

The City Record

Official Publication of the City of Cleveland

February the Twenty-Sixth, Nineteen Hundred and Ninety-Seven

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	Merle R. Gordon
16	Larry Moran
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
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	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

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

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Karen E. Martines, Law Librarian; Criminal Branch-Justice Center, 8th Flr., Court Towers, 1200 Ontario
Carolyn Watts-Allen, Chief Asst. Prosecutor
Steven J. Terry, Chief Counsel

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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
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Information Systems Services - Hamid Manteghi, Acting Commissioner, 1404 E. 9th St.

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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.

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Cleveland Hopkins International Airport - Stephen Sheehan, Commissioner
Burke Lakefront Airport - Michael C. Barth, Commissioner

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Streets - Randall T. Scott, Commissioner, Room 25
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Motor Vehicle Maintenance, Daniel A. Novik, Acting Commissioner, Harvard Yards
Architecture - Kenneth Nobilio, Commissioner, Room 517

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DIVISIONS - Health - Joyce Atwell-Joyce, 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

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Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
Emergency Medical Service - Bruce Shade, Commissioner, 2001 Payne Ave.

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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

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Neighborhood Services - Jack F. Krumhansl, Acting 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 A. Lynch, Director

COMMUNITY RELATIONS BOARD - Room 11, Gary L. Holland, Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

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

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Anthony Costanzo, Sec'y.

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

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

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

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

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director; Rev. Albert T. Rowan, Chairman; _____, 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, _____, Councilman 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 Connally	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A

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

The City Record



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WEDNESDAY, FEBRUARY 26, 1997

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CITY COUNCIL

MONDAY, FEBRUARY 24, 1997

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; Patton, Paulenske, Robinson, Sweeney, White.

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

MONDAY—Alternating

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

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

MONDAY

2:00 P.M.—**Finance Committee:** Westbrook, Chairman; Polensek, Vice Chairman; Britt, Coats, Johnson, Lewis, Patmon, Paulenske, 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:** Willis, Chairman; Melena, Vice Chairman; Dolan, Johnson, Rybka, Sweeney, White.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Smith, Chairman; Paulenske, Vice Chairman; Dolan, Patton, Sweeney, White, Willis.

10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Dolan, Gordon, Jackson, Patmon, Patton, Zone.

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio February 24, 1997.
The meeting of the Council was called to order, the President, Jay Westbrook in the chair.

Councilmen present: Britt, Coats, Dolan, Gordon, Jackson, Lewis, Melena, Patmon, Patton, Paulenske, Polensek, Robinson, Rybka, Smith, Sweeney, Westbrook, White, Willis, Zone.

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

Absent: Director Lynch.

The Chair dispensed with the prayer. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 245-97.

From Marvin Goins. Affidavit of Recall Petition filed on February 14, 1997. Received.

File No. 246-97.

From Michel Charney. Letter dated February 17, 1997 and copy of a petition to be circulated to place a proposed charter amendment on the ballot. Received.

File No. 247-97.

From the Department of Public Service re: The acceptance of monetary gifts from the Mt. Sinai Medical Center and Holden Park Trust. Received.

File No. 248-97.

From Mayor Michael R. White re: Report of MBE/FBE contractual awards. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 249-97.

Re: Transfer of Ownership Application - 1157495 - BW4, Inc. dba Eddie's Mini Market, 914 East 123rd Street, first floor and basement. (Ward 9). Received.

File No. 250-97.

Re: Transfer of Ownership Application - 4662636 - Kip & Klein's, Inc. dba Tuna Club Restaurant, first floor, basement and mezzanine, 522 Superior Avenue. (Ward 13). Received.

File No. 251-97.

Re: Transfer of Ownership Application - 1008060 - James C. Brown, 3133 West 25th Street, first floor. (Ward 14). Received.

COMMUNICATIONS

File No. 252-97.

February 26, 1997

Artha Woods, Clerk
Cleveland City Council
City Hall, Room 216
Cleveland, Ohio 44114

Dear Clerk Woods:

Please be advised that I, Patrick J. O'Malley, will resign as Ward 16 Councilman, on Monday, February 24, 1997 at 4:00 p.m.

Sincerely,

Patrick J. O'Malley
Councilman, Ward 16

Received.

ELECTION TO FILL VACANCY IN WARD 16

The Clerk of Council read a letter of resignation from Councilman Patrick J. O'Malley of Ward 16. The President of Council accepted the resignation and declared a vacancy in Ward 16. Council Majority Leader Roosevelt Coats nominated Mr. Larry Moran to serve as Councilman from Ward 16. Councilman Timothy Melena seconded the nomination. Council Majority Whip Michael D. Polensek moved that the nominations be closed. Without objection, the nominations were closed.

Thereupon the President of Council instructed the members of Council to state the name of the candidate when responding to the rollcall, and requested the Clerk to call the roll upon the election of the Councilman of Ward 16. Upon completion of the roll call, the Clerk announced that Mr. Larry Moran received 19 votes. Those who voted for Mr. Moran were: Councilmen Britt,

Coats, Dolan, Gordon, Jackson, Lewis, Melena, Patmon, Patton, Paulenske, Polensek, Robinson, Rybka, Smith, Sweeney, Westbrook, White, Willis, Zone.

The Chair declared Mr. Larry Moran, having received the unanimous vote of all the members elected to Council to be the duly elected Councilman of Ward 16. The President requested Councilmembers Roosevelt Coats, Timothy Melena, Michael Polensek, and Odelia Robinson to escort the duly elected member of Council and his family to the podium to have the oath of office administered by Judge Gerald Francis Sweeney.

File No. 288-97.

OATH OF OFFICE

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

I, LARRY MORAN do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Ohio, and the Charter of the City of Cleveland, and that I will faithfully, honestly, and impartially discharge the duties of the office of CITY COUNCILMAN, WARD 16 of the City of Cleveland, State of Ohio, during my continuance in said office.

LARRY MORAN

Sworn before me and subscribed in my presence this 24th day of February, 1997.

Gerald Francis Sweeney
Notary Public

Received.

CONDOLENCE RESOLUTIONS

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

- Res. No. 289-97. Harold Papcke.
Res. No. 290-97. Ola May Hinsley.
Res. No. 291-97. Martin Cooney.
Res. No. 292-97. Frank Corrigan.
Res. No. 293-97. Mr. Bennie W. Bell, Sr.
Res. No. 294-97. Harvietta Robinson-Smith.
Res. No. 295-97. Clara C. Steward Tufts.
Res. No. 296-97. Evelyn Jones.
Res. No. 297-97. Gladys Rankin.
Res. No. 298-97. Ethel M. Burkart.
Res. No. 299-97. Michael J. DeGrandis.
Res. No. 300-97. DeGolden Williams.

CONGRATULATORY RESOLUTIONS

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

- Res. No. 301-97. Kethley House at Benjamin Rose Place.
Res. No. 302-97. Rev. David Hunter.
Res. No. 303-97. Our Lady of Angels Church.
Res. No. 304-97. St. Patrick's Church.
Res. No. 305-97. Beatrice M. Bryant.
Res. No. 306-97. Florence Feinberg.
Res. No. 307-97. Bohemian National Hall.

RESOLUTIONS OF RECOGNITION

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

- Res. No. 308-97. Restoration of Lithuanian Independence.
Res. No. 309-97. The Reverend Nelson J. Callahan.
Res. No. 310-97. Sister Maureen Doyle.
Res. No. 311-97. Honorable Francis J. Talty.
Res. No. 312-97. John A. Gannon.
Res. No. 313-97. Joyce J. Fitzpatrick.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 253-97.
By Councilmen Britt, Jackson, Rybka and Westbrook (by department request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located in the area North of Cedar, South of Quincy, West of East 90 Street and East of East 93 Street to Fairfax Renaissance Development Corporation or its 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. 119-33-033, as more fully described in Section 2 below, to Fairfax Renaissance Development Corp. or its designee.

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

P.P. No. 119-33-033

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 34 feet from front to rear of Sublot No. 46 in Catherine Dolman's Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 12 of Maps, Page 28 of Cuyahoga County Records, and being 34 feet front on the Easterly side of East 90th Street, (formerly South Bell Avenue), and extending back 107.80 feet deep on the Northerly line, 107.81 feet deep on the Southerly line, and having a rear line of 34 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-33-034, as more fully described in Section 4 below, to Fairfax Renaissance Development Corp. or its designee.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P.P. No. 119-33-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 16 feet from front to rear of Sublot No. 46 and the Southerly 18 feet from front to rear of Sublot No. 47 in Catherine Dolman's Subdivision of a part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 12 of Maps, Page 28 of Cuyahoga County Records, and together forming a parcel of land 34 feet front on the Easterly side of East 90th Street, S.E., formerly South Bell Avenue, and extending back of equal width about 107.79 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-34-042, as more fully described in Section 6 below, to Fairfax Renaissance Development Corp. or its designee.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P.P. No. 119-34-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 25 feet of Sublot No. 31 in Streater and Adams Subdivision of part of Original Lot No. 408 (formerly in East Cleveland Village known in the said City) as shown by the recorded plat in Volume 5 of Maps, Page 15 of Cuyahoga County Records, and being 25 feet front on the Westerly side of East 93rd Street (formerly Oakdale Street) and extending back of equal width 224 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-34-043, as more fully described in Section 8 below, to Fairfax Renaissance Development Corp. or its designee.

Section 8. That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P.P. No. 119-34-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 30 in Streater and Adam's Subdivision of part of Original 100 Acre Lot No. 408, as shown by the recorded plat in Volume 5 of Maps, Page 15 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 93rd Street, and extending back of equal width 224 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-34-045, as more fully described in Section 10 below, to Fairfax Renaissance Development Corp. or its designee.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 119-34-045

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 28 in Streater and Adams Subdivision of part of Original One Hundred Acre Lot No. 408 as shown by the recorded plat in Volume 5 of Maps, Page 15 of Cuyahoga County Records, and being 50 feet front on the Westerly side of Oak Street, (now known as East 93rd Street), and extending back of equal width 224 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-16-047, as more fully described in Section 12 below, to Fairfax Renaissance Development Corp. or its designee.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 121-16-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 62 and the Northerly 10 feet of Sublot No. 64 in H. Haines' Subdivision of part of Original One Hundred Acre Lot No. 409 as shown by the recorded plat in Volume 4 of Maps, Page 50 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 97th Street and extending back between parallel lines 153 feet deep as appears by said plat be the same more or less but subject to all legal highways.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-16-053, as more fully described in Section 14 below, to Fairfax Renaissance Development Corp. or its designee.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P.P. No. 121-16-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 25 feet of Sublot No. 46 and the Northerly 15 feet of Sublot No. 48 in H. Haines Allotment of part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat of said allotment in Volume 4 of Maps, Page 50 of Cuyahoga County Records.

