

The City Record

Official Publication of the City of Cleveland

December the Fourth, Nineteen Hundred and Ninety-Six

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

Containing	PAGE
City Council	3
The Calendar	11
Board of Control	11
Civil Service	15
Board of Zoning Appeals	15
Board of Building Standards and Building Appeals	16
Public Notices	18
Public Hearings	18
City of Cleveland Bids	18
Adopted Resolutions and Ordinances	19
Committee Meetings	27
Index	27

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Record



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Vol. 83

WEDNESDAY, DECEMBER 4, 1996

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CITY COUNCIL

MONDAY, DECEMBER 2, 1996

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio December 2, 1996.
The meeting of the Council was called to order, the President, Jay Westbrook in the chair.

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

Also present were Mayor White and Directors Sobol Jordan, Carmody, Konicek, Cunningham, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, and Acting Directors Holland, Axelrod.

Absent: Directors Guzman, Morrison, Willis and Acting Director Alexander.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Father Jerry Stinbuerunner of St. Adalbert Catholic Church. Pledge of Allegiance.

MOTION

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

OATH OF OFFICE

File No. 2164-96.

Oath of Office for Gary L. Holland, Acting Executive Director of Community Relations Board for the City of Cleveland. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 2165-96. Bill Martin.

Res. No. 2166-96. Cheryl A. Moton.

Res. No. 2167-96. Ruth Miller.

Res. No. 2168-96. Thomas Cook.

Res. No. 2169-96. Elwood Weston, Sr.

Res. No. 2173-96. Bill McKay.

CONGRATULATORY RESOLUTIONS

The rules were suspended and the following Resolutions were adopted

without objection:

Res. No. 2170-96. St. Timothy Missionary Baptist Church.

Res. No. 2171-96. Rev. Paul M. Marshall.

RESOLUTION OF RECOGNITION

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

Res. No. 2172-96. Bracy E. Lewis.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 2145-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of processing, transferring and marketing collected recyclable materials, for the Division of Waste Collection and Disposal, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written 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 processing, transferring and marketing recyclables collected through the Blue Bag program 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 Waste Collection and Disposal, 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 23154)

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. 2146-96.

**By Councilmen Jackson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Franklin Circle Inn, Ltd., or their designee, to provide economic development assistance to partially finance the acquisition of furniture, fixtures, and equipment needed to develop a bed and breakfast inn located in Ohio City, Cleveland, Ohio.**

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with the Franklin Circle Inn, Ltd., or their designee, to provide economic development assistance to partially finance the acquisition of furniture, fixtures, and equipment needed to develop a bed and breakfast inn located in Ohio City, Cleveland, Ohio.

Section 2. That the terms of said loan shall be determined by the Director of Economic Development in accordance with the terms as set forth in the Executive Summary contained in File No. 2146-96-A.

Section 3. That the costs of said contract shall not exceed Fifty Thousand Dollars (\$50,000.00), and shall be paid from Fund No. 17 SF 003, Request No. 22276.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 005.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 17 SF305, Loan Fees Fund.

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

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

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

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

Ord. No. 2147-96.

**By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract for the layout, printing and distribution of a flight guide, for the Department of Port Control, for a period not to exceed two years.**

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items for the layout, printing and distribution of the flight guide 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 Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22556)

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. 2148-96.

**By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to maintain and repair various keycard systems and closed circuit television equipment, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years.**

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22558)

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. 2149-96.

**By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to install airfield security equipment, for the Division of Cleveland Hopkins International Airport, Department of Port Control.**

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to install airfield security equipment, including but not limited to cameras, fencing, monitors, recording devices and con-

trols, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 22559.

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. 2150-96.
By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide services necessary for the design, layout, printing, and/or other marketing, advertising and designing services for various publications, for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized 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 for the design, layout, printing, and/or other marketing, advertising and designing services for various publications, for the Department of Port Control.

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

Section 2. That the contract or contracts authorized herein shall be awarded not later than December 31, 1997.

Section 3. That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 22560.

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

Referred to Directors of Port Con-

trol, Finance, Law; Committees on Aviation and Transportation, Finance.

Ord. No. 2151-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of disposal of catch basin debris at a sanitary landfill, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23008)

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

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

Ord. No. 2152-96.
By Councilmen Robinson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment.

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

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

Section 1. That the Director of Public Health is hereby authorized and directed to apply for and accept grants in the approximate amount of \$554,927 from the U.S. Environmental Protection Agency and \$1,299,624 from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment in accordance with the purposes set forth in the respective application; that the Director of Public Health is hereby authorized and directed to file all papers and execute all documents necessary to apply for and receive the funds under said grants; and that said funds be appropriated for the purposes set forth in the application for said grants.

Section 2. That the applications for said grant, File No. 2152-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects, including the obligation of the City of Cleveland to provide in cash matching funds in the sum of \$377,413, from Fund No. 01-50-06-0901 in order to receive the grant from the U.S. Environmental Protection Agency.

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. 2153-96.
By Councilmen Robinson and Rokakis (by departmental request).
An emergency ordinance to amend the title and Section 2 of Ordinance No. 269-95, passed February 27, 1995; to supplement said ordinance by adding new Sections 4 and 5; and to renumber existing Section 4 to new Section 6, relating to the 1997-99 Lead-based Paint Hazard Control 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 title and Section 2 of Ordinance No. 269-95, passed February 27, 1995, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the U.S. Department of Housing and Urban Development for the 1997-99 Lead-based Paint Hazard Control Program, and authorizing said director to enter into contracts with various community-based organizations and authorizing one or more contracts with Cleveland Housing Network to implement the program.

Section 2. That the application for said Grant, File No. 269-95-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 2. That the existing title and Section 2 of Ordinance No. 269-95, passed February 27, 1995, are hereby repealed.

Section 3. That Ordinance No. 269-95, passed February 27, 1995 is here-

by supplemented by adding new Sections 4 and 5 to read, respectively, as follows:

Section 4. That the Director of Public Health is hereby authorized and directed to make written contracts with various community-based organizations for implementation of the 1997-99 Community Lead Exposure Prevention Project (CLEPP), which is part of the Lead-based Paint Hazard Control Program, with the total sum of all contracts not exceeding \$1,053,132, payable from the fund or funds to which are credited the proceeds of the grant accepted pursuant to Ordinance No. 269-95, passed February 27, 1995.

Section 5. That the Director of Public Health is hereby authorized and directed to make one or more written contracts with the Cleveland Housing Network to implement a joint residential lead abatement project, in an amount not to exceed \$408,000, payable from fund or funds to which are credited the proceeds of the grant accepted pursuant to Ordinance No. 269-95, passed February 27, 1995.

Section 4. That existing Section 4 of Ordinance No. 269-95, passed February 27, 1995, is hereby renumbered to new Section 6.

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

Ord. No. 2154-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance approving the collective bargaining agreement with The Cleveland Police Patrolmen's Association (CPPA - Uniform).

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with The Cleveland Police Patrolmen's Association (CPPA - Uniform) set forth in File No. 2154-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

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

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

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committee on Finance.

Ord. No. 2156-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance approving the collective bargaining agreement with Local 244.

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with Local 244 (seasonal drivers) set forth in File No. 2156-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

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

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committee on Finance.

Ord. No. 2157-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance approving the collective bargaining agreement with The Cleveland Police Patrolmen's Association (CPPA - Civilian).

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

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

Section 1. That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with The Cleveland Police Patrolmen's Association (CPPA - Civilian) set forth in File No. 2157-96-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

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

Section 2. That this ordinance is

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committee on Finance.

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 2158-96.

By Councilmen Melena, 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 1284 West 87th Street, Cleveland, Ohio.

Whereas, the Council of the City of Cleveland, by Ordinance No. 1444-A-88, passed June 18, 1990, approved and adopted Chapter 324 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to the elimination of spot blight; and

Whereas, pursuant to the authority of Chapter 324 of the Codified Ordinances of Cleveland, Ohio, 1976, the Council of the City of Cleveland approved and passed Ordinance No. 2314-93, passed June 13, 1994, wherein Council found and determined that Permanent Parcel No. 001-09-036 located at 1284 West 87th Street, Cleveland, Ohio are blighted premises and that the acquisition and redevelopment and/or rehabilitation of the blighted premises is necessary in order to eliminate the blight and prevent its recurrence; and

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

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

Section 1. That for the public purpose of eliminating blight and preventing the recurrence of blight in the neighborhood surrounding the blighted premises located at 1284 West 87th Street through acquisition and redevelopment and/or rehabilitation, it is necessary to appropriate in fee simple the blighted premises, and the Council does hereby declare its intent to appropriate such fee simple interest in and to the following described blighted premises:

1284 West 87th Street

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 24 in E.F. Davis and Henry Grombacher's Allotment of a part of Original Brooklyn Township Lots Nos. 11 and 12, as shown by the recorded plat in Volume 14 of Maps, Page 47 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 87th Street (formerly Mecca Street), and extending back 96.36 feet on the Northerly line, 96.37 feet on the Southerly line, and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Finance is hereby authorized and directed to cause written notice of the adoption of this resolution to be given to the owners, persons in possession or having an interest of record in the above-described blight-

ed premises, and such notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 2155-96.

By Councilman Willis.

