearing.

Be it further resolved that all other provisions of said Resolution No. 758-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Directors Balraj, Alexander.

Nays: None.

Absent: None.

Resolution No. 823-96.

By Director Denihan.

Be it resolved, by the Board of Control of the City of Cleveland that Resolution No. 767-96, adopted October 23, 1996, is hereby amended as follows:

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 2458-92, passed by the Council of the City of Cleveland on January 25, 1993, International Business Machines Corp. is hereby selected upon the nomination

of the Director of Public Safety from a list of lessors of computer system consultants for a lease for a period of three (3) years, with the option to purchase, of the customizing and licensing of software, purchase of peripherals, and for an extended warranty, software maintenance, freight and the installation, project management and training, all the foregoing for the design, development implementation and support of a Records Management System (RMS), for the Division of Police, Department of Public Safety.

Be it further resolved that the Director of Public Safety hereby is authorized to enter into a written contract with International Business Machines Corporation based upon its proposal dated June 21, 1996 and October 7, 1996. The cost for the lease for a period of three (3) years, with the option to purchase, the customizing and licensing of software, purchase of peripherals, and for an extended warranty, software maintenance, freight and the installation, project management and training, all the foregoing for the design, development implementation and support of a Records Management System (RMS), as authorized hereby, shall be as stated in Lessor's proposal, and shall, on the basis of the estimated quantities amount to One million, six hundred eighty-six thousand, one hundred and no/100 (\$1,686,100.00).

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Directors Balraj, Alexander.

Nays: None.

Absent: None.

Resolution No. 824-96.

By Director Spellman.

Whereas, pursuant to the authority of Ordinance No. 807-93, passed by the Council of the City of Cleveland on June 14, 1993, and Resolution No. 565-94, adopted by this Board of Control on July 27, 1994, the City, through its Director of Parks, Recreation and Properties entered into City Contract No. 47721 with Richard Fleischman Architects, Inc., ("Architect") for professional services for the construction of the Luke Easter Recreation Center; and

Whereas, the City has determined to increase the scope of work to include the professional services necessary to design a sanitary sewer; and

Whereas, Architect has proposed, by its letter dated October 7, 1996, to perform the professional services necessary for this increased scope of work; and

Whereas, the City finds Architects proposal acceptable and desires to enter into a first modification to City Contract No. 47721 on the basis of the City's determinations and Architect's proposal letter; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that the Director of Parks, Recreation and Properties is hereby authorized to enter into a first Modification to City Contract No. 47721 with Richard Fleischman Architects, Inc., to perform the professional services necessary to design a sanitary sewer for an increase in fees of Five Thousand Two Hundred and No/100 Dollars (\$5,200.00), and no increase in reimbursable expenses, for a total contract cost, including

existing reimbursable expenses, not to exceed Two Hundred Eighty Five Thousand Seven Hundred and No/100 Dollars (\$285,700.00).

Be it further resolved, that all other terms and provisions of City Contract No. 47721 not expressly modified herein shall remain unchanged and in full force and effect.

Yeas: Director Sobol Jordan, Acting Director Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Acting Directors Balraj, Alexander.

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 2, 1996

9:30 A.M.

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

Randal Grzybowski, owner, to convert to food processing the 40' x 40' used car sales office building located in a General Retail District on a 43' x 123' irregular shaped lot at 5701 Harvard Ave.; said use for food processing being contrary to the retail use limitations of Section 343.11 and said premises not conforming to the landscaping provisions of Sections 352.08, 352.09, 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 96-208: 4529 W. 130 St.

Richard Bogdan, owner, to erect a 45' x 40' 8" one story addition to the north side of the 82' x 62' one story nonconforming auto repair garage on the 136' x 125' corner lot located in a General Retail District on the

northeast corner of W. 130 St. and Milligan Ave. and known as 4529 W. 130 St.; said use as an auto repair garage being contrary to the retail use limitations of Section 343.11 and said use being located less than 100' from the Residence District to the east and said addition being contrary to the expansion limits of Section 359.01 and said premises not being in conformance with the landscape provisions of Section 352.10 of the Codified Ordinances.

Calendar No. 96-210: Appeal of Joseph A. Barton

Joseph A. Barton, appeals, under Section 76-6 of the Charter, from the refusal to issue a Handgun Registration and Handgun Owner's Identification Card by Rocco M. Polluto, Chief of Police, under authority of Section 674.04 of the Codified Ordinances.

Calendar No. 96-211: 4492 State Rd., S.W.