Said parts of Sublots Nos. 46 and 48 together form a parcel of land having a frontage of 40 feet on the Easterly side of East 97th Street (formerly Branch Avenue), also known as South Logan Avenue) and extending back between parallel

lines 153 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-16-068, as more fully described in Section 16 below, to Fairfax Renaissance Development Corp. or its designee.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P.P. No. 121-16-068

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 16-1/2 feet of Sublot No. 14 and all of Sublot No. 12 in Haine's Allotment of part of Original 100 Acre Lot No. 409, as shown by the recorded plat in Volume 4, Page 50 of Cuyahoga County Records, and together forming a parcel of land 46-1/2 feet front on the Easterly side of East 97th Street, (formerly South Logan Street), and extending back of equal width 153 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 17. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-16-071, as more fully described in Section 18 below, to Fairfax Renaissance Development Corp. or its designee.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P.P. No. 121-16-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 3, 4 and 6 in H. Haines' Allotment of part of Original 100 Acre Lot No. 409 as shown by the recorded plat in Volume 4 of Maps, Page 50 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of East 97th Street, (formerly South Logan Avenue) at a point which is distant 10 feet Southerly, measured along said Easterly line, from the Northwesterly corner of said Sublot No. 6; thence Northerly along the Easterly line of East 97th Street, 50 feet to a point; thence Easterly and parallel with the Northerly line of said Sublot No. 6, 85 feet to a point; thence Southerly and parallel with the Easterly line of East 97th Street, 50 feet to a point; thence Westerly and parallel with the Northerly line of said Sublot No. 6, 85 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions and easements contained in deed recorded in Volume 5451, Page 329, Cuyahoga County Records.

Section 19. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-16-083, as more fully described in Section 20 below, to Fairfax Renaissance Development Corp. or its designee.

Section 20. That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P.P. No. 121-16-083

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 130.4 feet of Sublot No. 27 and the Easterly 130.4 feet of Northerly one-half of Sublot No. 29 in Henry Haines' Allotment of part of Original One Hundred Acre Lot No. 409 as shown by the recorded plat in Volume 4 of Maps, Page 50 of Cuyahoga County Records. Said parts of Sublots Nos. 27 and 29 together form a parcel of land having a frontage of 45 feet on the Westerly side of East 97th Street (formerly Branch Avenue) and extending back between parallel lines about 130.4 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 21. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-16-084, as more fully described in Section 22 below, to Fairfax Renaissance Development Corp. or its designee.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P.P. No. 121-16-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 15 feet of Sublot No. 29 and the Northerly 25 feet of Sublot No. 31 in Henry Haine's Allotment of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 4 of Maps, Page 50 of Cuyahoga County Records, and together forming a parcel of land forty feet front on the Westerly side of South Logan Avenue, (now known as East 97th Street), 154 feet, 4-3/4 inches deep, on the Northerly line, about 154 feet 4-3/4 inches deep, on the Southerly line and 40 feet in the rear, be the same more or less, but subject to all legal highways.

Section 23. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-16-088, as more fully described in Section 24 below, to Fairfax Renaissance Development Corp. or its designee.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P.P. No. 121-16-088

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 5 feet from front to rear of Sublot No. 39, all of Sublot No. 41, and the Northerly 5 feet from front to rear of Sublot No. 43 in Henry Haines Allotment of part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 4 of Maps, Page 50 of Cuyahoga County Records and together forming a parcel of land 40 feet front on the Westerly side of East 97th Street (formerly South Logan Avenue) and extending back between parallel lines 154 feet 3-1/4 inches, as

appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 25. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-16-089, as more fully described in Section 26 below, to Fairfax Renaissance Development Corp. or its designee.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P.P. No. 121-16-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 25 feet from front to rear of Sublot No. 43 in Haines Allotment of part of Original 100 Acre Lot No. 409 as shown by the recorded plat in Volume 4 of Maps, Page 50 of Cuyahoga County Records, and being 25 feet front on the Westerly side of East 97th Street, formerly Branch Avenue, and extending back 154 feet 3 inches on the Southerly line, 154 feet 3-1/4 inches on the Northerly line and having a rear line of 25.00 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Section 27. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-16-133, as more fully described in Section 28 below, to Fairfax Renaissance Development Corp. or its designee.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P.P. No. 121-16-133

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 37 in D.A. Burt's Allotment of part of Original 100 Acre Lot No. 409, as shown by the recorded plat of said Allotment in Volume 9 of Maps, Page 4 of Cuyahoga County Records. Said Sublot No. 37 has a frontage of 50 feet on the westerly side of East 95th Street (formerly Burt Street) and extends back between parallel lines 102 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 29. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-16-134, as more fully described in Section 30 below, to Fairfax Renaissance Development Corp. or its designee.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P.P. No. 121-16-134

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 38 in Daniel A. Burt's Subdivision of a part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat of said subdivision in Volume 9 of Maps, Page 4 of Cuyahoga County Records, and having a

frontage of 50 feet on the Westerly side of East 95th Street and extending back between parallel lines 102 feet deep, as appears by said plat, be the same more or less but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 31. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-17-003, as more fully described in Section 32 below, to Fairfax Renaissance Development Corp. or its designee.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P.P. No. 121-17-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 28 feet of Sublot No. 9 and the Southerly 19 feet of Sublot No. 10 in Daniel A. Burt's Allotment of part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 9 of Maps, Page 4 of Cuyahoga County Records, and together forming a parcel of land 47 feet front on the Easterly side of Oakdale Avenue, (now known as East 93rd Street and extending back of equal width 115 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 33. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-17-052, as more fully described in Section 34 below, to Fairfax Renaissance Development Corp. or its designee.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P.P. No. 121-17-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 80 and the Southerly 7-1/2 feet of Sublot No. 78 in H. Haines Allotment of a part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat of Allotment in Vol. 4 of Maps, Page 50, of Cuyahoga County Records. Said Sublot No. 80 and said part of said Sublot No. 78 together form a parcel of land having a frontage of 37-1/2 feet on the Easterly side of East 97th Street (formerly Branch Avenue) and extending back between parallel lines 153 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances.

Section 35. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-17-069, as more fully described in Section 36 below, to Fairfax Renaissance Development Corp. or its designee.

Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P.P. No. 121-17-069

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being Sublot No. 93 and the Northerly 15 feet of Sublot No. 95 in H. Haines Subdivision of a part of Original One Hundred Acre Lot No. 409 in said City, said Sublot 93 and said part of said Sublot No. 95 together forming a parcel of land having a frontage of 45 feet on the Westerly side of East 97th Street (formerly South Logan Avenue), and extends back of equal width 153 feet and 9 inches deep, as per plat of said Subdivision recorded in Volume 4 of Maps, Page 50 of Cuyahoga County Records.

Subject to zoning ordinances, if any.

Section 37. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-17-075, as more fully described in Section 38 below, to Fairfax Renaissance Development Corp. or its designee.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P.P. No. 121-17-075

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 77 and the Southerly 15 feet of Sublot No. 75 in Henry Haines Subdivision of part of Original One Hundred Acre Lot No. 409 as shown by the recorded Plat in Volume 4 of Maps, Page 50 of Cuyahoga County Records, and together forming a parcel of land 45 feet front on the Westerly side of East 97th Street (formerly South Logan Avenue) 153 feet 10-3/4 inches deep on the Southerly line, and about 153 feet, 11 inches deep on the Northerly line and 45 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 39. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-17-076, as more fully described in Section 40 below, to Fairfax Renaissance Development Corp. or its designee.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P.P. No. 121-17-076

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 25 feet from front to rear of Sublot No. 73 and the Northerly 15 feet from front to rear of Sublot No. 75 in Haines Allotment of part of Original One Hundred Acre Lot No. 409 as shown by the recorded plat in Volume 4 of Maps, Page 50 of Cuyahoga County Records. Said parts of Sublots Nos. 73 and 75 together form a parcel of land having a frontage of 40 feet on the Westerly side of East 97th Street, (formerly Branch Avenue), and extending back 153 feet 11-11/24 inches on the Northerly line, 153 feet 11-1/8 inches on the Southerly line, and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 41. That pursuant to Sec-

tion 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-17-083, as more fully described in Section 42 below, to Fairfax Renaissance Development Corp. or its designee.

Section 42. That the real property to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P.P. No. 121-17-083

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 32 feet of the Northerly 45 feet of Sublot No. 70 in D.A. Burt's Subdivision of a part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 9 of Maps, Page 4 of Cuyahoga County Records, and being 32 feet front on the Easterly side of East 95th Street, (formerly Burt Street), and extending back between parallel lines about 68 feet 8 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 43. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 121-17-084, as more fully described in Section 44 below, to Fairfax Renaissance Development Corp. or its designee.

Section 44. That the real property to be sold pursuant to Section 43 of this Ordinance is more fully described as follows:

P.P. No. 121-17-084

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 27 feet from front to rear of Sublot No. 69 and the Southerly 5 feet from front to rear of Sublot No. 70 in Daniel A. Burt's Allotment of part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 9 of Maps, Page 4 of Cuyahoga County Records, and together forming a parcel of land 32 feet front on the Easterly side of East 95th Street (formerly Burt Street), and extending back about 68 feet 9-1/2 inches on the Northerly line, 68 feet 8-1/2 inches on the Southerly line and 32 feet wide in the rear, as appears by said plat.

Also subject to zoning ordinances, if any.

Section 45. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-07-053, as more fully described in Section 46 below, to Fairfax Renaissance Development Corp. or its designee.

Section 46. That the real property to be sold pursuant to Section 45 of this Ordinance is more fully described as follows:

P.P. No. 126-07-053

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in William Given's Re-Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 4 of Maps, Page 59 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Folsom Avenue, S.E., (formerly Berlin

Street), and extending back of equal width 149 feet 4 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 47. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-07-072, as more fully described in Section 48 below, to Fairfax Renaissance Development Corp. or its designee.