An emergency resolution urging satisfactory resolution of the issues involved in contract negotiations at The Cleveland Orchestra.

Whereas, The Cleveland Orchestra is internationally recognized as one of the finest symphony orchestras in the world and continues to be a source of pride and a cultural gemstone for the City of Cleveland and the State of Ohio; and

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

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

Section 1. That this Council urges the parties involved in The Cleveland Orchestra contract negotiations to reach a satisfactory agreement for all involved in order for this City's cultural gemstone to continue making music.

Section 2. That the Clerk of Council transmit a copy of this resolution to Thomas W. Morris, Executive Director of The Cleveland Orchestra, Richard J. Bogomolny, President of The Musical Arts Association and Richard Weiner, a member of Local 4 of AFM.

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

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

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

Res. No. 2159-96.

By Councilman Melena.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 5901 Detroit Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 4500904, Kashou Enterprises Inc., dba Savers Bi-Rite, 5901 Detroit Avenue, Cleveland, Ohio 44102, to

Permit No. 4103044, I & R Enterprises Inc., dba Gordon Square Food Centre, 5901 Detroit Avenue, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 4500904, Kashou Enterprises Inc., dba Savers Bi-Rite, 5901 Detroit Avenue, Cleveland, Ohio 44102, to Permit No. 4103044, I & R Enterprises Inc., dba Gordon Square Food Centre, 5901 Detroit Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 2160-96.

By Councilman Patmon.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 9301 Yale Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 0192436, Sarah Anderson, dba Anderson's BBQ & Groceries, 9301 Yale Avenue, 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 issuance of a C1 Liquor Permit to Permit No. 0192436, Sarah Anderson, dba Anderson's BBQ & Groceries, 9301 Yale Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 2161-96.
By Councilman Rokakis (by departmental request).

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 2071 Broadview Road, first floor and basement, and repealing Res. No. 1530-96, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 Liquor Permit to 2071 Broadview Road, first floor and basement, by Res. No. 1530-96, 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 D5 Liquor Permit to 2071 Broadview Road, first floor and basement, be and the same is hereby withdrawn and Res. No. 1530-96, 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 2162-96.
By Councilmen Robinson, Westbrook, Miller, Britt, Jackson, Melena, O'Malley, Zonc, Willis, Rybka, Smith, Patton, Patmon, White, Coats, Rokakis, Miller and Johnson.

An emergency resolution urging Governor George Voinovich and the Ohio General Assembly to support a \$4,000,000 increase in the Ohio Department of Health's 1998-1999 HIV Drug Assistance budget for protease inhibitors.

Whereas, there are 1,400 citizens of Cleveland's neighborhoods currently living with AIDS; and

Whereas, AIDS is the number one cause of death in Cuyahoga County in people between 25 and 44; and

Whereas, AIDS has stricken men, women and children of all races, all economic levels, all religions, in cities and rural areas all over Ohio; and

Whereas, the Ohio Department of Health's AIDS Drug Advisory Committee, composed of physicians and health care professionals, view the inclusion of protease inhibitors in the overall AIDS program as an absolute necessity; and

Whereas, these protease inhibitors have all been approved by the U.S. Food and Drug Administration and are widely praised by physicians and scientists at the International AIDS Conference; and

Whereas, Ohio's HIV Drug Assistance Program is the only state government assistance program that does not include protease inhibitors and the only state among those with the highest number of AIDS cases, that does not cover protease inhibitors in its HIV Drug Assistance Program; and

Whereas, Ohio's failure to include the protease inhibitors in its program may cause Ohio to forfeit new Ryan White funds in the amount of \$5,000,000; and

Whereas, the evidence so far on protease inhibitors is that these therapies are providing improved overall quality of life for its participants and it may even reduce the cost of in-patient health care services; and

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

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

Section 1. That this Council strongly supports a \$4,000,000 increase in the Ohio Department of Health's 1998-1999 HIV Drug Assistance budget for the purpose of providing protease inhibitors therapies to patients unable to afford these medications and where their physician deems the therapy as medically appropriate.

Section 2. That the Clerk of Council be and she hereby is directed to transmit copies of this resolution to Governor George Voinovich, State Senators Finan and Espy, State Representatives Davidson and Sweeney and all members of the Greater Cleveland delegation.

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

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

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

Res. No. 2163-96.
By Councilmen Rybka, Coats, McGuirk, Patton, Rokakis, Johnson, Miller, Robinson, Smith and Westbrook.

An emergency resolution to urge the U.S. Congress support certain principles and re-authorize funding for the Intermodal Surface Transportation Efficiency Act (ISTEA).

Whereas, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) was created in part to distribute federal transportation funds on a regional basis, to efficiently address the diverse regional demands for transportation infrastructure; and

Whereas, the U.S. Department of Transportation identifies the Surface Transportation Program "provided unprecedented flexibility to state and local officials and helped assure that transportation investments would meet the unique needs of their communities;" and

Whereas, the major findings of a Cleveland State University study for the Greater Cleveland Growth Association regarding surface trans-

portation issues in Greater Cleveland include the need for integration of surface transportation planning with other transportation decisions for cost effective intermodal linkages, and more consistency between regional transportation decisions, and regional economic development strategies; and

Whereas, ISTEPA empowered the Northeast Ohio Areawide Coordinating Agency (NOACA) as the metropolitan planning organization (MPO) responsible for planning and distributing federal transportation funds in Greater Cleveland; and

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

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

Section 1. That this Council strongly urges our local federal representatives to support the reauthorization of the Intermodal Surface Transportation Efficiency Act so that it may: 1) Further strengthen the role of MPOs such as NOACA in the area of regional planning and the distribution of federal transportation funds, and 2) Promote intermodal transportation linkages, and 3) That priority be given to the maintenance of existing infrastructure.

Section 2. The Clerk of Council transmit copies of this resolution to U.S. Senators John Glenn and Michael DeWine and U.S. Representatives Louis Stokes, Steven LaTourette, Sherrod Brown, Martin Hoke and U.S. Representative-Elect Dennis Kucinich.

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1310-96.
By Councilmen Polensek, McGuirk and Rybka (by departmental request).

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

Approved by Directors of Public Safety, City Planning Commission, Finance, Law; Recommended by Committees on Public Safety, Legislation, Aviation and Transportation, Finance.

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

Ord. No. 1462-96.
By Councilmen Robinson, Jackson, and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contract with Mt. Pleasant Now Development

Corporation, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the rehabilitation of the K.A.R.E. Building at 13010-16 Kinsman Road.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance, when amended as follows:

1. Strike Sections 2 and 4 in their entirety and insert in lieu thereof the following:

"Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1462-96-A.

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

Amendment agreed to.

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

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

Ord. No. 1752-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Eagle Engineering & Manufacturing, Inc., or its designee, to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to expand its facilities to 6501 Barberton Avenue located in the Cleveland Area Enterprise Zone.

Approved by Directors of Economic Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance, when amended as follows:

1. In the title, line 10 and in Section 2, line 6, strike "6501 Barberton Avenue" and insert in lieu thereof **"4540 West 160th Street"**.

Amendment agreed to.

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

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

Ord. No. 1754-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into a concession agreement with The Ohio College of Podiatric Medicine to provide podiatric services at City health centers.

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

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

Ord. No. 1788-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1358 East 88 Street to Yucon Harris.

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

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

Ord. No. 1789-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1787 Crawford Road to Lovell and Constance Whitaker.

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

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

Ord. No. 1790-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1315-17 East 75 Place to Willie D. Sims.

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

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

Ord. No. 1791-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9731 Woodward Avenue to Ida Mason.

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

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

Ord. No. 1792-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1412 East 84 Street to V. O. Frazier and Lucy Frazier.

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

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

Ord. No. 1797-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Even Cut Abrasive Company, or its designee, to provide economic development assistance to partially finance the acquisition and renovation of a building located at 850 East 72nd Street and the acquisition and partial demolition of adjacent property, in Cleveland, Ohio.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance, when amended as follows:

1. In Section 7, line 3, after the period, insert a new sentence to read as follows:

"Such contract shall contain a condition that, prior to arrangements for electric service for its expanded facilities, Even Cut Abrasive Company shall solicit a proposal from Cleveland Public Power to provide electric service to such facilities."

Amendment agreed to.

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

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

Ord. No. 1798-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed two spectrum analyzers, for the Division of Environment, Department of Public Health.

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

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

Ord. No. 1833-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Service to employ software development, engineering and data processing consultants to provide professional services necessary to design, develop and implement the Geographic Information System and related record management systems and authorizing the purchase of equipment, materials, and supplies necessary to develop such systems for the Department of Public Service.

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

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

Ord. No. 1836-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1328 Ansel Road to Leonzie Smith.

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

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

Ord. No. 1839-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1487 East 71 Street to George Thomas.

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

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

Ord. No. 1840-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1228 East 84 Street to Henry and Rosetta Barksdale.

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

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

Ord. No. 1841-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6906 Quincy Avenue to Clara M. Gardner.

Approved by Directors of Community Development, Finance, Law; Recommended by Committees on Community and Economic Development, Finance, when amended as follows:

1. In the title, line 4, strike "Quincy" and insert in lieu thereof "**Quimby**".

Amendment agreed to.