Evelyn E. Kinsey Inc., owner, c/o Evelyn E. Kinsey, to erect a 30' x 30' one story masonry tavern building on an 83' x 64' irregular shaped corner lot located in a Local Retail District on the southwest corner of State Rd. and Behrwald Ave. at 4492 State Rd.; said proposed building to be located 6' from the street line of State Rd. instead of back of the 17' specific setback building line contrary to Section 357.14 of the Codified Ordinances.

Calendar No. 96-212: 3536 E. 103 St.

Christine Burrow, owner, to erect a 24' x 7' 3" addition by enclosing the first floor open front porch of the 24' x 38' two story frame two family dwelling house on a 37' x 110' lot located in a Two Family District at 3536 E. 103 St.; said proposed addition to be contrary to the encroachment provisions of Section 357.13 of the Codified Ordinances.

Calendar No. 96-213: 9606-08 Miles Ave., S.E.

Marie Eason, owner, to convert to one dwelling unit and 9 rooming occupancies, with communal kitchen, the 25' x 50' frame 2 1/2 story two dwelling units building on a 46' x 112' lot located in a B-Two-Family District at 9606-08 Miles Ave.; said use being contrary to the two family use limitations of Section 337.03 and said premises having insufficient parking contrary to Sections 349.03 and 349.04 and the west sideyard being 6' in width instead of 8' as required for a multi-family building by Section 357.09 and the residential floor area being .72 instead of the .5 maximum permitted in a B district by Section 355.04 of the Codified Ordinances.

10:30 A.M.

Calendar No. 96-214: 3193 W. 95 St.

Tom Friend, owner, to erect a 23' 4" x 19' 4" second floor addition and convert to a dwelling unit the 32' x 24' two and one story masonry and frame garage building on the rear of a 35' x 127' lot located in a Two Family District at 3193 W. 95 St.; said proposed dwelling house to have a 7' rear yard instead of the 20' required by Section 357.08 and the north sideyard being 0' and the south sideyard 2' instead of the 3' minimum required by Section 357.09 and the aggregate sideyards being 2' instead of 10' as required by Section 357.09 of the Codified Ordinances.

Calendar No. 96-215: 4298 Pearl Rd., S.W.

Robert L. Goff, owner, to raze the existing 38' x 85' one and two story masonry and frame front portion and to erect a 40' x 60' two story masonry addition, to be used for offices, show room and storage, to the front of the 40' x 79' two story masonry nonconforming heating and air conditioning contractor's shop on a 47' x 153' "L" shaped through lot located in a Local Retail District at 4298 Pearl Rd. and extending through to Henritze Ave.; said contractor's shop usage being contrary to the local retail use limitations of Section 343.01 and a portion of said addition to be located within the 15' specific setback building line area along Pearl Rd. contrary to Section 357.07 and there being insufficient accessory off-street parking contrary to Section 349.04 and said addition being contrary to the expansion provisions of Section 359.01 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 18, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, November 11, 1996, the following appeals were heard by the Board, and decided on Monday, November 18, 1996.

The following appeals were **Granted**:

Calendar No. 96-192: 1900 W. 25th Street

Merrell Building Ltd., owner, c/o Charge Development Company, general partner, c/o Doug Perkowski, to convert to 21 dwelling units.

Calendar No. 96-194: 11821 Avon Ave., S.E.

Warren Gissentaner, owner, to erect a 24' x 8' two story addition.

Calendar No. 96-180: 7500 Superior Ave., N.E.

City of Cleveland, Department of Community Development, owner, c/o Joseph Sidoti, and Auto Zone Inc., prospective purchaser, c/o Gary Gregory, to erect a 73' 4" x 95' 4" one story retail auto parts store.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
November 13, 1996

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

* * *

Docket A-158-96.

RE: Appeal of Lena Brown, Owner of the Residential Property located on the premises known as 7118 Linwood Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and

Housing dated August 5, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant two months (2 mos.) in which to install the new roof, and require Appellant to complete abatement of all violations within four months (4 mos.), the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by March 27, 1997. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

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

* * *

Docket A-163-96.

RE: Appeal of First Nationwide Mortgage Corporation, Mortgagee of the Residential Property located on the premises known as 3751 East 96th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated August 26, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant two months (2 mos.) in which to secure permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by January 27, 1997. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-164-96.

RE: Appeal of Peter & Jeanne Jackson, Owners of the Property located on the premises known as 13205 Chapelside Avenue from an

ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated August 20, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-164-96 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-165-96.

RE: Appeal of Barbara Currie & Henry Currie, Owners of the Residential Property located on the premises known as 3359 East 142nd Street from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated August 23, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and Ohio Basic Building Code (OBBC).