Section 48. That the real property to be sold pursuant to Section 47 of this Ordinance is more fully described as follows:

P.P. No. 126-07-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 36 in William Given's Subdivision of Sublot No. 5 in John Remington's Subdivision of part of Original 100 Acre Lot No. 416, as shown by the recorded plat of said William Given's Subdivision in Volume 4 of Maps, Page 59 of Cuyahoga County Records; and forming a parcel of land bounded and described as follows:

Beginning in the Southerly line of Folsom Avenue S.E., (50 feet wide) at the Northeasterly corner of said Sublot No. 36; thence Southerly, along the Easterly line of said Sublot No. 36, 80.70 feet to the principal place of beginning of the parcel of land herein intended to be described; thence Southerly, along said Easterly line of Sublot No. 36, about 80.30 feet to the Southeasterly corner thereof; thence Westerly, along the Southerly line of said Sublot No. 36, 40.00 feet to the Southwesterly corner thereof; thence Northerly, along the Westerly line of said Sublot No. 36, about 80.30 feet to a point distant Southerly (measured along said Westerly line of Sublot No. 36), 80.70 feet from the Northwesterly corner of said Sublot No. 36; thence Easterly along a line parallel with said Southerly line of Folsom Avenue, S.E., 40.00 feet to the principal place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Easement contained in the deed dated February 5, 1953 and recorded in Volume 7681, Page 279 of Cuyahoga County Records.

Easement contained in the deed dated February 5, 1953 and recorded in Volume 7681, Page 282 of Cuyahoga County Records.

Also, subject to zoning ordinances, if any.

Section 49. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-07-077, as more fully described in Section 50 below, to Fairfax Renaissance Development Corp. or its designee.

Section 50. That the real property to be sold pursuant to Section 49 of this Ordinance is more fully described as follows:

P.P. No. 126-07-077

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 36 in William Given's Subdivision of Sublot No. 5 in John Remington's Subdivision of part of Original 100 Acre Lot No. 416, as shown by the recorded plat of said William Given's Subdivision in Vol-

ume 4 of Maps, Page 59 of Cuyahoga County Records and forming a parcel of land bounded and described as follows:

Beginning the Southerly line of Folsom Avenue S.E. (50 feet wide), at the Northeasterly corner of said Sublot No. 36; thence Westerly, along said Southerly line of Folsom Avenue S.E., 40.00 feet to the Northwesterly corner of said Sublot No. 36; thence Southerly along the Westerly line of Sublot No. 36, 80.70 feet; thence Easterly, along a line parallel with said Southerly line of Folsom Avenue, S.E., 40.00 feet to the Easterly line of said Sublot No. 36; thence Northerly, along said Easterly line of Sublot No. 36, 80.70 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

SUBJECT TO: Easement recited in Volume 7681, Page 279 of Cuyahoga County Records, filed February 9, 1953.

Section 51. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-08-042, as more fully described in Section 52 below, to Fairfax Renaissance Development Corp. or its designee.

Section 52. That the real property to be sold pursuant to Section 51 of this Ordinance is more fully described as follows:

P.P. No. 126-08-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 30 in the L. Beckman Re-subdivision of part of Original One Hundred Acre Lot No. 416 as shown by the recorded plat in Volume 20 of Maps, Page 3 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Beckman Avenue, S.E., and extending back between parallel lines 115.6 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 53. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-08-043, as more fully described in Section 54 below, to Fairfax Renaissance Development Corp. or its designee.

Section 54. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P.P. No. 126-08-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in L. Beckman Re-subdivision of part of Original One Hundred Acre Lot No. 416 as shown by the recorded plat in Volume 20 of Maps, Page 3 of Cuyahoga County Records and being 35 feet front on the Southerly side of Beckman Avenue, S.E., and extending back between parallel lines 115.6 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 55. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-08-044, as more fully described in Section 56

below, to Fairfax Renaissance Development Corp. or its designee.

Section 56. That the real property to be sold pursuant to Section 55 of this Ordinance is more fully described as follows:

P.P. No. 126-08-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 28 in The L. Beckman Re-Subdivision of Sublot No. 6 in The John Remington's Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 20 of Maps, Page 3 of Cuyahoga County Records and being 35 feet front on the Southerly side of Beckman Avenue and extending back of equal width 115.60 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 57. 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 58. 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 59. 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 60. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 254-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and rehabilitate refuse packers, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to repair and rehabilitate refuse packers 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 22877)

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. 255-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to enter into contract without competitive bidding with Envirotest for the purchase of not to exceed sixteen hundred vouchers for state required E-checks, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Envirotest. Therefore, the Director of Public Service is hereby authorized and directed to make a written contract with said Envirotest for not to exceed sixteen hundred (1,600) vouchers for state required E-checks to be performed by state contracted facilities, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Motor Vehicle Maintenance, Department of Public Service.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-40-05-0336, Request No. 21075.

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. 256-97.

By Councilmen Coats and Westbrook (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract or contracts of solid waste disposal services, for the Division of Waste Collection and Disposal, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of the necessary solid waste disposal services, including but not limited to bulk waste disposal and tire disposal, and the provision, as the Board of Control shall determine, of the necessary landfill, transfer station and/or material recovery facility requirements, in the approximate amount for each year of the term as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Waste Collection and Disposal, Department of Public Service. The contract or contracts hereby authorized shall have an initial term of two years. The City shall have two one-year options, exercisable by the Director of Public Service, to renew and extend the term. Bids shall be taken in such manner as to permit an award to be made for all items of services as a single contract, or by separate contracts for each of any combination of said items as the Board of Control shall determine.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Service. Alternate bids for a period less than the initial term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period.

Section 2. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Service may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the initial two-year term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached hereto as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Service. The Director may also require that the

performance of each contract be secured in any option year by a performance bond or bonds, each in an amount determined by the Director. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

Section 3. That the cost of such contract or contracts authorized hereby 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 23153)

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.

EXHIBIT A

BID GUARANTY AND CONTRACT BOND

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned _____

(Name and Address) _____

As Principal and _____ (Name of Surety)

as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Obligee, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Obligee on _____ (date)

to undertake the project known as _____

The penal sum referred to herein shall be _____

For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that whereas the above named Principal has submitted a bid on the above referred project;

NOW, THEREFORE, if the Obligee accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Obligee may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Obligee does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with

the resubmission, of printing new contract documents, required advertising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Obligee accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of materials, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Obligee against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of materials therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Obligee herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this _____ day of _____, 19____

PRINCIPAL: _____
BY: _____

TITLE: _____

SURETY: _____
BY: _____
Attorney-in-Fact

SURETY COMPANY ADDRESS: _____
Street: _____
City State Zip

SURETY AGENT'S ADDRESS: _____
Agency Name _____
Street _____
City State Zip

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

Ord. No. 257-97.
By Councilmen Jackson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to expend Economic Development Initiatives Grant Funds for the operation of the Empowerment Zone Business Opportunity Program and to enter into contracts under that 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 Economic Development is hereby authorized to expend Economic Development Initiative Grant Funds in the amount of \$2,500,000 from Fund No. 18 SF 003 and HUD 108 Loan Funds in the amount of \$2,500,000 from Fund No. 18 SF 001, Request No. 22285, for the operation of the Empowerment Zone Business Opportunity Program, which consists of providing grants and loans to smaller businesses in the Empowerment Zone.

Section 2. That the Director of Economic Development is hereby authorized to enter into and execute all contracts, and other necessary documents for the program, including all related services.

Section 3. That the Director of Economic Development is authorized to accept monies in repayment from program participants, and to deposit them into Fund No. 18 SF 002, and to accept program fees and deposit them into Fund No. 18 SF 004.

Section 4. That the Director of Law is hereby authorized to prepare contracts and such other documents as may be appropriate to complete the transactions.

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. 258-97.
By Councilmen Jackson, Rybka and Westbrook (by departmental request).
An emergency ordinance to amend Section 1 of Ordinance No. 1035-95, passed June 5, 1995, as amended by Ordinance No. 1162-95, passed June 19, 1995, relating to the acquisition and transfer of property from the County to the City to the Cleveland Restoration Society.

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

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

Section 1. That Section 1 of Ordinance No. 1035-95, passed June 5, 1995, as amended by Ordinance No. 1162-95, passed June 19, 1995, is hereby amended to read as follows:

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to acquire and accept fee title to the following described property from the County Board of Commissioners of Cuyahoga County (the

"County") for the purpose of transferring said property to the Cleveland Restoration Society (the "Society") in accordance with Section 3 of this ordinance:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and known as being part of Sublots Nos. 1 and 2 and all of Sublot No. 3 in the Susan E. Peck Re-Allotment, as recorded in Volume 10, Page 22 of Cuyahoga County Map Records and part of Sublots Nos. 350 and 351 in the Barber and Lord Subdivision as recorded in Volume 11, Page 26 of said Map records, all a part of Original Brooklyn Township Lot No. 51 and being further described as follows:

Beginning at a capped iron pin (Tyler #4236) found on the Northerly right of way line of Mabel Court N.W., 16 ft. wide, at the Southwest corner of Parcel 8 in the Franklin Green Townhouse Development Section One, as recorded in Volume 255, Page 15 of Cuyahoga County Map Records;

Thence North 00° 45' 56" West along the Westerly line of the said Townhouse Development a distance of 8.55 ft. to an iron pin set at the Northerly right of way line of Mabel Court N.W., 33 ft. wide and the principal place of beginning of the parcel herein intended to be described;

Thence South 79° 05' 15" West along said Northerly right of way line a distance of 23.45 ft. to an iron pin set at the Southwest corner of the aforementioned Sublot No. 3, said point also being the Southeast corner of a parcel of land conveyed to Helen J. Pointer in Volume 86-6217, Page 42 of Cuyahoga County Deed Records;

Thence North 10° 39' 44" West along the Easterly line of said Pointer a distance of 111.68 ft. to a drill hole set on the top of a concrete and masonry retaining wall at the Northeast corner thereof;

Thence North 79° 05' 15" East along the Northerly line of the aforementioned Sublot No. 3 a distance of 10.96 ft. to a drill hole set on the aforementioned retaining wall;

Thence North 07° 47' 17" East along the Easterly face of said retaining wall a distance of 5.64 ft. to a P.K. nail set at an angle therein;

Thence North 89° 07' 05" East a distance of 30.65 ft. to an iron pin set on the Westerly line of the aforementioned Franklin Green Townhouse Development;

Thence South 00° 45' 56" East along said Westerly line a distance of 113.45 ft. to the principal place of beginning and containing about 3,793 square feet, according to a survey by John G. Hoy, Registered Professional Ohio Surveyor No. 7419, in November of 1996 and being more fully known as the Carriage House Parcel in the Lot Split Plat of the Carriage House Parcel as recorded in Volume 282, Page 38 of Cuyahoga County Map Records, be the same more or less, but subject to all legal highways.