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

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

Ord. No. 1889-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Ryan White Planning and Evaluation Project, and to enter into contract with Case Western Reserve University to implement the program.

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

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

Ord. No. 1890-96.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a Pilot and Demonstration Program grant

under Title IV Part D of the Job Training Partnership Act from the U.S. Department of Labor and enter into a contract with Youth Opportunities Unlimited for the Quantum Opportunities Project.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance.

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

Ord. No. 1891-96.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into various contracts for Training Services For The Disadvantaged and Employment and Training Assistance For Dislocated Workers under the Job Training Partnership Act.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affirmative Action and Training, Finance, when amended as follows:

1. In Section 2, lines 1 and 2, strike "Six Hundred Forty Six Thousand Seven Hundred Twenty Dollars (\$646,720.00)" and insert in lieu thereof the following: "**Nine Hundred Ninety Eight Thousand Eight Hundred Forty One Dollars (\$998,841.00)**".

Amendment agreed to.

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

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

Ord. No. 1933-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract without competitive bidding with Pitney Bowes for maintenance of one mail inserter system, for the Division of Water, Department of Public Utilities.

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

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

Ord. No. 1934-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials to maintain and repair elevators at various plants and facilities, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

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

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

Ord. No. 1936-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to haul and dispose of water plant residuals, for

the Division of Water, Department of Public Utilities, for a period not to exceed two years.

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

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

Ord. No. 1939-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of meals served to prisoners at the Police Justice Center and various district jails, for the Division of Police, Department of Public Safety, for a period not to exceed two years.

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

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

Ord. No. 1970-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

Ord. No. 1973-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of towing services for City vehicles and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Ord. No. 1974-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

Ord. No. 1978-96.

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

An emergency ordinance authorizing the Director of Community Development to enter into contract with Famicos Foundation, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the conversion of the

Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road.

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

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

Ord. No. 1979-96.

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

An emergency ordinance authorizing the Director of Community Development to apply for a Section 108 Loan from the United States Department of Housing and Urban Development in order to provide economic assistance to partially finance the conversion of the Notre Dame School into housing units for the elderly and to create retail and office space at 1325 Ansel Road with Famicos Foundation, or its designee, to provide economic development assistance for said conversion.

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

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

Ord. No. 1982-96.

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 National Institute of Justice for the Law Enforcement Technology Development Program.

Approved by Directors of Public Safety, Finance, Law; Recommended by Committees on Public Safety, Finance, when amended as follows:

1. After Section 1, insert new Section 2 to read as follows:

Section 2. "That the Director of Public Safety may enter into direct or competitively bid contracts in accordance with the Charter and Codified Ordinances with various persons or entities for any item or materials or services needed to carry out the purposes set forth in the application for this grant. The funding source for these contracts shall be the funds appropriated in Section 1 of this ordinance and may also include any other monies that may have been appropriated for such purposes."

2. Renumber existing Sections 2 and 3 to read "Section 3" and "Section 4", respectively.

Amendments agreed to.

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

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

Ord. No. 1983-96.

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 for the Problem Solving Partnership Grant.

Approved by Directors of Public Safety, Finance, Law; Recommended by Committees on Public Safety, Finance, when amended as follows:

1. After Section 1, insert new Section 2 to read as follows:

Section 2. "That the Director of

Public Safety may enter into direct or competitively bid contracts in accordance with the Charter and Codified Ordinances with various persons or entities for any item or materials or services needed to carry out the purposes set forth in the application for this grant. The funding source for these contracts shall be the funds appropriated in Section 1 of this ordinance and may also include any other monies that may have been appropriated for such purposes."

2. Renumber existing Sections 2 and 3 to read "Section 3" and "Section 4", respectively.

Amendments agreed to.

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

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

LAID ON THE TABLE

Ord. No. 1622-96.

By Councilman Zone.

An ordinance to change the Use, Area, and Height Districts of lands on the west side of West Boulevard north of Lorain Avenue and to establish a specific 35' Setback Building line from the northerly line of said parcel to be changed to the northerly line of Lorain Avenue on West Boulevard. (Map Change No. 1917, Sheet Nos. 1 & 2)

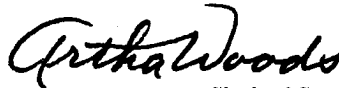
Without objection, Ordinance No. 1622-96 was Laid on the Table, pursuant to the rules of Council.

MOTION

By Councilman Rokakis, seconded by Councilman Polensek and unanimously carried, that the absence of Councilman Roosevelt Coats and Councilman David McGuirk be and is hereby authorized.

MOTION

The Council adjourned at 8:15 p.m. to meet on Monday, December 16, 1996 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

November 27, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 27, 1996, at 11:00 a.m., with Acting Director Terry presiding.

Present: Acting Directors Terry, Carmody, Director Konicek, Acting Director Waldron, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Absent: Mayor White.

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

On motion, the following resolutions were adopted.

Resolution No. 847-96.

By Acting Director Carmody.
Resolved, by the Board of Control of the City of Cleveland that the bid of Interstate Gas Supply for an estimated quantity of Natural Gas (All Items) (Total price per MCF - Gas Broker) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 1st day of November, 1996, pursuant to the authority of Ordinance No. 90-95, passed February 13, 1995, which on the basis of the estimated quantity would amount to One Million Nine Hundred Twenty-Eight Thousand Three Hundred Thirty-Five and 94/100, Dollars, (\$1,928,335.94), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 80896

which shall be certified against such contract in the sum of One Hundred Dollars, (\$100,000.00).

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: Acting Directors Terry, Carmody, Director Konicek, Acting Director Waldron, Directors Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 848-96.

By Acting Director Carmody.
Resolved by the Board of Control of the City of Cleveland that the bid of DecisionOne Corporation for the following: Maintenance for a Mainframe Computer System (all items) Except for such terms and conditions which are not acceptable to the Director of Law, for a period of one (1) year beginning with the date of execution of a contract with an option to renew for an additional one (1) year term, for the Division of Information Systems Services, Department of Finance, received on the 2nd day of May, 1996, pursuant to the authority of Ordinance No. 158-96, passed March 4, 1996, which on the basis of order quantity would amount to \$116,893.00, (2% 30 Days), is hereby approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into contract for such items.

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

Nays: None.
Absent: None.

Resolution No. 849-96.

By Director Guzman.
Resolved, by the Board of Control of the City of Cleveland that the bid of Haygood Limited Partnership dba Truckpro for an estimated

quantity of various automotive and truck parts 2, (7 part A, B, E) (11 part A, B) (12 medium to heavy duty truck) (14 part C only) (16 medium to heavy duty trucks) (17 part A, B) 21, 22, 27, 28, 30, (32 medium to heavy duty trucks) 33 and 44 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 1st day of November, 1996, pursuant to the authority of Ordinance No. 1015-96, passed June 18, 1996, which on the basis of the estimated quantity would amount to approximately One hundred twenty three thousand and no/100 Dollars, (\$123,000.00), (Net 10 Prox), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 092029 which shall be certified against such contract in the sum of Fifteen thousand and no/100 Dollars, (\$15,000.00).

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

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

Nays: None.
Absent: None.

Resolution No. 850-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Ignition Co. for an estimated quantity of various automotive and truck parts 1, (4 part A, B, C) (5 part A, B) 19 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 1st day of November, 1996, pursuant to the authority of Ordinance No. 1015-96, passed June 18, 1996, which on the basis of the estimated quantity would amount to approximately Eighty six thousand and no/100 Dollars, (\$86,000.00), (2% 10 Prox), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 092024 which shall be certified against such contract in the sum of Eight thousand and no/100 Dollars, (\$8,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods and/or services, whether more or less than said estimated quantity,

as may be ordered under subsequent requisitions separately certified against said contract.

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

Nays: None.
Absent: None.

Resolution No. 851-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of H & H Wheel Service Detroit, Inc. for an estimated quantity of various automotive and truck parts (6 part B, C, D, E) 8, 9 (12 automotive light trucks and vans) 13, (36 part A) 37 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 1st day of November, 1996, pursuant to the authority of Ordinance No. 1015-96, passed June 18, 1996, which on the basis of the estimated quantity would amount to approximately One hundred two thousand and no/100 Dollars, (\$102,000.00), (2% Net 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 092022 which shall be certified against such contract in the sum of Eight thousand and no/100 Dollars, (\$8,000.00).

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

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

Nays: None.
Absent: None.

Resolution No. 852-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Carquest Tower, Auto Parts Div. of General Parts, Inc. for an estimated quantity of various automotive and truck parts 3, (6 part A) (16 auto light trucks and vans) (17 part C) 18, (20 part A, B) 23, 24, 26, 31 (32 auto light trucks and vans) 35, (36 part B) 39, 43, 45 and 46 for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 1st day of November, 1996, pursuant to the authority of Ordinance No. 1015-96, passed June 18, 1996, which on the basis of the estimated quantity would amount to approximately One Hundred Seventy One Thousand thousand and no/100 Dollars, (\$171,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a require-

ment 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. 092028 which shall be certified against such contract in the sum of Twenty one thousand and no/100 Dollars, (\$21,000.00).

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

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

Nays: None.
Absent: None.