Docket A-165-96 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-167-96.

RE: Appeal of Patricia A. Uhr, Owner of the Residential Property and Swimming Pool located on the premises known as 3235 West 119th Street from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated September 11, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the pool to be installed two feet (2 ft.) from the north and south neighboring properties. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-168-96.

RE: Appeal of Paul Kosovski, Owner of the Residential Property located on the premises known as 4700 West 156th Street from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated August 26, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the appeal request and require the Appellant to abate the violations in accordance with the Codified Ordinances of the City of Cleveland, and to REMAND the property at 4700 West 156th Street to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-170-96.

RE: Appeal of George Sevastos Jr., Owner of the Property located on the premises known as 2401 Denison Avenue from a NOTICE OF VIOLATION - FIRE CODE of the

Chief of the Division of Fire dated August 23, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC). No action.

* * *

Docket A-171-96.

RE: Appeal of George Sevastos Jr., Owner of the Property located on the premises known as 3403 Denison Avenue from a NOTICE OF VIOLATION - FIRE CODE of the Chief of the Division of Fire dated August 23, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC). No action.

* * *

Docket A-172-96.

RE: Appeal of Bernice Hauser, Owner of the Residential Property located on the premises known as 4176 West 49th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 11, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to abate the violations. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by May 27, 1997. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

* * *

Docket A-174-96.

RE: Appeal of Robert Kihm, Owner of the Property located on the premises known as 3103-05 Chatham Avenue from a NOTICE OF VIOLATION - ELECTRICAL of the Commissioner of the Division of Building and Housing dated September 6, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 3103-05 Chatham Avenue to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

Docket A-176-96.

RE: Appeal of Hysan Properties, Owner of the Property located on the premises known as 9437 Lorain Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated October 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC). No action.

* * *

Docket A-204-96.

RE: Appeal of Redeemer Lutheran Church, Owner of the Property located on the premises known as 2970 West 30th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated October 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the exiting requirements with the provision that smoke detectors be installed through the basement area and in the first floor lobby; and to grant the variance to the ADAAG requirements, noting that the Appellant has provisions available for ADAAG services should they be required. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

Docket A-208-96.

RE: Appeal of Case Western Reserve University, Owner of the Property located on the premises known as 10900 Euclid Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated October 9, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to request that the Building Department issue the building permits for construction of the facility, noting that Appellant's assurance that the lot lines will be consolidated prior to the completion of construction (approximately within the next sixty days (60 das.)), and that the owner is proceeding at his own risk acknowledging that lot lines are not permitted to exist in the building; granting the waiver for the requirement for no lot lines to exist at the inception of the construction permit. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

* * *

APPROVAL OF RESOLUTIONS:

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

A-115-96—Memphis Fulton Assoc.
A-147-96—First Federal Savings & Loan Assoc.
A-153-96—Richard O. Kaplan.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Bowes.

* * *

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

A-146-96—William A. Jericho.
A-154-96—Debra Jones.
A-156-96—Dorothy McGaha.
A-157-96—Willi/Dot McGaha.
A-159-96—North East Chemical Corporation.
A-173-96—Phyllis Gerber.
A-194-96—Donald L. Ross.

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Bowes.

* * *

APPROVAL OF AMENDED RESOLUTIONS:

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

Docket A-166-96.
David & Marcia Pantelemon - 4201 Bucyrus Avenue:

FROM: . . . (2) That only one person is allowed on the adjoining property (4201 Bucyrus Avenue) at any one time; . . .

TO: . . . (2) That only one person is allowed on the adjoining property (4201 Bucyrus Avenue) at any one time; . . .

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Bowes.

* * *

Docket A-191-96.
Cleveland Public Schools/East High School - 1349 East 79th Street:

FROM: . . . grant the requested variance and permit occupancy with the conditions that smoke detectors be installed in Rooms 120, 119 and the two adjacent classrooms; that smoke detectors be installed in the corridor outside those two classrooms and one additional smoke detector be installed in the main corridor 1080 on both sides of a fire door separating the infants from the adjacent classrooms in the corridor; and modification of the door is required so that panic hardware exist and the door remains closed separating the adjacent class-

room from the enfant area . . .

TO: . . . grant the requested variance and permit occupancy with the conditions that smoke detectors be installed in Rooms 120, 119 and the two adjacent classrooms; that smoke detectors be installed in the corridor outside those two classrooms and one additional smoke detector be installed in the main corridor 1080 on both sides of a fire door separating the infants from the adjacent classrooms in the corridor; and modification of the door is required to provide panic hardware, and that the door remain closed separating the adjacent classroom from the infant area . . .