Section 2. That existing Section 1 of Ordinance No. 1035-95, passed June 5, 1995, as amended by Ordinance 1162-95, passed June 19, 1995, is hereby repealed.

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

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

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

Ord. No. 259-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Lawrence Industries, Inc., or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a commercial and industrial building located at 4500 Lee Road, Cleveland, Ohio 44128.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Lawrence Industries, Inc., or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a commercial and industrial building located at 4500 Lee Road, Cleveland, Ohio 44128.

Section 2. That the terms of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 259-97-A.

Section 3. That the costs of said contract shall not exceed Five Hundred Thousand Dollars (\$500,000), and shall be paid from Fund Nos. 12 SF 954 and 17 SF 008, Request No. 23306.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund Nos. 12 SF 958 and 17 SF 006.

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

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

Section 8. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

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

Ord. No. 260-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into one or more contracts for computer hardware, software and peripherals, installation and professional services for training, for computers at various City recreation centers.

Whereas, pursuant to Section 133.02, of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to manage the City recreation areas; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is authorized and directed to enter into one or more requirement contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the purchase of computer equipment, including hardware, software, printers, cables, modems, and associated supplies, furniture for computer terminals, installation and maintenance, as necessary to install computers at various City recreation centers. The purchases authorized herein shall be made by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as a single contract, or by separate contract for each or any combination of the items, as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period. The costs shall be paid from Fund No. 10 SF 039, and the Director of Finance shall certify the amount of the initial purchase, which together with all subsequent purchases shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against the contract or contracts duly certified by the Director of Finance. (RL 21432)

Section 2. That the Director of Parks, Recreation and Properties is authorized and directed to enter into a written contract or contracts, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the labor and materials necessary to modify and adapt physical space at the various City recreation centers to accommodate the computer installations referred to in Section 1, including without limitation, labor and materials for mechanical work, electrical work, carpentry, painting, and moving of

furniture, walls, carpeting, and other obstacles. The purchases shall be made by the Commissioner of Purchases and Supplies for a gross price for the Division of Recreation, Department of Parks, Recreation and Properties.

Section 3. That the Director of Parks, Recreation and Properties is authorized and directed to enter into contract with one or more consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide the professional services necessary to perform training of staff and program participants in the use of computers installed, and for consultants to perform maintenance, problem-solving or improvements to the system, if needed. The selection of the consultant or consultants shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts shall be prepared by the Director of Law, approved by the Director of Parks, Recreation and Properties, and certified by the Director of Finance.

Section 4. That the amounts of all purchase contracts, and professional services contracts described by this Ordinance shall not exceed Five Hundred Thirty-Five Thousand Dollars (\$535,000.00), which shall be paid from Fund No. 10 SF 039, Requests No. 21432 and No. 21433.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 261-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into food and beverage concession agreements; to establish rates for the sale and rental of golf-related merchandise; and the lease by requirement contract of golf carts at Seneca Golf Course and Highland Golf Course for the Department of Parks, Recreation and Properties.

Whereas, pursuant to Sections 133.02 and 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to manage the City parks and recreation areas, including golf courses, and to enter into concession agreements within the parks; and

Whereas, the Director of Parks, Recreation and Properties wishes to enter into food and beverage concession agreements for Highland and Seneca Golf Courses, and to charge rental fees for the use of golf pull-carts, and to sell golf-related merchandise; and

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

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

Section 1. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Parks, Recreation and Properties is authorized and directed to enter into a concession agreement for a term ending December 31, 1997, with the right to terminate without cause with thirty (30) days notice, for the sale of food and beverages, including the acquisition of a liquor license, at the Highland Park and Seneca Park Golf Courses. The funds received by the City from the concession agreements shall be deposited to Fund No. 63 SF 001.

Section 2. That the Director of Parks, Recreation and Properties is authorized and directed to establish and amend rates and charges for the sale and rental of the following items: golf pull carts, golf balls, golf tees, golf gloves and other golf merchandise; provided that such rates and charges shall conform to rules and the rates promulgated by the Board of Control.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the rental of golf carts, including maintenance and repair, for a period commencing upon execution of a contract and ending on December 31, 1997, in the approximate amount of \$80,000 for Highland Golf Course and \$65,000 for Seneca Golf Course, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties.

Bids shall be taken in such a manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a shorter period may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire period. The cost of said contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, with all subsequent procurements, 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.

Section 4. That the costs of the contracts authorized in Sections 2 and 3 of this ordinance shall be paid from Fund No. 63 SF 001, Request No. 21411.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 262-97.

By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance to amend Section 3 of Ordinance No. 870-96, passed June 10, 1996, relating to a grant from the Ohio Department of Natural Resources for the 1996 Natureworks - Round 3 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 Section 3 of Ordinance No. 870-96, passed June 10, 1996, is hereby amended to read as follows:

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized to enter into or amend contracts with the Cleveland Bicentennial Commission to implement said program; provided, however that **said contractor shall provide one half of the necessary matching funds, and the City shall provide one half, in the approximate sum of \$68,000 each, payable from Fund No. 20 SF 330 and from the fund to which are credited the proceeds of the sale of general obligation bonds for 1997 if authorized by this Council and sold by the City for a purpose which includes this payment, for a total approximate amount of matching funds of \$136,000.**

Section 2. That existing Section 3 of Ordinance No. 870-96, 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 Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

Ord. No. 263-97.

By Councilmen Patmon and Westbrook (by departmental request).

An emergency ordinance authorizing the Mayor to employ one or more consultants to provide professional services necessary to conduct a disparity study of MBE and FBE utilization and minority and female employment within the Cleveland contracting market.

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

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

Section 1. That the Mayor, on behalf of the Office of Equal Opportunity, is hereby authorized and directed to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to conduct a disparity study of minority business enterprise (MBE) and female business

enterprise (FBE) utilization and minority and female employment within the Cleveland contracting market.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 01-01-13-0380, Request No. 23205.

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

Ord. No. 264-97.
By Councilmen Patton, Rybka and Westbrook (by departmental request).

An emergency ordinance determining the method of making the public improvement of replacing a sewer on Cooley Avenue, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

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

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23012.

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

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

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

Ord. No. 265-97.
By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of reflective sheeting and sign posts necessary to construct traffic control signs, and installation if necessary, for the Division of Traffic Engineering and Parking, Department of Public Safety, for a period not to exceed two years.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20464)

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. 266-97.
By Councilmen Polensek and Westbrook (by departmental request).

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

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20467)

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. 267-97.
By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to paint center and lane lines, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

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

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

requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to paint center and lane lines, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20466)

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. 268-97.
By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic paint, thermoplastic material and reflective glass beads, for the Division of Traffic Engineering and Parking, Department of Public Safety, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of traffic paint, thermoplastic material and reflective glass beads in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Traffic Engineering and Parking, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any com-

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20465)

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. 269-97.
By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to employ one or more consultants to provide professional services necessary to prepare an analysis of the R.A.P.P. Program.

Whereas, pursuant to Ordinance No. 1615-95, passed December 18, 1995, this Council authorized the Director of Public Safety to apply for and accept a grant from the United States Department of Justice for the Residential Area Policing Program (R.A.P.P.); and

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to prepare a program analysis and among other things, to prepare a federal report analyzing its effectiveness.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Safety 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 Safety for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Safety, and certified by the Director of Finance.

Section 2. That the costs for such services herein contemplated shall be paid from the fund or funds to which are credited the proceeds of

the grant accepted pursuant to Ordinance No. 1615-95, passed December 18, 1995.

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

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

Ord. No. 270-97.
By Councilmen Robinson, Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ a professional consultant to provide managerial services for the daily operations of the roller rink located within Luke Easter Recreational Center and the concession services of the center.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to employ by contract a management firm 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 provide managerial services for the daily operations of the roller rink located within Luke Easter Recreation Center and the concession services of the center.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 10 SF 124 and 01-70-04-0380, Request No. 22000. All revenues received shall be deposited into Fund No. 10 SF 124 and shall be used to pay the cost of future capital improvements and operating expenses at the Luke Easter Recreational Center, which are not the obligation of the manager pursuant to the Agreement.

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

Ord. No. 271-97.
By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1997 Child Lead Poison Prevention State Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$75,844, from the Ohio Department of Health, to conduct the 1997 Child Lead Poison Prevention State 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. 271-97-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. 272-97.
By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1997 Cuyahoga County Health Promotion Project; and authorizing said director to enter into contract with various agencies to implement the project.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$256,537.00, from the Ohio Department of Health, to conduct the 1997 Cuyahoga County Health Promotion Project, 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. 272-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Health is hereby authorized to enter into contract with the American Cancer Society, City of East Cleveland, Cuyahoga County Board of Health, Lexington Bell, and Neighborhood Health Care, Inc., for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

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

Ord. No. 273-97.
By Councilmen Robinson and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Federation of Community Planning from Ohio Department of Health for the 1996 Immunization Action Plan Program.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$169,786.00, from the Federation for Community Planning from Ohio Department of Health, to conduct the 1996 Immunization Action Plan 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. 273-97-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. 274-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the Director of Port Control to enter into an agreement for the purchase of telephones and related equipment, installation and maintenance and purchase or lease of installation, labor and maintenance, as needed, of a voice mail system, for the various division of the Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written agreement with the lowest and best bidder upon a unit bases in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase of telephones and related equipment, installation and maintenance; and the purchase or lease of installation, labor and maintenance, as needed, of a voice mail system for the various divisions of the Department of Port Control.

Section 2. That the cost of said contract or contracts hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 22566.

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

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

Ord. No. 275-97.
By Councilman Westbrook (by departmental request).

An emergency ordinance to amend Section 5 of Ordinance No. 1095-95, passed July 19, 1995, relating to the funding source for enhancements to the Cleveland Integrated Justice Information System ("CJIS"), for the Cleveland Municipal Court.