Resolution No. 853-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Jalco Truck Products dba Admiral Truck Parts for an estimated quantity of various automotive and truck parts (7 part B, D) Items 10, 15, 25, 29 and 34) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 1st day of November, 1996, pursuant to the authority of Ordinance No. 1015-96, passed June 18, 1996, which on the basis of the estimated quantity would amount to approximately One Hundred Thousand and no/100 Dollars, (\$100,000.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 092023 which shall be certified against such contract in the sum of Fifteen thousand and no/100 Dollars, (\$15,000.00).

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

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

Nays: None.
Absent: None.

Resolution No. 854-96.

By Director Staib.

Resolved by the Board of Control of the City of Cleveland that the bid of Integrated Business Supplies for the following: Computer equipment and supplies (all items) for the Division of Environment-Air Pollution Control, Department of Public Health, received on the thirtieth day of October, 1996, pursuant to the authority of Ordinance No. 2106-95,

passed December 18, 1995, which on the basis of order quantity would amount to \$29,905.00 (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Health is hereby requested to enter into contract for such items.

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

Nays: None.

Absent: None.

Resolution No. 855-96.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Mid-Air Construction Co. for the public improvement of Masonry Restoration at Engine-house #9 for the Division of Property Management, Department of Parks, Recreation and Properties, received on September 18, 1996, pursuant to the authority of Ordinance No. 1028-93, passed June 7, 1993, for a gross price, for the improvement in the aggregate amount of Eighteen Thousand, Seven Hundred Fifty and 00/100ths (\$18,750.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

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

Nays: None.

Absent: None.

Resolution No. 856-96.

By Director Spellman.

Whereas, pursuant to Section 133.24 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Parks, Recreation and Properties may, with the approval of the Board of Control, allow an entity to maintain, improve, and adopt real property belonging to the City and not in charge of another department; and

Whereas, the City is the owner of certain real property located at East Ninth and Rockwell and known as Rockwell City Park; and

Whereas, the 1460 Ninth Street Associates, Ltd. has expressed an interest in improving and maintaining this property for the enjoyment of the general public; and

Whereas, it is in the best interests of the City to enter into an agreement to arrange for the improvement and maintenance of this property by the 1460 Ninth Street Associates, Ltd.

Now, therefore, be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Section 133.24 of the Codified Ordinances of the City of Cleveland, Ohio 1976, the Director of Parks, Recreation and Properties is hereby authorized to enter into and agreement allowing the 1460 Ninth Street Associates, Ltd. to improve and maintain the adopted property located at East Ninth and Rockwell and known as Rockwell City Park, for a one (1) year period of time beginning January 1, 1997, to be automatically renewed from year to year for additional periods of one (1) year each, subject to revocation at will of the Director.

Be it further resolved that, pur-

suant to said Section 133.24, the adoption of said property shall not be construed as the conveyance of any right, title or interest in public property, but merely as a grant of privilege, revocable at the will of the Director, to perform all routine maintenance and to make only such improvements as are approved by said Director.

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

Nays: None.

Absent: None.

Resolution No. 857-96.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that all bids received on June 7, 1996 for One (1) Cab and Chassis with Hydraulic Log Grapple Crane (All Items) for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, pursuant to the authority of Ordinance No. 202-96, passed by the Council of the City of Cleveland on February 26, 1996, be and the same are hereby rejected.

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

Nays: None.

Absent: None.

Resolution No. 858-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 125-12-012 located at 3041 East 65 Street in Ward 12; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Broadway Area Housing Coalition, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Broadway Area Housing Coalition for the sale

and development of Permanent Parcel No. 125-12-012 located at 3041 East 65 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

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

Nays: None.

Absent: None.

Resolution No. 859-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 016-14-032 located at 4521 Clark Avenue in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Billy J. and Oshia Holcomb, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Billy J. and Oshia Holcomb for the sale and development of Permanent Parcel No. 016-14-032 located at 4521 Clark Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

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

Nays: None.

Absent: None.

Resolution No. 860-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 007-26-009 located at 3055 Seymour Avenue in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Lydia Rivera, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Lydia Rivera for the sale and development of Permanent Parcel No. 007-26-009 located at 3055 Seymour Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

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

Nays: None.

Absent: None.

Resolution No. 861-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 016-13-101 located at 4712 Bragdon in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions

have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Steven Douglas Brown and Jean Brown, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Steven Douglas Brown and Jean Brown for the sale and development of Permanent Parcel No. 016-13-101 located at 4712 Bragdon, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

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

Nays: None.

Absent: None.

Resolution No. 862-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 128-11-063 located at 2838 East 102 Street in Ward 4; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Ronald W. Pollard, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 4 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that

pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Ronald W. Pollard for the sale and development of Permanent Parcel No. 128-11-063 located at 2838 East 102 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

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

Nays: None.

Absent: None.

Resolution No. 863-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 102-19-047 located at 1430 East 34 Street in Ward 13; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Sophie Yetz, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 13 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Sophie Yetz for the sale and development of Permanent Parcel No. 102-19-047 located at 1430 East 34 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

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

Nays: None.
Absent: None.

Resolution No. 864-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 007-21-128 located at 3430 Erin Avenue in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Bobby G. Cuevas, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Bobby G. Cuevas for the sale and development of Permanent Parcel No. 007-21-128 located at 3430 Erin Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

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

Nays: None.
Absent: None.

Resolution No. 865-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 007-17-038 located at 2631 West 41 Place in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Edward Earl Griffin, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of said parcel is neither tax delinquent nor in violation of the Building and Housing Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Edward Earl Griffin for the sale and development of Permanent Parcel No. 007-17-038 located at 2631 West 41 Place, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

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

Nays: None.
Absent: None.

Resolution No. 866-96.

By Director Warren.

Whereas, pursuant to Ordinance No. 1102-91 passed by the Council of the City of Cleveland on June 10, 1991 the Director of Economic Development entered into an Enterprise Zone Agreement (the "Agreement") with LDI Corporation (the "Enterprise"), City Contract No. 43781, to provide said Enterprise with tax abatement on certain real property improvements to be made to the Enterprise's building located at 4770 Hinckley Industrial Parkway, Cleveland, Ohio 44109 (the "Facility"); and

Whereas, Section 6 of the Agreement allows assignment of the Agreement with the prior written consent of the Board of Control of the City of Cleveland; and

Whereas, Charter One Bank F.S.B. has executed a Purchase Agreement with the Enterprise to purchase the Facility and has requested an assignment of the tax abatement granted to the Enterprise under the Agreement, creating jobs and capital investment at the Facility; now therefore,

Be it resolved, by the Board of Control of the City of Cleveland that said Board hereby consents to an assignment of City Contract No.

43781 to Charter One Bank F.S.B.

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

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 16, 1996

9:30 A.M.

Calendar No. 96-127: 1519 Lakeview Rd., N.E.

Lemaud Williams, owner, to use for food preparation (catering) the 66' x 100' two-story masonry building on the middle portion of the irregular shaped acreage parcel located in a Two Family and Semi-Industry District and occupied by other buildings of the nonconforming former wholesale bakery operation and known as 1519 Lakeview Rd. (partly in the City of East Cleveland); said use being contrary to the residence limitations of Section 337.03 but subject to the substitution provisions of Section 359.01 and said premises not to conform to the landscaping provisions of Sections 352.07, 352.08, 352.09, and 352.11 of the Codified Ordinances.

Calendar No. 96-225: 4341 Rocky River Dr., S.W.

Mavroidis Mavroidis, owner, and Joseph DiMauro, tenant, to convert to a beauty salon the southerly 25' x 50' of the 50' x 50' one story nonconforming masonry former grocery store building on a 60' x 186' irregular shaped corner lot located in a Two Family District on the southeast corner of Rocky River Dr. and

Laverne Ave. and known as 4341 Rocky River Dr.; said use as beauty salon being contrary to the two family residence use limitations of Section 337.03 but subject to the substitution provisions of Section 359.01 and said premises not conforming to the landscaping provisions of Sections 352.08, 352.09, 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 96-226: Appeal of Metropolis Industrial Gas and Chemical Co.

Metropolis Industrial Gas and Chemical Co., appeals, under authority of Section 76-6 of the Charter of the City of Cleveland from the refusal to certify as a Minority Business Enterprise by Linda Willis, Director, Office of Equal Opportunity.

Calendar No. 96-227: 934 E. 105 St.

Apostolic Faith Church Inc. c/o Rev. Garry Washington, appeals, under authority of Section 76-6 of the Charter of the City of Cleveland and Sections 329.01(e) and 329.02(d) of the Codified Ordinances from the refusal to approve a lot consolidation and lot split for the 45' x 141' and 40' x 141' sublots located in a Local Retail District and known as 934 E. 105 St.; said refusal being by the Commissioner of Engineering and Construction and the Director of City Planning, based upon the authority of Section 349.01 and Section 355.04 of the Codified Ordinances.

Calendar No. 96-229: 17400 Lorain Ave., S.W.

Kamms Plaza Shopping Center, owner, c/o James A. Carney, and Eastern Tax Service Inc. dba H&R Block, tenant, c/o Mark Kuharcik, to use for business offices (tax services) the 33' x 58' store unit in the "Kamms Plaza" shopping center on an irregular shaped acreage through parcel located in a Shopping Center District at 17400 Lorain Ave. and extending through to Rocky River Dr.; said business offices, having more than the maximum 5 employees, contrary to the use limitations of Sections 343.04 and 343.01 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 2, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, November 25, 1996, the following appeals were heard by the Board, and decided on Monday, December 2, 1996.