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Bowes.

* * *

APPROVAL OF MINUTES:

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

October 30, 1996

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Not Voting: Mr. Bowes.

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

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, DECEMBER 5, 1996

West 85th Street Reconstruction and New 8" Water Main, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 946-95, passed by the Council of the City of Cleveland, June 12, 1995.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

November 6, November 13 and November 20, 1996

WEDNESDAY, DECEMBER 4, 1996

Irma Park and Terminal Park Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1284-96 and 617-96, passed by the Council of the City of Cleveland, October 14, 1996 and June 18, 1996, respectively.

A DEPOSIT OF TWENTY-FIVE DOLLARS (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

November 13 and November 20, 1996

WEDNESDAY, DECEMBER 11, 1996

Repair and Maintenance of Automatic Doors, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 428-95, passed by the Council of the City of Cleveland, May 1, 1995.

A PRE-BID MEETING IS SCHEDULED FOR MONDAY, NOVEMBER 18, 1996, 1:00 P.M. IN THE

DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE, CLEVELAND, OHIO 44135.

Income Tax Forms, for the Division of Taxation, Department of Finance, as authorized by Ordinance No. 1556-96, passed by the Council of the City of Cleveland, September 16, 1996.

Oracle Software, 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.

November 13 and November 20, 1996

THURSDAY, DECEMBER 5, 1996

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 WEDNESDAY, NOVEMBER 27, 1996, AT 2:30 P.M. AT 12302 KIRBY AVENUE, CLEVELAND, OHIO.

November 20 and November 27, 1996

WEDNESDAY, DECEMBER 11, 1996

Cleaning and Cement Mortar Lining of Trunk Water Mains, Area T-1, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1613-96.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) 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, DECEMBER 3, 1996, AT 10:00 A.M. AT THE CARL B. STOKES UTILITIES BUILDING, 1201 LAKESIDE AVENUE, AUDITORIUM A, CLEVELAND, OHIO.

C-13 Residential Connections and C-14 Commercial Connections and Distribution Laterals, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

November 20 and November 27, 1996

FRIDAY, DECEMBER 13, 1996

Cleaning and Cement Mortar Lining of Trunk Water Mains, Area T-2, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1613-96.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) 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, DECEMBER 3, 1996, AT 10:00 A.M. AT THE CARL B. STOKES UTILITIES BUILDING, 1201 LAKESIDE AVENUE, AUDITORIUM A, CLEVELAND, OHIO.

November 20 and November 27, 1996

WEDNESDAY, DECEMBER 18, 1996

Computer Room Air Conditioner, for the Department of Finance on behalf of the Cleveland Municipal Court, as authorized by Ordinance No. 1095-96, passed by the Council of the City of Cleveland, July 19, 1995.

A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, DECEMBER 4, 1996, 10:00 A.M. IN THE CIJIS TRAINING ROOM, 3RD FLOOR, JUSTICE CENTER, 1200 ONTARIO AVENUE, CLEVELAND, OHIO.

Electric Tow Motor and Accessories, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1297-96, passed by the Council of the City of Cleveland, September 23, 1996.

Ductile Iron Pipe and Fittings, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

November 20 and November 27, 1996

THURSDAY, DECEMBER 19, 1996

Burial of the Indigent Dead, for the Division of Health, Department of Public Health, as authorized by Ordinance No. 1464-96, passed by

the Council of the City of Cleveland, September 30, 1996.

Various Equipment and Appurtenances for Combination Sewer and Catch Basin Cleaners, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1031-96, passed by the Council of the City of Cleveland, July 17, 1996.

November 20 and November 27, 1996

FRIDAY, DECEMBER 20, 1996

Exterior and Interior Motor Vehicle Body Repair, for the Division of Motor Vehicle Maintenance, Department of Public Utilities, as authorized by Ordinance No. 1290-94, passed by the Council of the City of Cleveland, October 10, 1994.

November 20 and November 27, 1996

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

Monday, November 18, 1996

Public Parks, Recreation and Properties Committee: 9:30 A.M. — Present: Johnson, Chrm.; Rybka, Vice Chrm., Miller, Patton, Paulenske. Excused: Robinson, White.

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

Tuesday, November 19, 1996

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

Wednesday, November 20, 1996

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

Public Utilities Committee: 1:30 P.M. — Present: Patton, Chrm.; Polensek, Vice Chrm.; Coats, Lewis, McGuirk, O'Malley, Patmon, Zone. Excused: Willis.

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