Whereas, Section 1901.261 of the Revised Code, enacted by HB 405, authorizes a municipal court to include in its schedule of fees an additional fee for the computerization of the court; and

Whereas, on April 28, 1994, the Cleveland Municipal Court increased its schedule of fees to include an additional fee of five dollars (\$5.00) for the purpose of computerization of the Court as authorized by Section 1901.261 of the Revised Code; and

Whereas, this Council has already authorized the purchase of computerization services in Ordinance No. 1095-95; and

Whereas, the Court has requested that this Council amend Ordinance No. 1095-95 to include as a funding source the fees collected pursuant to R.C. Section 1901.261; 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 Section 5 of Ordinance No. 1095-95, passed July 19, 1995, is hereby amended to read as follows:

Section 5. That the cost of said contract hereby authorized shall be paid from Fund No. **10 SF 086** and from funds appropriated by the Council for use by the Cleveland Municipal Court, Request No. 22631.

Section 2. That existing Section 5 of Ordinance No. 1095-95, passed July 19, 1995, is hereby repealed.

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

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

Ord. No. 287-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12005 Kinsman Road to Covenant Community Church of Cleveland.

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(s). 130-04-020, as more fully described in Section 2 below, to Covenant Community Church of Cleveland.

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. 130-04-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 248 in the Crawford Woodhill Subdivision of part of Original One Hundred Acre Lot Nos. 436, 444 and 445 and shown by the recorded plat in Volume 47 of Maps, Page 12 of Cuyahoga County Records and being 50.12 feet front on the North-easterly side of Kinsman Road and extending back 100.83 feet on the Westerly line 115.24 feet on the Easterly line and having a rear line of 48.01 feet, as appears by said plat,

be the same more or less, but subject to all legal highways.

Subject to Right of Way recorded in Volume 1613, Page 192 of Cuyahoga County Records.

Also subject to Zoning Ordinances, if any.

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

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

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

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

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

**FIRST READING
ORDINANCES REFERRED**

Ord. No. 276-97.

By Councilman Westbrook.

An ordinance to change the Use District of lands on the southeasterly side of West 110 Street and Franklin Boulevard, N.W. (Map Change No. 1935, Sheet No. 1)

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

Section 1. That the Use District of lands bounded and described as follows,

Beginning at the intersection of the northwesterly extension of the southwesterly line of Sublot No. 16 in the Leonard Schilling Subdivision as recorded in Volume 12, Page 22 of the Cuyahoga County Map Records and the center line of West 110 Street; thence northeasterly along said center line of West 110 Street to its intersection with the northwesterly extension of the northeasterly line of said Sublot No. 16; thence southeasterly along said northwesterly extension said northwesterly extension and along said northeasterly line of said Sublot No. 16 to its intersection with the southeasterly line thereof; thence southwesterly along said southeasterly line of said Sublot No. 16 to its intersection with said southwesterly line thereof; thence northwesterly along

said southwesterly line of said Sublot No. 16 and along said northwesterly extension to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a Residence Industry Use District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1935, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Referred to Directors of City Planning Commission, Law; Committee on City Planning.

Ord. No. 277-97.

By Councilman Westbrook.

An ordinance to change the Use District of lands on the southeast corner of West 117 Street and Berea Road, N.W. (Map Change No. 1936, Sheet No. 1)

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

Section 1. That the Use District of lands bounded and described as follows,

Beginning at the intersection of the westerly extension of a line located two hundred twenty five (225) feet south of the intersection of the easterly line of West 117 Street and the southeasterly line of Berea Road, N.W. and the center line of West 117 Street; thence northerly along said center line of West 117 Street to the center line of the New York Central Railroad tracks; thence southeasterly along said center line of said New York Central Railroad tracks to its intersection with a line located two hundred (200) feet east of the easterly line of West 117 Street; thence southerly along said line which is parallel to and two hundred (200) feet east of said easterly line of West 117 Street to its intersection with the easterly extension of said line located two hundred twenty five (225) feet south of said intersection of said easterly line of West 117 Street and the southeasterly line of Berea Road, N.W.; thence westerly along said easterly extension of said line and along its westerly extension to the place of beginning, and as outlined in red on the map hereto attached, be and the same is hereby changed to a Residence Industry Use District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1936, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Referred to Directors of City Planning Commission, Law; Committee on City Planning.

**FIRST READING EMERGENCY
RESOLUTION REFERRED**

Res. No. 278-97.

By Councilman Zane.

An emergency resolution urging adoption of a policy against purchasing, leasing, renting, or taking on consignment goods for use and for resale by City-owned enterprises that are produced under sweatshop conditions.

Whereas, goods and products are being produced under sweatshop conditions both in the United States and abroad; and

Whereas, other cities have adopted policies of not purchasing, leasing, renting or taking on consignment and for use or for resale at City-owned enterprises which were produced under sweatshop conditions; and

Whereas, it is the desire of this Council to support fair humane labor practices around the world by not transacting or trading in goods or products produced under sweatshop conditions; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that this Council is greatly concerned and strongly deplors worker exploitation which is contrary to fair humane labor practices; now, therefore,

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

Section 1. That this Council urges the Administration to establish a policy of not purchasing, leasing, renting or taking on consignment goods for use or for resale at City-owned enterprises which were produced and said policy should incorporate the following points:

A. The factory does not employ anybody younger than the legal age for children to work in the country in which the factory is located, and regardless of the legal age, does not employ anybody younger than age 15.

B. The factory does not use forced labor of any kind - prison labor, indentured labor or bonded labor.

C. The factory pays a wage which enables its employees to meet their basic needs for food, shelter, clothing and medical care and to set aside money for future purchases. The factory also provides all benefits required by law in their country and compensates workers for overtime.

D. Employees are not required to work more than 48 hours per week or less if the law of the country in which the factory is located sets a shorter work week.

E. The factory is a workplace free from physical, sexual or verbal harassment. Employees have the right to speak up about conditions in the factory without fear of retaliation and have the right to form unions of their own choosing without employer intimidation.

F. The factory provides a safe and healthy working environment.

Section 2. That this Council further urges the Administration to prohibit, to the extent possible, the purchase, lease, rental or taking on consignment of goods for use or for resale at City-owned enterprises which were produced under sweatshop conditions.

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 Personnel and Human Resources, Law; Committees on Employment, Affirmative Action and Training, Finance.

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

Ord. No. 279-97.

By Councilman Dolan.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to St. Patrick's Church (West Park) to stretch banners on Rocky River Drive and on Puritas Avenue for the period from May 1, 1997 to May 31, 1997, inclusive, publicizing its 150th Anniversary.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to St. Patrick's Church (West Park) to install, maintain and remove banners on Rocky River Drive (pole numbers 518399, 518400, 518401 and 518402) and on Puritas Avenue (pole numbers 204106 and 523897) for the period from May 1, 1997 to May 31, 1997, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 280-97.

By Councilman Paulenske.

An emergency ordinance to amend Section 1 of Ordinance No. 177-97 relating to the issuance of a permit for the 9th Annual Walk-A-Thon on May 10, 1997, sponsored by the Hunger Network of Greater Cleveland.

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

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

Section 1. That Section 1 of Ordinance No. 177-97, passed February 3, 1997, be and the same is hereby amended to read as follows:

"Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Walk-A-Thon, sponsored by the Hunger Network of Greater Cleveland, on May 10, 1997, beginning at Burke Lakefront Airport, exit the parking lot and proceed south on E. 9th Street to Lakeside Avenue, west on Lakeside Avenue to W. 3rd Street, south on W. 3rd Street to St. Clair Avenue, west on St. Clair Avenue to W. 9th Street, south on West 9th Street to Huron Road, Huron Road to E. 13th Street, east on Euclid Avenue to E. 17th Street, cross the street and turn around, returning on Euclid Avenue to E. Roadway, north to West Mall Drive, north on West Mall Drive to Lakeside Avenue, Lakeside Avenue to E. 9th Street, E. 9th Street to North Coast Harbor and where the walk will finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law."

Section 2. That Section 1 of Ordinance No. 177-97, passed February 3, 1997, be and the same is hereby repealed.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 281-97.

By Councilmen Paulenske, Smith and Gordon.

An emergency ordinance consenting and approving the issuance of a permit for the Annual Earth Day Walk on April 20, 1997, sponsored by the Earth Day Coalition.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Annual Earth Day Walk, sponsored by the Earth Day Coalition, on April 20, 1997, beginning at Public Square, proceed south on Ontario Street, turn right and proceed down the Eagle Street Ramp, turn left at Scranton Road and head south along the Cuyahoga

River into Tremont, turn right at MetroHealth Blvd. and then left onto West 25th Street, at Brookside Park Drive, head down into the main Cleveland Zoo entrance and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 282-97.

By Councilmen Rybka and Westbrook (by departmental request).

An emergency ordinance to amend the seventh whereas clause and Section 2 of Ordinance No. 2133-96, passed November 25, 1996, relating to a moratorium on the acceptance of applications for any permit relating to the establishment or expansion of a Correctional Halfway House.

Whereas, this ordinance constitutes an emergency measure providing for 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 seventh whereas clause and Section 2 of Ordinance No. 2133-96, passed November 25, 1996, are hereby amended to read, respectively, as follows:

Whereas, the various departments of the City require an additional **one hundred and thirty five (135)** days in order to properly complete regulations for the establishment, expansion, or operation of Correctional halfway houses within the City in order to protect the public health, safety, morals, and general welfare; and

Section 2. That, notwithstanding and as an exception to any and all provisions of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, no City department shall accept an application for any permit where such application relates to the establishment, expansion, or operation of a Correctional Halfway House until the City has completed its review of public health, safety, morals, and general welfare issues with respect to the manner in which Correctional Halfway Houses are provided for in the community and has adopted regulations addressing same, or until **one hundred and thirty five (135)** days have passed following the effective date of this ordinance, whichever is first to occur.

Section 2. That the existing sev-

enth whereas clause and Section 2 of Ordinance No. 2133-96, passed November 25, 1996, are hereby repealed.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 283-97.

By Councilman Westbrook.

An emergency ordinance authorizing the Director of Public Utilities to enter into a professional service contract for the purpose of undertaking a programming and feasibility study for the property located at 1440 Lakeside Avenue for the Department of Public Utilities, Division of Water.