The following appeals were **Granted:**

Calendar No. 96-205: 3052 Martin Luther King Jr. Dr., S.E.
Isalyn A. Campbell, owner, to erect approximately 213' of high chain link fence.

Calendar No. 96-197: 8022 Broadway, S.E.

D Home Center Co., owner, c/o Don Richmond, to erect two 75' x 30' storage buildings. (Conditional Grant).

Calendar No. 96-209: 22710 Walton Ave., S.W.

Georg Abukamov, owner, and Volunteers of America, prospective purchaser, c/o Dennis Kresak, to convert to a dormitory.

The following appeals were **Refused:**

Calendar No. 96-202: 19515 Woodland Avenue, S.E.

Atlas Lederer Co., c/o Harold DeStefanis, appealed, under authority of Sections 329.01 and 329.02, from the "Notice of Violation".

Calendar No. 96-204: 17212 Lorain Avenue

Kamms Plaza Shopping Center owner, c/o Arthur B. McBride Jr., and Shell Oil Co., tenant, c/o Mark Garcia, to erect an 18' x 50' one story car wash building and a 8' x 50' support building and make other exterior modifications.

Calendar No. 96-185: 1944 W. 48th St.

Concepcion Perez and Iris Perez, owners, to convert to a day care center.

The following appeals were **Postponed:**

Calendar No. 96-206: 3475 Ridge Road to December 16, 1996.

Calendar No. 96-207: 5701 Harvard Ave., S.E. to December 16, 1996.

The following appeal's prior motions were **Withdrawn and Postponed:**

Calendar No. 96-213: 9606-08 Miles Avenue, S.E. to December 23, 1996.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
November 27, 1996

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

* * *

Docket A-79-96.

RE: Continuance of Appeal of Limitless . . . Inc., Owner of the Residential Property located on the premises known as 578 East 140th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated April 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 REMAND the property at 578 East 140th Street to the Division of Building and Housing for further action, noting that there has been no action taken by the Appellant's to this date. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-132-96.

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1903 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1903 Cliffview Road to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-133-96.

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1905 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1905 Cliffview Road to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-134-96.

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1907 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1907 Cliffview Road to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-135-96.

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1909 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in

order at this time to REMAND the property at 1909 Cliffview Road to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-136-96.

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1915 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1915 Cliffview Road to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-137-96.

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1925 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1925 Cliffview Road to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-138-96.

RE: Appeal of Federal Home Loan Mortgage Corporation, Owner of the Property located on the premises known as 1935 Cliffview Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated July 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1935 Cliffview Road to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-190-96.

RE: Appeal of James Merklinger, Owner of the Residential Property located on the premises known as 13222 Courtland Avenue from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of

Building and Housing dated October 15, 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 to the ten foot (10 ft.) requirement and permit the pool to be installed three feet (3 ft.) from the adjacent property lines, noting the agreement of the rear neighbor. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

Docket A-192-96.

RE: Appeal of Marilyn Pfleger, Owner of the Property located on the premises known as 4629 Clark Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated August 14, 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 the violations, and to REMAND the property at 4629 Clark Avenue at this time to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

* * *

Docket A-193-96.

RE: Appeal of Federal Savings Bank, Mortgagee of the Residential Property located on the premises known as 3514 Muriel Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 19, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant thirty days (30 das.) in which to abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMAND to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket A-196-96.

RE: Appeal of Willie Averyheart, Owner of the Residential Property located on the premises known as 10607 Hudson Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated October

14, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-196-96 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-197-96.

RE: Appeal of Crossland Savings, Mortgagee of the Residential Property located on the premises known as 14205 Castalia Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated October 2, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant two months (2 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by February 11, 1997. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-205-96.

RE: Appeal of Hanna Lounge Inc., Owner of the Property located on the premises known as 12417-19 Superior Avenue from a CONDEMNATION ORDER - FIRE DAMAGE of the Commissioner of the Division of Building and Housing dated October 4, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant one month (1 mo.) in which to obtain permits and abate violations. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-210-96.

RE: Appeal of Mellon Mortgage Company fka Metmor Financial Inc., Mortgagee of the Residential Property located on the premises known

as 14509 Coit Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated November 1, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by requiring that the property be boarded and secured and the grounds debris free immediately, and to grant the Appellant forty-five days (45 das.) in which to convey the property to HUD. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket A-211-96.

RE: Appeal of The Alexander Co., Inc., Owner of the Property located on the premises known as 1200 West 9th Street from SUPPLEMENTARY CONDITIONS of the Commissioner of the Division of Building and Housing dated October 3, 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 two sources of power, as outlined by the Appellant, to provide and serve as emergency service to the building; with the provision that emergency exit lighting be provided with battery backup to allow exiting during the period of the outage. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-214-96.

RE: Appeal of Karl Gumsey, Owner of the Residential Property located on the premises known as 1046-48 Mozina Drive from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated November 19, 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 third floor to be occupied by family members only and no children, and to require that hardwired smoke detectors be installed throughout the house and a rope ladder be stored at the windows on the third floor to allow for emergency egress; this ruling is for the present family use only. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

Docket A-218-96.

RE: Appeal of The Osborn Engineering Company, Tenant of the Office Space located on the premises known as 1300 East 9th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated November 22, 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 installation of the 1/2 inch tempered glass and sprinklering on both sides to be the equivalent of a 20 minute fire protection rating. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-158-96—Lena Brown.
 - A-163-96—First Nationwide Mortgage Corporation.
 - A-167-96—Patricia A. Uhr.
 - A-168-96—Paul Kosowski.
 - A-172-96—Bernice Hauser.
 - A-174-96—Robert Kihm.
 - A-204-96—Redeemer Lutheran Church.
 - A-208-96—Case Western Reserve University.
- Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

APPROVAL OF MINUTES:

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

November 13, 1996

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

* * *

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

**Notice of Public Hearing
By the Council Committee
on City Planning**

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Monday, December 16, 1996
9:30 A.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Monday, December 16, 1996, at 9:30 A.M., to consider the following ordinances now pending in the Council:

Ord. No. 1620-96.

By Councilman Jackson.
An ordinance to change the Use, Area, and Height Districts of lands on the northerly side of Central Avenue, S.E. between E. 33 Street and E. 40 Street and the south side of Central Avenue, S.E. between E. 37 Street and E. 40 Street. (Map Change No. 1916, Sheet No. 5)

Ord. No. 1621-96.

By Councilman Patmon.
An ordinance establishing the Glenville Business Revitalization District. (Map Change No. 1914, Sheet Nos. 4, 8, & 9)

Ord. No. 1712-96.

By Councilman Lewis.
An ordinance to change the Use, Area, and Height Districts of lands on the westerly side of East 76 Place to approximately 212 feet west, and south of Superior Avenue. (Map Change No. 1918, Sheet No. 4)

Ord. No. 1944-96.

By Councilman Robinson.
An emergency ordinance to change the Use and Area Districts of lands on the east side of E. 131 Street between Southview Avenue, S.E. and Chapelside Avenue, S.E. (Map Change No. 1920, Sheet No. 10)

All interested persons are urged to be present or to be represented at the above time and place.

Edward W. Rybka,

Chairman
Committee on City Planning

December 4 and December 11, 1996

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids. Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

THURSDAY, DECEMBER 12, 1996

Doan Brook Detention Basin Phase III, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1942-92, passed by the Council of the City of Cleveland, December 14, 1992.

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

Constructing and Repairing Catch Basins and Manholes in Various Locations Throughout the City, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2077-94, passed by the Council of the City of Cleveland, March 6, 1995.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) DOLLARS 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.

Bradley Road Pump Station Renovation, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1036-92, passed by the Council of the City of Cleveland, June 15, 1992.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) DOLLARS 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.

Edgewater Pump Station Replacement, for the Division of Water Pollution Control, Department of

Public Utilities, as authorized by Ordinance No. 1185-96, passed by the Council of the City of Cleveland, July 17, 1996.

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

November 27 and December 4, 1996

WEDNESDAY, DECEMBER 18, 1996

Willard Park Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2046-91, passed by the Council of the City of Cleveland, October 28, 1991.

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

November 27 and December 4, 1996

FRIDAY, DECEMBER 20, 1996

Upgrade of Two (2) Processing Machines, for the Division of Fiscal Control, Department of Public Utilities, as authorized by Ordinance No. 1302-96, passed by the Council of the City of Cleveland, September 23, 1996.

Computer Hardware, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 417-96, passed by the Council of the City of Cleveland, April 29, 1996.

Various Sewer Maintenance Appurtenances (Slabs), for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976.

November 27 and December 4, 1996

THURSDAY, DECEMBER 26, 1996

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

Adjustable Valve Boxes, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, September 21, 1992.

Repair Air Tools, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1296-96, passed by the Council of the City of Cleveland, September 23, 1996.

New Windows for Engine House #42, 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.

November 27 and December 4, 1996

THURSDAY, JANUARY 2, 1997

Various Sewer Maintenance Appurtenances (Castings), for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of Cleveland, 1976.