Whereas, this ordinance constitutes an emergency measure providing for 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 to enter into a professional service contract for the purpose of undertaking a programming and feasibility study of the property located at 1440 Lakeside Avenue for use by the various departments and divisions of the City of Cleveland, including the Departments of Public Utilities, Finance, Health, Divisions of Water, Printing, and Taxation. The selection of said consultant for such service shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 2. That the cost of the professional service contract authorized in Section 1 hereinabove shall not exceed One Hundred Thousand Dollars (\$100,000.00) and shall be paid from the fund and subfunds legally available and appropriated for the use of the Division of Water.

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 284-97.

By Councilman Willis.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 914 East 123rd 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 C1 Liquor Permit from Permit No. 2434444, Eddie's Mini Market Inc., dba Eddie's Mini Market, 914 East 123rd Street, first floor and basement, Cleveland, Ohio 44108, to Permit No. 1157495, BW4 Inc., dba Eddie's Mini Market, 914 East 123rd Street, first floor and basement, Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Permit No. 2434444, Eddie's Mini Market Inc., dba Eddie's Mini Market, 914 East 123rd Street, first floor and basement, Cleveland, Ohio 44108, to Permit No. 1157495, BW4 Inc., dba Eddie's Mini Market, 914 East 123rd Street, first floor and basement, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is hereby declared to be an emergency

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

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 285-97.

By Councilman Willis.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 1405 East 115th Street, first floor and basement, and repealing Res. No. 2070-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 1405 East 115th Street, first floor and basement, by Res. No. 2070-96, adopted November 18, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 1405 East 115th Street, first floor and basement, be and the same is hereby withdrawn and Res. No. 2070-96, 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 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

Res. No. 286-97.

By Councilman White.

An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 3880 Martin Luther King Drive, and repealing Res. No. 1545-96, objecting to said renewal.

Whereas, this Council objected to the renewal of a Liquor Permit to 3880 Martin Luther King Drive by Res. No. 1545-96, 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 3880 Martin Luther King Drive be and the same is hereby withdrawn and Res. No. 1545-96, 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 20. Nays 0. Read second time. Read third time in full. Adopted. Yeas 20. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1843-96.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use known as Kingsbury Run Park to Mt. Pleasant Now Development Corporation, or its designee.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Properties and Recreation, City Planning, Finance, when amended as follows:

1. In the title, line 5, delete "known as Kingsbury Run Park" and insert in lieu thereof "**along Herron Row at Kingsbury and sometimes referred to as Kingsbury Park**".

2. In the first "Whereas" clause, line 3, delete "and known as Kingsbury Run Park" and insert in lieu thereof "**along Herron Row at Kingsbury and sometimes referred to as Kingsbury Park**".

Amendments agreed to. The rules were suspended. Yeas 20. Nays 0. Read third time. Passed. Yeas 20. Nays 0.

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

Ord. No. 52-97.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into an amendment to Agreement No. 48939 with Hill & Knowlton for Washington representation services for the City of Cleveland.

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

The rules were suspended. Yeas 20. Nays 0. Read third time. Passed. Yeas 20. Nays 0.

SECOND READING EMERGENCY RESOLUTION ADOPTED

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.

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

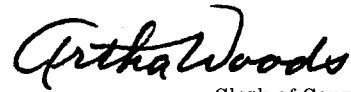
The rules were suspended. Yeas 20. Nays 0. Read third time. Adopted. Yeas 20. Nays 0.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried that the absence of Councilman Kenneth L. Johnson be and is hereby authorized.

MOTION

The Council adjourned at 8:45 p.m. to meet on Monday, March 3, 1997 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 19, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 19, 1997, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Cox, Ross, Director Nolan, Acting Director Sullivan, Director Lynch.

Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 110-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1605-95, passed by the Council of the City of Cleveland on December 18, 1995, Solar Testing Laboratories, 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 various environmental and engineering consulting services, 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 Solar Testing Laboratories, Inc. based upon its proposal dated August 2, 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 \$400,000.00 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 Solar Testing Laboratories, Inc., for the abovementioned professional service is hereby approved:

SUBCONTRACTORS	WORK
Office Pro, Inc.	\$35,000, FBE
Alpha-Amega Chemical	\$52,500, MBE
BAT Associates	\$52,500, MBE

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Cox, Ross, Director Nolan, Acting Director Sullivan, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 111-97.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1605-95, passed by the Council of the City of Cleveland on December 18, 1995, Professional Services Industries, 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 various environmental and engineering consulting services, 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 Professional Services Industries, Inc. based upon its proposal dated August 2, 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 \$400,000.00 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 Professional Services Industries, Inc., for the abovementioned professional service is hereby approved:

SUBCONTRACTORS	WORK
John E. Foster	\$52,500, MBE
American Petrographic	\$17,500, MBE
MV Technologies	\$35,000, MBE
Chem-Ty Environmental	\$35,000, FBE

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

icek, Cunningham, Guzman, Staib, Acting Directors Smith, Cox, Ross, Director Nolan, Acting Director Sullivan, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 112-97.

By Director Konicek.
Resolved, by the Board of Control of the City of Cleveland that the bid of Perk Co., Inc. for an estimated quantity of Various sewer maintenance appurtenances (slabs) for the Division of Water Pollution Control, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 20th day of December, 1996, pursuant to the authority of Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Forty-four thousand two hundred ninety and 00/100 Dollars, (\$44,290.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 98371 which shall be certified against such contract in the sum of Twenty-two thousand one hundred forty-five and 00/100 Dollars, (\$22,145.00).
Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Be it further resolved that the employment of the following subcontractors to Perk Co., Inc. for the above-mentioned public improvement hereby is approved:

SUBCONTRACTOR	WORK
Collinwood Shale & Brick	Supply ready-mix FBE
Choice Construction Co.	Partial Supply of precast slabs MBE

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Cox, Ross, Director Nolan, Acting Director Sullivan, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 113-97.

By Director Konicek.
Resolved, by the Board of Control of the City of Cleveland that the bid of Jack Doheny Supplies Ohio, Inc. for an estimated quantity of Various equipment and appurtenances for combination sewer and catch basin cleaners for the Division of Water Pollution Control, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 19th day of December, 1996, pursuant to the authority of Ordinance No. 1031-96, passed July 17, 1996, which on the basis of the estimated quantity would amount to Seventy

thousand and 00/100 Dollars, (\$70,000.00) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 098340 which shall be certified against such contract in the sum of Seventy thousand and 00/100 Dollars, (\$70,000.00).

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

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Cox, Ross, Director Nolan, Acting Director Sullivan, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 114-97.

By Director Konicek.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Monarch Electric Service Company, Inc. for the following: labor and materials necessary to repair one motor at Kirtland Pump Station for the Division of Water, Department of Public Utilities, received on the 22nd day of January 1997, pursuant to the authority of Ordinance No. 1301-96, passed August 14, 1996, which on the basis of the order quantities would amount to one hundred ten thousand six hundred fifty Dollars (\$110,650.00) (1% 10 days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Cox, Ross, Director Nolan, Acting Director Sullivan, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 115-97.

By Director Cunningham.
Whereas, pursuant to Ordinance No. 1585-A-76 passed by the Council of Cleveland on August 16, 1976, the City entered into a Lease By Way of Concession with American Airlines ("American") for the operation of an airline at Cleveland Hopkins International Airport, City Contract No. 31083, and

Whereas, American desires to enter into a sublease with America West Airlines ("America West"); and

Whereas, American has requested by letter dated February 7, 1997 the consent of the City to a sublease between American and America West; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the request dated February 7, 1997 of American Airlines, lessee under a Lease By Way of Concession with the City for operation of an airline at Cleveland Hopkins International Airport, City Contract No. 31083, for the consent of the City to sublease approximately 120 square feet of ter-

minal office space, 210 square feet of Concourse office space and 200 square feet of ticket counter space, to America West, is hereby approved and that the Director of Port Control is hereby authorized to execute any documents necessary to effect such consent.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Cox, Ross, Director Nolan, Acting Director Sullivan, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 116-97.
By Director Guzman.

Whereas, pursuant to the authority of Ordinance No. 2003-94, passed by Cleveland City Council on December 12, 1994, and Resolution No. 486-95, adopted by the Board of Control of the City on July 3, 1995, the City of Cleveland entered into a contract with Eagle International Truck Sales, Inc. for the purchase of International Truck Parts and Labor (all items), for a total amount of \$200,000.00, Contract No. 48465; and

Whereas, Eagle International Truck Sales, Inc. and Wise International Trucks of Ohio, Inc. have by their joint letter dated January 22, 1997, requested consent of the City to assignment of said Contract No. 48465 to Wise International Trucks of Ohio, Inc., and Wise International Trucks of Ohio, Inc. has stated its intention to undertake Eagle International Truck Sales, Inc. obligations under said contract; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the January 22, 1997 request of Eagle International Truck Sales, Inc. and Wise International Trucks of Ohio for consent of the City to the assignment of Contract No. 48465 for the purchase of International Truck parts and labor (all items) to Wise International Trucks of Ohio Inc. is hereby granted.

Be it further resolved that the Director of Public Service is hereby authorized to execute all documents and do all things necessary and appropriate to effect such assignment. A copy of the assignment shall be filed in the office of the Commissioner of Accounts.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Cox, Ross, Director Nolan, Acting Director Sullivan, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 117-97.
By Director Nolan.

Resolved by the Board of Control of the City of Cleveland that the bid of Xerox Corporation for the following: Xerox 5385 Red Copier (lease for a term of five (5) years, plus .012 per copy, maintenance increased 3%-5% per year (All Items) for the Department of Personnel and Human Resources, received on the 2nd day of January, 1997, pursuant to the authority of Ordinance No. 1984-96, passed November 25, 1996, which on the basis of order quantities would amount to \$58,370.40 (Net) is hereby approved as the lowest and best bid, and the Director of Personnel and Human Resources is hereby requested to enter into contract for such items.

Yeas: Mayor White, Acting Direc-

tor Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Directors Smith, Cox, Ross, Director Nolan, Acting Director Sullivan, Director Lynch.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 10, 1997

9:30 A.M.

Calendar No. 96-243: 14235 Kinsman Rd., S.E.

Franchise Realty Interstate Corp., owner, and J.R.E. Inc., tenant, c/o Jimmy Hayes, to attach a 14' 2" x 11' double-faced business identification sign on an existing pole to the west of and in front of the restaurant building on a 120' x 255' irregular shaped corner lot located in a General Retail District on the northwest corner of E. 143 St. and Kinsman Rd. at 14235 Kinsman Rd.; said sign to exceed the 50 square feet maximum area as limited by Section 350.14 of the Codified Ordinances.

Calendar No. 97-22: 4114 John Ave., N.E.

Kevin E. Drummond, appeals, under authority of Sections 329.01 and 329.02 and the Charter of the City of Cleveland, from the issuance on December 23, 1996 by the Commissioner of Building and Housing of Permit No. E63283 relating to certain electrical work at 4114 John Ave., being a one and two story frame 42' x 40' nonconforming tavern and suite building on an 88' x 92' irregular shaped corner lot located in a Two Family District on the northeast corner of John Ave and Randall Rd at 4114 John Ave.

Calendar No. 97-23: 5105 Franklin Ave., N.W.

Haday Ayyad, owner, and Richard A. Clair, tenant, and Mr. Pepperoni Inc., sub-tenant, c/o Thomas A. Platzer, to convert to a carryout restaurant the private club portion of the 60' x 40' one story nonconforming stores building on a 103' x 91' irregular shaped corner lot located in a Two Family District on the southeast corner of Franklin Ave. and W. 52 St. at 5105 Franklin Ave.; said use being contrary to the residence use limitations of Section 337.03 and said premises not conforming to the landscaping requirements of Section 352.10 and accessory parking being located in the 10' specific setback area along Franklin Ave. contrary to the provisions of Sections 357.07 and 357.14 of the Codified Ordinances.

Calendar No. 97-25: 2500 E. 79 St.

The Metro Health System, owner, c/o Brian Gesicki, to erect a single-faced 4' x 6' ground sign near the corner in front of the medical building on a 323' x 827' irregular shaped corner through lot located in a General Retail District on the northwest corner of E. 79 St. and Platt Ave. at 2500 E. 79 St. and extending through to Stanton Ave.; said sign to be located 350' from an existing ground sign instead of the 500' minimum distance required by Section 350.20 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, FEBRUARY 24, 1997

At the Meeting of the Board of Zoning Appeals, on, Tuesday, February 18, 1997, the following appeals were heard by the Board, and decided on Monday, February 24, 1997.

The following appeal was **Granted:**

Calendar No. 97-11: 1001 Huron Road, S.E.
Ohio American Financial Inc., owner, c/o Mark Freimuth and Huron Square Associates Ltd., prospective purchaser c/o Martin Lax, to convert to 70 dwelling units floors two through eleven.

The following appeals were **Refused:**

Calendar No. 97-12: 4141 West 130th Street
Mathew Wissel, owner, to erect a 40' x 64' one story addition.

Calendar No. 97-13: 5507 Clark Ave., S.W.

Joseph Hasrouni, appealed, under authority of Section 329.01(e) and 329.02(d) from the refusal to approve a lot split.

The following appeals were **Postponed:**

Calendar No. 97-7: 16114 St. Clair Ave. N.E. to March 20, 1997.

Calendar No. 97-9: 2121 W. 117th St. postponed indefinitely.

ANTHONY COSTANZO,
Secretary

**REPORT OF THE BOARD
OF BUILDING STANDARDS
AND BUILDING APPEALS**

Re: Report of the Meeting of
February 19, 1997

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-161-95.

RE: Appeal of Manuel Cohen, Owner of the Property located on the premises known as 6722 Bushnell Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated September 8, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled for April 2, 1997.

* * *

Docket A-29-96.

RE: Continuance of Appeal of GMS Management Co., Inc., Owner of the Property located on the premises known as 11118 Clifton Boulevard from a NOTICE OF VIOLATION - NEC of the Commissioner of the Division of Building and Housing dated February 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 grant the Appellant six months (6 mos.) in which to abate all violations at the property and to REMAND the property a 11118 Clifton Boulevard to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Williams.

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

* * *

Docket A-170-96.

RE: Continuance of 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).

BE IT RESOLVED, a motion is in order at the time to require the conformation of method of fill of the tanks at 2401 Denison Avenue by supplemental letter from GETCO, INC. **only.** Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-171-96.

RE: Continuance of 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).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to properly abandon and dispose of one tank located at 3403 Denison Avenue, limited time of six months (6 mos.) with notification. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-178-96.

RE: Appeal of AMBD, Inc., Owner of the Property located on the premises known as 589 East 152nd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-179-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 585 East 152nd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-180-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 585 East 152nd Street (Bldg. B) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-181-96.

RE: Appeal of AMBD, Inc., Owner of the Property located on the premises known as 589 East 152nd Street (Area Z) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

Docket A-182-96.

RE: Appeal of AMBD, Inc., Owner of the Property located on the premises known as 589 East 152nd Street (Area E) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-183-96.

RE: Appeal of B & C Company, Owner of the Property located on the premises known as 565 East 152nd Street (Area X) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-184-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 587 East 152nd Street (Bldg. C) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-185-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 587 East 152nd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-186-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 587 East 152nd Street (Bldg. C) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-187-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 577 East 152nd Street (Bldg. A & A1) from a

CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-188-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 577 East 152nd Street (Bldg. A) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-189-96.

RE: Appeal of B & C Company, Owner of the Property located on the premises known as 591 East 152nd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-164-96.

RE: Continuance of 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).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the premises at 13205 Chapelside Avenue to be occupied in the manner intended, by the well elderly, with the provisions that from the second floor hall a door be installed through the fire escape and that the fire escape be covered; that the public corridors and basement storage room be sprinklered with limited area sprinkler systems, and that all other occupied areas be protected with an approved hardwired smoke detector system. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

Docket A-15-97.

RE: Appeal of The Ohio Blow Pipe Company, Owner of the Property located on the premises known as 440 East 131st Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated January 15, 1997,

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 building to remain as constructed with the provision that fire proofing to the required thickness has to achieve a two hour rating be provided. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-20-97.

RE: Appeal of Edward and Linda Watkins, owners of the Residential Property located on the premises known as 3047 East 79th Street from an ORDER TO VACATE of the Commissioner of the Division of Building and Housing dated February 17, 1997, 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 variance and uphold the ORDER TO VACATE by the City of Cleveland, noting that the City has agreed to allow access to the property located at 3047 East 79th Street to remove the belongings, but not to occupy the premises, and to REMAND the property to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

EXTENSION OF TIME:

Docket A-101-96.

Terrance Adair - 4280 East 128th Street: No action at this time; to be rescheduled for review on March 5, 1997.

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Williams and seconded by Mr. Bowes 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-177-96—Geneva Hopson-Paige.
A-205-96—Hanna Lounge Inc.
A-233-96—Star Bank, N.A.
A-2-97—Marylene Flint.
A-7-97—Cleveland Public Library.

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Sullivan and seconded by Mr. Saunders for Approval of the Min-

utes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

February 5, 1997

Yeas: Messrs. Denk, Williams, Saunders, Sullivan. Nays: None. Absent: 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."

WEDNESDAY, MARCH 12, 1997

Rehabilitation of the Exterior Surfaces of the Ledge Water Tower, for the Division of Water, Department of Public Utilities, as autho-

rized by Ordinance Nos. 248-96 and 1610-96, passed by the Council of the City of Cleveland, May 6, 1996 and December 16, 1996, respectively.

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 MARCH 3, 1997, 10:00 A.M. IN AUDITORIUM A OF THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO.

Service and Maintenance of Various Heating Ventilation and Air Conditioning Equipment, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1457-96, passed by the Council of the City of Cleveland, September 23, 1996.

A MANDATORY PRE-BID CONFERENCE WILL BE HELD ON THURSDAY, MARCH 5, 1997, 10:00 A.M. AT THE OFFICE OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO.

February 19 and February 26, 1997

THURSDAY, MARCH 13, 1997

Masonry Repairs at Engine House No. 26, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1028-93, passed by the Council of the City of Cleveland, June 7, 1993.

Meals for Prisoners, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1939-96, passed by the Council of the City of Cleveland, December 2, 1996.

Maintenance and Testing of Elevators, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1934-96, passed by the Council of the City of Cleveland, December 2, 1996.

Breathing Air Compressor, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 825-96, passed by the Council of the City of Cleveland, June 18, 1996.

February 19 and February 26, 1997

WEDNESDAY, MARCH 12, 1997

Teletype Devices for the Deaf, for the Division of Information Systems Services, Department of Finance, as authorized by Ordinance No. 198-94, passed by the Council of the City of Cleveland, March 14, 1994.

February 26 and March 5, 1997

FRIDAY, MARCH 14, 1997

Frame Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2024-96, passed by the Council of the City of Cleveland, December 16, 1996.

Ford Truck Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2025-96, passed by the Council of the City of Cleveland, December 16, 1996.

February 26 and March 5, 1997

THURSDAY, MARCH 20, 1997

Grinding of Pavement, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 2192-96, passed by the Council of the City of Cleveland, February 10, 1997.

Various Sewer Maintenance Appurtenances - Vitrified Clay Pipe, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of the City of Cleveland, 1976.

TV Inspection System, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1603-96, passed by the Council of the City of Cleveland, November 5, 1996.

Labor and Materials to Clean Test Insulator, Busing and Lighting Arrestors, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 363-96, passed by the Council of the City of Cleveland, April 1, 1996.

February 26 and March 5, 1997

FRIDAY, MARCH 21, 1997

Tire Recapping, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1969-96, passed by the Council of the City of Cleveland, December 16, 1996.

Three (3) Cab and Chassis with USV Type Body (Light Body), for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 918-96 and 1476-96, passed by the Council of the City of Cleveland, June 18, 1996 and August 14, 1996, respectively.

One (1) Cab and Chassis with One (1) Cab and Chassis with USV Type Body (Medium-Heavy Body), for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 918-96 and 1476-96, passed by the Council of the City of Cleveland, June 18, 1996 and August 14, 1996, respectively.

February 26 and March 5, 1997

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 1598-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of heating, ventilating and air conditioning equipment and supplies, including on-site supplies, including on-site service if necessary, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period of one year.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of heating, ventilating and air conditioning equipment and supplies, including on-site service if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire one 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 20315)

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

Passed February 10, 1997.

Effective February 19, 1997.

Ord. No. 1800-96.