Maintenance Contract for Radio Equipment, for the Division of Emergency Medical Service, Department of Public Safety, as authorized by Ordinance No. 1192-96, passed by the Council of the City of Cleveland, September 23, 1996.

December 4 and December 11, 1996

THURSDAY, JANUARY 9, 1997

Cleveland City Hall Mayor's Office Rehabilitation, for the Division of Architecture, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1282-96, passed by the Council of the City of Cleveland.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 17, 1996, 10:00 A.M. AT CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE, ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO.

December 4 and December 11, 1996

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1323-96.

By Councilman Smith (by request).

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

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

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

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

Section 1. That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as; Being all that portion of WEST 37TH PLACE (10.00 feet wide), extending Southerly from the First Unnamed Alley (width varies) South of Lorain Avenue (66.00 feet wide), to the Easterly prolongation of the Southerly line of Sublot Number 106 in Sargent and Dixon's Re-Subdivision, as shown by the recorded plat in Volume 2 of Maps, Page 43 of Cuyahoga County Records.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Adopted November 25, 1996.
Effective December 2, 1996.

Res. No. 2134-96.

By Councilman O'Malley.

An emergency resolution withdrawing objection to the renewal of a Liquor Permit to 4462-64 State Road, and repealing Res. No. 1524-96, objecting to said renewal.

Whereas, this Council objected to the renewal of a Liquor Permit to 4462-64 State Road by Res. No. 1524-96, 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 4462-64 State Road be and the same is hereby withdrawn and Res. No. 1524-96, 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.

Adopted November 25, 1996.
Effective December 2, 1996.

Res. No. 2136-96.

By Councilmen Westbrook and Patton.

An emergency resolution opposing the proposed merger of Centerior Energy Company, parent company of Cleveland Electric Illuminating Company, and the Ohio Edison Company.

Whereas, the Ohio Edison Company has proposed to acquire the Centerior Energy Company, parent of Cleveland Electric Illuminating Company; and

Whereas, on November 8, 1996, these companies filed at the Federal Energy Regulatory Commission (FERC) a Joint Application for approval of the merger of the companies into a single electric utility to be known as FirstEnergy Corp. (FERC Docket No. EC97-5-000); and

Whereas, on November 15, 1996, these companies filed an Application and a Stipulation and Recommendation before the Public Utilities Commission of Ohio (PUCO), which would affect rates and services provided by CEI to its customers for the next nine years, and which sets a deadline for PUCO approval of January 31, 1997 (PUCO Case No. 96-1211-EL-UNC); and

Whereas, this Council is particularly concerned that the proposed merger may strengthen the ability of these companies to pass along so-called stranded investment costs to the retail consumers; and

Whereas, many of these stranded

investment costs resulted from financial mismanagement and should not be recoverable from the rate payers, regardless of whether retail wheeling is ever approved; and

Whereas, the elimination of competition between the companies through this merger may greatly decrease their incentive to bear responsibility for these costs; and

Whereas, this Council is concerned about an expedited process caused by the artificial deadline set by the companies for PUCO action on their Application and Stipulation; and

Whereas, this Council is also concerned that the merger may unfairly impact municipal competitive alternatives, and particularly Cleveland Public Power (CPP), through the use of a greater monopoly on power generation and transmission of electricity; and

Whereas, the PUCO must carefully consider the high level of current rates and the need for immediate rate reductions, as well as the need to maintain regulatory control by the PUCO and consumer oversight over Centerior and FirstEnergy; and

Whereas, the PUCO should ensure that the companies maintain and increase funding for low income weatherization and energy efficiency measures; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the proposal by Ohio Edison to acquire Centerior Energy, will have a profound effect on customers of CEI within the City of Cleveland, as well as a profound effect on competition in the provision of retail and wholesale electric services; now, therefore,

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

Section 1. That this Council opposes the merger of Centerior Energy Company, parent company of Cleveland Electric Illuminating Company, and the Ohio Edison Company as proposed, and opposes an expedited process on the proposed Application and Stipulation before the PUCO.

Section 2. That this Council urges the Administration to all appropriate actions to oppose the merger before the FERC and the PUCO.

Section 3. That the Clerk of Council is hereby directed to transmit copies of this resolution to each of the companies that are parties to the proposed merger, the FERC, the PUCO, and the Office of Consumers' Counsel.

Section 4. 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 November 25, 1996.
Effective December 2, 1996.

Ord. No. 1034-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Pro-

gram and located at 17633 Dorchester Drive to East Shore Park Club Company.

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. 114-01-006, as more fully described in Section 2 below, to East Shore Park Club Company.

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. 114-01-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 9 in The Kangesser Company's East Shore Park Subdivision, of part of Original Euclid Township Tract No. 15, as shown by the recorded plat in Volume 93 of Maps, Page 6 of Cuyahoga County Records.

Subject to all legal highways, and also subject to the same restrictions, covenants and conditions as contained in the deed from The Kangesser Company to Anna M. Greening, same being Land Title Registration Document No. 31202 as shown on Certificate of Title No. 12706.

This property is registered under Section 5309.02 et. seq. of the Revised Code and is known as Certificate of Title Number 14131 and is subject to restrictions, covenants, limitations and conditions and to easements and right-of-way if any, contained therein.

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

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

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain

such provisions as may be necessary to protect and benefit the public interest.

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

Passed November 25, 1996.

Effective December 2, 1996.

Ord. No. 1101-96.
By Councilmen Coats, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 981-1003 East 149th Street aka 14900-14918 St. Clair Avenue to Collinwood Community Services Center.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 115-16-001, 115-16-025, 115-16-026, as more fully described in Section 2 below, to Collinwood Community Services Center.

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

981-1003 East 149th Street,
 aka 14900-14918 St. Clair Avenue

Permanent Parcel
 Numbers: 115-16-001, 025, 026,
 027 & 028

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 2 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2, as shown by the recorded plat in Volume 18 of Maps, Page 9 of Cuyahoga County Records, and also a part of St. Clair Avenue, N.E., vacated by Ordinance No. 31547 of the City of Cleveland, Passed December 8, 1913 and together forming a parcel of land bounded and described as follows:

Beginning in the intersection of the Southerly line of St. Clair Avenue, N.E. (60 feet wide), with the Easterly line of East 149th Street, (formerly Gray's Court);

thence Easterly along said Southerly line of St. Clair Avenue, N.E., 40 feet to its point of intersection with the Northerly prolongation of the Westerly line of land conveyed to Mary E. Mattox, by deed dated November 18, 1908 and recorded in Volume 1174, Page 428 of Cuyahoga County Records; thence Southerly along said Northerly prolongation and along said Westerly line of land so conveyed to Mary E. Mattox, 64-47/100 feet; thence Westerly about 40 feet to a point in said Easterly line of East 149th Street, distant 72-27/100 feet Northerly, (measured along said Easterly line), from the Southwesterly corner of said Sublot No. 2; thence Northerly along said Easterly line of East 149th Street, 63-18/100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

PARCEL NO. 2:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Easterly part of Sublot No. 2 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2, as shown by the recorded plat in Volume 18, Page 9 of Cuyahoga County Records, and also a part of St. Clair Avenue, N.E. vacated by Ordinance No. 31547 of the City of Cleveland, passed December 8, 1913 and together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of St. Clair Avenue, N.E. (60 feet wide), at its point of intersection with the Northerly prolongation of the Easterly line of land conveyed to Samantha L. Baldwin, by deed dated May 2, 1895 and recorded in Volume 599, Page 397 of Cuyahoga County records; thence Southerly along said Northerly prolongation and along said Easterly line of land so conveyed to the Southerly line of Sublot No. 2; thence Easterly along said Southerly line of Sublot No. 2 to the Southeasterly corner thereof thence Northerly along said Easterly line of Sublot No. 2, and along the Northerly prolongation thereof, to said Southerly line of St. Clair Avenue, N.E.; thence Westerly along said Southerly line of St. Clair Avenue, N.E. to the place of beginning, be the same more or less, but subject to all legal highways.

PARCEL NO 3:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 3 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2, as shown by the recorded plat in Volume 18 of Maps, Page 9 of Cuyahoga County Records, and being 38 feet front on the Easterly side of East 149th Street, (formerly Gray's Court), and extending back 119.96 feet on the Northerly line, 117.47 feet on the Southerly line, and has a rear line of 38 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

PARCEL NO. 4:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 4 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2 as shown by the recorded plat in Volume 18 of Maps, Page 9 of Cuyahoga County Records, and being 45 feet front on the Easterly side of East 149th Street (formerly

Gray's Court), and extending back 117.47 feet on the Northerly line, 115.44 feet on the Southerly line, and has a rear line of 52.25 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

PARCEL NO. 5:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 5 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2, as shown by the recorded plat in Volume 18 of Maps, Page 9 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 149th Street (formerly Gray's Court), and extending back 115.44 feet deep on the Northerly line, 113.85 feet deep on the Southerly line, and 40.03 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

PARCEL NO. 6:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 2 in Ben Gray's Subdivision of part of Original Euclid Township Lots Nos. 1 and 2, as shown by the recorded plat in Volume 18 of Maps, Page 9 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 149th Street, at the Southwesterly corner of said Sublot No. 2; thence Northerly along the Easterly line of East 149th Street, about 72.27 feet to the Southerly line of land conveyed to Jacob Kutnick, by deed dated March 11, 1926 and recorded in Volume 3343, Page 153 of Cuyahoga County records; thence Easterly along the Southerly line of land so conveyed to Jacob Kutnick, about 40 feet to the Westerly line of land conveyed to Mary E. Mattox, by deed dated November 18, 1908 and recorded in Volume 1174, Page 428 of Cuyahoga County records; thence Southerly along said Westerly line of land so conveyed to Mary E. Mattox, about 74.71 feet to the Southerly line of said Sublot No. 2; thence Westerly along said Southerly line of Sublot No. 2, about 40.03 feet to the place of beginning, be the same more or less but subject to all legal highways.

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

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

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

Section 6. That this ordinance is

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

Passed November 25, 1996.
Effective December 2, 1996.

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

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

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

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

Whereas, this Council is satisfied that there is good cause for vacating East 88th Street, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of East 88th Street, (42.00 feet wide), extending Southerly from the Southerly line of Euclid Avenue (80.00 feet wide) to the Northerly line of Carnegie Avenue S.E. (80.00 feet wide), be and the same is hereby vacated.

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

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

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

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

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Passed November 25, 1996.
Effective December 2, 1996.

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

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

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

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

Whereas, this Council is satisfied that there is good cause for vacating Ardoyne Avenue S.W. hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of Ardoyne Avenue S.W., (40 feet wide), and its Northerly and Southerly turn-outs extending Easterly from the Easterly line of West 15th Street to its Easterly terminus be and the same is hereby vacated.

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

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

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

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

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

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 1593-96.
By Councilmen Britt, Jackson, Rybka and Rokakis (by departmental request).

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

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. 128-02-137, as more fully described in Section 2 below, to Lawrence Cooper.

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

P.P. No. 128-02-137

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot No. 418 and bounded and described as follows: Beginning at a point in the Northerly line of Hulda Avenue, S.E., 45 feet wide proposed distant 1161.69 feet Easterly measured along said Northerly line from its intersection with the Easterly line of Woodhill Road, S.E.; thence Northerly at right angles to the Northerly line of Hulda Avenue, S.E. proposed, 106.47 feet to the Southerly line of the Luna Heights Subdivision as shown by the recorded plat in Volume 42 of Maps, Page 19 of Cuyahoga County Records; thence Easterly along the Southerly line of said Subdivision, 40.01 feet; thence Southerly at right angles to the Northerly line of Hulda Avenue, S.E. proposed, 106.80 feet to the Northerly line of Hulda Avenue, S.E.; thence Westerly along said Northerly line of Hulda Avenue, S.E. proposed, 40 feet to the place of beginning, and being further known as Sublot No. 63 in Henry H. Johnson Proposed Subdivision, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall

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

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

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

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

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 1599-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3133 West 50 Street to Joseph J. and Jennie V. Dudash.

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. 016-14-013, as more fully described in Section 2 below, to Joseph J. and Jennie V. Dudash.

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. 016-14-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 132 in James A. Hoyt's Subdivision

of part of Original Brooklyn Township Lot No. 47, as shown by the recorded plat in Volume 3 of Maps, Page 10 of Cuyahoga County Records, and being 40 feet front on the Easterly side of West 50th Street and extends back between parallel lines 125 feet deep, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 1602-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at Carrington Avenue to Thomas J. Dlugo Jr. and Thomas J. Dlugo, Sr.

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). 020-14-145

and 020-14-145, as more fully described in Section 2 below, to Thomas J. Dlugo Jr. and Thomas J. Dlugo, Sr.

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. 020-14-146

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly part of Sublot No. 481 in the Clark Manchester Company's Home-site Allotment No. 2 of part of Original Rockport Township Section No. 1, as shown by the recorded plat in Volume 54 of Maps, Page 35 of Cuyahoga County Records, and being 20 feet front on the Southerly side of Carrington Avenue, S.W., and extending back between parallel lines 120 feet deep, be the same more or less, but subject to all legal highways.

Subject to: Restrictions recited in Volume 1327, Page 69 of Cuyahoga County Records, dated January 14, 1911.

Also subject to zoning ordinances, if any.

P.P. No. 020-14-145

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 482 in the Clark Manchester Company's Home-site Allotment No. 2 of part of Original Rockport Township Section No. 1, as shown by the recorded plat in Volume 54 of Maps, Page 35 of Cuyahoga County Records and being 40 feet front on the Southerly side of Carrington Avenue, S.W., and extending back between parallel lines 120 feet deep, be the same more or less, but subject to all legal highways.

SUBJECT TO: Restrictions recited in Volume 1327, Page 69 of Cuyahoga County Records, dated January 14, 1911.

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.

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 1614-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1638 East 49th Street to Enrique Solis and Magaly Heredia.

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). 104-25-021, as more fully described in Section 2 below, to Enrique Solis and Magaly Heredia.

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

P.P. No. 104-25-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 40 feet 10 inches of Sublot No. 37 and all of Sublot No. 38 in Alexander McIntosh's Subdivision of part of Original Ten Acre Lot Nos. 126 and 127 as shown by the recorded plat in Volume 4 of Maps, Page 43 of Cuyahoga County Records and bounded and described as follows:

Beginning at the Southeasterly corner of said Sublot No. 38 and in the Westerly line of East 49th Street (formerly Kirtland Street), said point being also the Northerly line of a 10 foot alley as shown on said plat; thence Westerly along the Northerly line of said alley, 115 feet 10-3/4 inches to an angle in said alley; thence continuing Westerly along the Northerly line of said alley, 19 feet 6 inches to a point; thence Northwesterly along the Southerly line of said Sublot No. 38, 11 feet 4 inches to a point in the Easterly line of a 12 foot alley as shown on said plat; thence Northerly along the Easterly line of said 12 foot alley, a distance of 42 feet to the Northwesterly corner of Sublot No. 37 as aforesaid; thence Easterly along the Northerly line of said Sublot No. 37, 40 feet 10 inches; thence Southerly and parallel with East 49th Street, 30 feet to the Northerly line of Sublot No. 38; thence Easterly along the Northerly

line of Sublot No. 38 as aforesaid, 100 feet to the Westerly line of East 49th Street; thence Southerly along the Westerly line of East 49th Street, 44 feet 1-1/2 inches to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 1615-96.

By Councilmen Polensek and Rokakis (by departmental request).

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

Whereas, this ordinance constitutes an emergency measure providing for 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 \$236,582.78, from the Ohio Attorney General's Office, to conduct the 1996-97 DARE 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. 1615-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 1706-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 9101 Blaine Avenue to Evelyn Robinson.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-17-088, as more fully described in Section 2 below, to Evelyn Robinson.

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

P.P. No. 107-17-088

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 25 feet from front to rear of Sublot No. 44 in the Ford and Holden Allotment of part of Original One Hundred Acre Lot No. 392 as shown by the recorded plat in Volume 5 of Maps, Page 4 of Cuyahoga County Records, and being 25 feet front on the Northerly side of Grove Avenue (now known as Blaine Avenue, N.E.) and extending back of equal width 122 feet deep, 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 Miscellaneous Volume 111, Pages 9 and 43, 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 estab-

lished by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

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

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

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 1835-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept ski lessons and other related services for children enrolled in City programs in exchange for a ski lift located at Camp Forbes, for the Division of Recreation, Department of Parks, Recreation and Properties.

Whereas, Section 181.19 authorizes the sale of personal property owned by the City of Cleveland when no longer needed for a public purpose; and

Whereas, the Department of Parks, Recreation and Properties owns a ski lift which is no longer needed for use by the City; and

Whereas, the Division of Purchases and Supplies has received bids for said personal property; and

Whereas, the highest and best bid is for in kind services having a value exceeding the highest cash bid in lieu of payment; and

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

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

Section 1. That, notwithstanding and as an exception to Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to accept the August 5, 1996 bid of Brandywine/Boston Mills Ski Resort to provide ski lessons for approximately thirty-five children enrolled in City programs, in exchange for a ski lift located at Camp Forbes, for the Division of Recreation, Department of Parks, Recreation and Properties. The Director of Parks, Recreation and Properties is authorized to execute all documents or agreements and do all things necessary to effectuate the exchange of services for property authorized herein.

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 November 25, 1996.
Effective December 2, 1996.

Ord. No. 1942-96.
By Councilman Rokakis (by departmental request).

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

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

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

Section 1. That Sections 2 and 3 of Ordinance No. 646-96, passed May 20, 1996, are hereby amended to read, respectively, as follows:

Section 2. That the Director of Finance is also hereby authorized and directed to enter into a concession agreement or concession agreements in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, each for periods not to exceed three years, for "dial zero plus" long distance telephone service to be sold from coin operated telephones located on city property, provided that each such agreement shall provide that a commission of not less than 18% of revenues from such sales be paid to the city over the term of such agreements.

Section 3. That the cost of said contract authorized by Section 1 hereof 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 21543)

Section 2. That existing Sections 2 and 3 of Ordinance No. 646-96, passed May 20, 1996, are hereby repealed.