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 County Criminal Justice Service Agency for the Cop Youth Crime Action Team Program, and to enter into contracts with to implement 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 \$112,462.50, from the County Criminal Justice Service Agency, to conduct the Cop Youth Crime Action Team 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. 1800-96-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$37,487.50, from Fund No. 01-60-02-0901, is hereby approved in all respects.

Section 3. That the Director of Public Safety is hereby authorized to enter into contracts with a Team Administrator, a Law Enforcement Coordinator and a Youth/Gang Crime Analyst necessary to implement the Cop Youth Crime Action Team Program.

Section 4. That the Director of Public Safety shall provide quarterly reports regarding this program to the City Council. These reports shall include a listing of all individuals, groups and organizations which have been serviced by this program within each ward.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 10, 1997.

Effective February 19, 1997.

Ord. No. 2123-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance appropriating the funds credited to Fund 10 SF 501 for General Fund purposes.

Whereas, pursuant to Ordinance No. 55-94, passed June 6, 1994, this Council authorized the issuance of Public Power System First Mortgage Revenue Bonds for the purpose of providing funds to pay the amount of the judgment in CEI v. City of Cleveland, Common Pleas Case No. 78605; and

Whereas, in Ordinance No. 55-94, this Council directed that the proceeds of the bonds, after payment of accrued interest and establishment of the necessary reserve fund, be deposited in Fund No. 10 SF 500 in the General Fund of the City; and

Whereas, pursuant to Ordinance No. 56-94, passed June 13, 1994, this Council authorized that the bond proceeds previously deposited in Fund No. 10 SF 500 be deposited into Fund No. 10 SF 501 and to be expended for restricted purposes; and

Whereas, the Internal Revenue

Service has determined that, for federal tax purposes, the bond proceeds should be appropriated for unrestricted General Fund purposes which may include the restricted purposes of Ordinance No. 56-94; and

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

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

Section 1. That, notwithstanding any ordinance to the contrary, the funds credited to Fund No. 10 SF 501 are hereby appropriated to provide funds for the purposes of general municipal operations, procurement of fixed assets or permanent improvements, payment of debt charges, the elimination of deficits in City funds and for all other lawful purposes; provided, however, that all expenditures from Fund 10 SF 501 shall require concurrent authorizing legislation and provided further that any expenditure from Fund 10 SF 501 for purposes other than those specified in Ord. 56-94 shall include in such authorizing legislation a requirement that the Director of Finance execute a certification certifying that an amount equal to the amount of such expenditure will be concurrently transferred into Fund 10 SF 501 from available funds for use for purposes specified in Ord. 56-94.

Section 2. That, the City will provide for the restricted purposes of Ordinance No. 56-94 from funds appropriated to provide funds for the purposes of general municipal operations, procurement of fixed assets or permanent improvements, payment of debt charges, the elimination of deficits in City funds and for all other lawful purposes, though those appropriated funds may or may not include funds in Fund No. 10 SF 501.

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

Passed February 10, 1997.

Effective February 19, 1997.

Ord. No. 2131-96.
By Councilman Westbrook.
An ordinance to change the Use, Area, and Height Districts of lands on the southwesterly side of Detroit Avenue, N.W. to the center line of the Rapid Transit - N.Y.C., R.R. tracks. (Map Change No. 1922, Sheet No. 1)

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

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

Beginning at the intersection of the center line of Detroit Avenue, N.W. and the center line of the Rapid Transit, New York Central Railroad (L. S. & M.S. RWY) tracks; thence southwesterly along said center line of said Rapid Transit, New York Central Railroad (L.S. & M.S. RWY) tracks to its intersection with the southwesterly extension of the northwesterly line of Sublot No. 10 in the Jennings, Wetmore, Schilling Et. Al Allotment as recorded in Volume 3, Page 47 of the Cuyahoga

County Map Records; thence north-easterly along said southwesterly extension and along said northwesterly line of said Sublot No. 10 and along its northeasterly extension to the center line of Detroit Avenue, N.W.; thence southeasterly along said center line of Detroit Avenue, N.W. to the place of beginning,

and as outlined in red on the map hereto attached, be and the same is hereby changed to a Residence Office District, a 'C' Area District, and a '2' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1922, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed February 10, 1997.

Effective March 22, 1997.

Ord. No. 2192-96.
By Councilmen Coats, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of grinding pavement and authorizing the Director of Public Service to enter into a public improvement requirement contract for the making of such improvement for a period of one year and to extend Contract No. 48530 with Kenmore Asphalt Co.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of grinding pavement, for the Division of Streets, Department of Public Service, by a public improvement requirement contract duly let to the lowest responsible bidder upon a unit basis for the improvement.

Section 2. That, the Director of Public Service is hereby authorized and directed to enter into a requirement contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the period of not to exceed one year. 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 Director of Public Service until provision is made for the requirements for the entire year.

Section 3. That the Director of Public Service is hereby authorized to extend Contract No. 48530 with Kenmore Asphalt Co. with the same terms and conditions, until such time as the City enters into a new contract for pavement grinding pursuant to Section 1 of this ordinance.

Section 4. That the cost of said

contract and the a extension shall be paid from Fund No. 10 SF 401, Request No. 21331.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 10, 1997.

Effective February 19, 1997.

Ord. No. 2198-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract for a maintenance agreement without competitive bidding with Banctec Service Corp. on not to exceed two Banctec payment transaction processors and supporting equipment, for the Division of Fiscal Control, Department of Public Utilities.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Banctec Service Corp. Therefore, the Director of Public Utilities is hereby authorized and directed to make a written contract with said Banctec Service Corp. upon the basis of its proposal dated November 15, 1996, for a maintenance agreement on not to exceed two Banctec payment transaction processors and supporting equipment, including all parts and labor, for a one year period, with an option to renew for an additional one year period, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Fiscal Control, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 50 SF 001, Request No. 20931.

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

Passed February 10, 1997.

Effective February 19, 1997.

Ord. No. 2204-96.
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 U.S. Department of Justice Office - of Community Oriented Policing Services for the COPS Universal Hiring 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 \$2,700,000, from the U.S. Department of Justice - Office of Community Oriented Policing Services (COPS), to conduct the COPS Universal Hiring 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 Director of Public Safety shall provide a monthly report to the City Council regarding the deployment, by platoon or unit within the six police districts, of personnel hired pursuant to this grant.

Section 3. That the application for said grant, File No. 2204-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed February 10, 1997.

Effective February 19, 1997.

Ord. No. 239-97.
By Councilmen Westbrook, Patton and Polensek.

An emergency ordinance establishing the goals for contracting and hiring in connection with the Cleveland Municipal Stadium Project.

Whereas, on March 8, 1996, this Council passed Ordinance No. 303-96, wherein Section 12 of said ordinance enumerated certain goals for all contracting and hiring in connection with the Cleveland Municipal Stadium Project, which project was authorized pursuant to Ordinance Nos. 303-96, 304-96, 305-96, and 306-96 (the "Stadium legislation"); and

Whereas, since the passage of the Stadium legislation, the Director of the Office of Equal Opportunity of the Office of the Mayor of the City of Cleveland has found and determined that the goals set forth in Ordinance No. 303-96 can not be satisfied fully; and

Whereas, these new goals for the contracting and hiring have been prepared by the Director of the Office of Equal Opportunity and have been submitted to this Council for consideration; and

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

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

Section 1. That, notwithstanding anything to the contrary contained in the Codified Ordinances, Cleveland, Ohio 1976, or Ordinance No. 303-96, passed March 8, 1996, and based upon the facts and conditions submitted to Council by the Director of the Office of Equal Opportunity

and upon the testimony presented to this Council, the Council hereby determines that the following goals for contracting and hiring at the Cleveland Municipal Stadium project as authorized by Ordinance Nos. 303-96, 304-96, 305-96 and 306-97 will apply:

A goal of forty percent (40%) of all construction jobs to be filled by residents of the City of Cleveland; a goal of twenty-five percent (25%) of all construction jobs to be filled by minority persons, as minority person is defined in Chapter 187 of the Codified Ordinances; and a goal of seven and one-half percent (7.5%) to be filled by females.

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

Passed February 10, 1997.

Effective February 19, 1997.

REPRINT

Res. No. 236-97.

By Councilman Robinson.

An emergency resolution withdrawing objection to the stock transfer of a C1 and C2 Liquor Permit to 4025 East 131st Street, and repealing Res. No. 2064-96, objecting to said stock transfer.

Whereas, this Council objected to the stock transfer of a C1 and C2 Liquor Permit to 4025 East 131st Street by Res. No. 2064-96, adopted November 11, 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 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 stock transfer of a C1 and C2 Liquor Permit to 4025 East 131st Street be and the same is hereby withdrawn and Res. No. 2064-96, 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.

Adopted February 10, 1997.

Effective February 19, 1997.

Res. No. 237-97.

By Councilman Rybka.

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

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

Whereas, this resolution constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That it hereby declares its intention to vacate:

The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as;

Being all that portion of FORMAN AVENUE S.E. (40.00 feet wide), from the Northeasterly line of Broadway (60.00 feet wide), North-easterly to the Southwesterly line of Aetna Road S.E. (40.00 feet wide).

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

from and after the earliest period allowed by law.

Adopted February 10, 1997.

Effective February 19, 1997.

Paulenske, Vice Chrm.; Britt, Lewis, Melena, Patton, Smith. Excused: Coats, Willis.

Monday, February 24, 1997

Public Service Committee: 11:00 A.M. — Present: Coats, Chrm.; Melena, Smith, Sweeney, Westbrook, White. Excused: Britt, Johnson.

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

Wednesday, February 26, 1997

Aviation and Transportation Committee: 10:00 A.M. — Present: Smith, Chrm.; Paulenske, Vice Chrm.; Dolan, Patmon, Sweeney, Willis. Excused: White.

COUNCIL COMMITTEE MEETINGS

Thursday, February 20, 1997

Community and Economic Development Committee (Block Grant): 9:30 A.M. — Present: Jackson, Chrm.; Paulenske, Vice Chrm.; Britt, Coats, Lewis, Melena, Patton, Smith. Excused: Willis.

Friday, February 21, 1997

Community and Economic Development Committee (Block Grant): 9:30 A.M. — Present: Jackson, Chrm.;

Index to Council Proceedings

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

Banners

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City Council

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