Section 3. That Ordinance No. 646-96, passed May 20, 1996, is hereby supplemented by adding new Section 3a to read as follows:

Section 3a. That the Director of Finance is also hereby authorized and directed to enter into a concession agreement or concession agreements, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, each for a period not to exceed three years, for the placement of prepaid telephone calling card vending devices on city property, provided that each such agreement shall provide that a commission of not less than 18% of the revenue from the sales from such devices be paid to the City over the term of such agreement.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 1984-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Personnel and Human Resources to enter into an agreement for the lease of a high capacity medium-sized copier, for the Department of Personnel and Human Resources.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized and directed to make a written agreement for the lease for a term of five years, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for a high capacity medium-sized copier to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Department of Personnel and Human Resources.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 15 SF 070, Request No. 22933.

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 November 25, 1996.
Effective December 2, 1996.

Ord. No. 1985-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to install refurbished modular wall panels and blinds for offices located at 1701 East 13th Street, and the purchase of not to exceed two conference tables, for the Department of Personnel and Human Resources.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to install refurbished modular wall panels and blinds for offices located at 1701 East 13th Street, and the purchase of not to exceed two conference tables, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Department of Personnel and Human Resources.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. 15 SF 069 and 15 SF 070, Request No. 22934.

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 November 25, 1996.
Effective December 2, 1996.

Ord. No. 2044-96.

By Councilman Smith.

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

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

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

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

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

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

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

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 2051-96.

By Councilman Westbrook.

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

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

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

Section 1. That the proposal of Texcel, Inc. for computer hardware, software, installation and training as necessary for the design, development, installation and implementation of computer upgrade received on September 16, 1996, pursuant to the authority of Ordinance No. 948-96, passed May 20, 1996, on the basis of the estimated cost of \$304,176.00 is hereby affirmed and approved as the lowest and best proposal and that the Clerk of City Council proceed to enter into a contract for such supplies and services.

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

Passed November 18, 1996.
Effective November 27, 1996.

Ord. No. 2120-96.

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

An emergency ordinance to amend Section 3 of Ordinance No. 1284-96, passed October 14, 1996, relating to the public improvement of constructing, rehabilitating, expanding or otherwise improving parks, recreation facilities, the West Side Market parking lot and park maintenance buildings, and professional services necessary therefor.

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

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

Section 1. That Section 3 of Ordinance No. 1284-96, passed October 14, 1996, is hereby amended to read as follows:

Section 3. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of constructing, rehabilitating, expanding or otherwise improving parks in even-numbered wards, Abbey Park, Rockefeller Park and the West Side Market parking lot, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That existing Section 3 of Ordinance No. 1284-96, passed October 14, 1996, is hereby repealed.

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

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 2132-96.

By Councilman Jackson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to

the Ohio Educational Credit Union to stretch banners on East 22nd Street, between Orange Avenue and Community College Avenue, for the period from February 1, 1997 to March 1, 1997, inclusive, publicizing its Grand Opening.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Ohio Educational Credit Union to install, maintain and remove banners on East 22nd Street, between Orange Avenue and Community College Avenue, for the period from February 1, 1997 to March 1, 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.

Passed November 25, 1996.
Effective December 2, 1996.

Ord. No. 2133-96.

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

An emergency ordinance placing a moratorium on the acceptance of an application for any permit relating to the establishment or expansion of a Correctional Halfway House.

Whereas, the City of Cleveland operates programs that attempt to preserve and revitalize neighborhoods of the City, adopts various regulations designed to protect the neighborhoods from incompatible uses, and periodically assesses the effectiveness of those programs and regulations; and

Whereas, the City of Cleveland, in response to receipt of a number of applications in the past two years, did a preliminary analysis, which was just completed, of concerns regarding the affects on the public health, safety, and general welfare to be afforded by proper regulation of facilities that provide boarding and services for individuals referred to such facilities by either a governmental authority or a court of law as furloughees, parolees, probationers, or in any other confinement status within the correctional system ("Correctional Halfway Houses"); and

Whereas, this Council is aware of the congested conditions of the

State of Ohio's correctional institutions and is desirous of investigating various alternatives to incarceration; and

Whereas, this Council has determined that regulations for Correctional Halfway Houses, including regulations concerning their location and operation are critical to the avoidance of detrimental affects on the public health, safety, and general welfare, particularly in neighborhoods the City is attempting to preserve and revitalize; and

Whereas, current City ordinances do not adequately provide for the regulation of Correctional Halfway Houses; and

Whereas, the City is developing regulations for Correctional Halfway Houses; and

Whereas, the various departments of the City require an additional ninety (90) 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

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

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

Section 1. That for purposes of this Ordinance, "Correctional

Halfway House" means a premises which provides room and board and rehabilitative services to individuals who have been assigned to or referred to such facility by either a governmental authority or court of law as furloughees, parolees, probationers, or in any other confinement status within the correctional system.

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 ninety (90) days have passed following the effective date of this ordinance, whichever is first to occur.

Section 3. That refusal of an application under this ordinance may be appealed to the appropriate board for consideration pursuant to authority in Section 76-6(b) of the Charter of the City of Cleveland.

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 November 25, 1996.
Effective November 26, 1996.

COUNCIL COMMITTEE MEETINGS

Monday, December 2, 1996

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

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

Tuesday, December 3, 1996

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

Index to Council Proceedings

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

Banners

Permit -- Ohio Educational Credit Union -- February 1, 1997 to March 1, 1997
(O 2132-96)..... **2194**

City Council

Affirm and approve the proposal of Texcel, Inc. -- proposal for computer hardware,
software installation (O 2051-96) **2194**
Urge U.S. Congress support --principles and reauthorize funding -- Intermodal Surface
Transportation Efficiency (R 2163-96) 2176
Urging Governor George Voinovich -- Ohio General Assembly -- support \$4,000,000 increase
in Ohio Department of Health's 1998-1999 HIV Drug Assistance budget (R 2162-96)..... 2176
Urging satisfactory resolution -- issues involved in contract negotiations -- Cleveland
Orchestra (R 2155-96)..... 2175

City Planning Commission

Change Area Heights Districts of lands on the West side of West Boulevard north of Lorain
(O 1622-96)..... **2179-T**
Change Area and Height Districts of lands on the northerly side of Central Avenue
(O 1620-96)..... 2186
Change Use, Area and Height Districts of lands -- East 76 Place (O 1712-96) 2186
Change the Use and Area Districts land -- east side of E. 131 Street (O 1944-96)..... 2186
Declaring necessity and intention to appropriate property -- located at 1284 West 87th
Street (R 2158-96) 2174
Emergency ordinance to amend Section 4 of Ordinance No. 2122-93 -- passed November 22,
1993 -- relating to off-street parking (O 2044-96) **2194**
Enter into contract with -- Even Cut Abrasive Company -- provide economic development
assistance to partially finance the acquisition and renovation (O 1797-96) 2177
Enterprise Zone Agreement -- Eagle Engineering & Manufacturing, Inc. (O 1752-96) 2177
Establishing the Glenville Business Revitalization District (O 1621-96) 2186

Land Reutilization Program -- located at 9731 Woodward Avenue -- Ida Mason (O 1791-96).....	2177
Land Reutilization Program -- located at 1412 East 84 Street -- Frazier and Lucy Frazier (O 1792-96).....	2177
Land Reutilization Program -- located at 1487 East 71 Street -- George Thomas (O 1839-96).....	2178
Land Reutilization Program -- located at 1638 East 49th Street -- Enrique Solis and Magaly Heredia (O 1614-96)	2192
Land Reutilization Program -- located at 17633 Dorchester Drive -- East Shore Park Club (O 1034-96).....	2188
Land Reutilization Program -- located at 6906 Quincy Avenue -- Clara M. Gardner (O 1841-96).....	2178
Land Reutilization Program -- located at 9101 Blaine Avenue -- Evelyn Robinson (O 1706-96).....	2192
Land Reutilization Program --located at 1315-17 East 75 Place -- Willie D. Sims (O 1790-96).....	2177
Land Reutilization Program located at -- 3133 West 50 Street to Joseph J. and Jennie V. Dudash (O 1599-96).....	2191
Land Reutilization Program located on Carrington Avenue (O 1602-96)	2191
Placing a moratorium -- acceptance of an application -- Permit to establishment or expansion of a Correctional Halfway House (O 2133-96).....	2194
Vacate a portion -- East 88th Street (O 1279-96).....	2190
Vacate portion -- Ardoyne Avenue S.W. (O 1318-96).....	2190

Codified Ordinances

Enact Section 633.01, 633.02, 633.03, 633.04 and 633.99 -- obstruction marking and lighting for aviation safety (O 1310-96).....	2176
---	------

Community Development

Apply Section 108 Loan -- United States Department -- Housing and Urban Development (O 1979-96).....	2179
Declaring necessity and intention to appropriate property -- located at 1284 West 87th Street (R 2158-96)	2174
Enter into contract -- Famicos Foundation -- provide financial assistance -- Float Loan to partially finance (O 1978-96)	2178
Enter into contract with Mt. Pleasant Now Development Corporation (O 1462-96).....	2176
Land Reutilization Program -- located at 9731 Woodward Avenue -- Ida Mason (O 1791-96).....	2177
Land Reutilization Program -- located at 1228 East 84 Street -- Henry and Rosetta Barksdale (O 1840-96)	2178
Land Reutilization Program -- located at 1328 Ansel Road -- Leonzie Smith (O 1836-96).....	2177
Land Reutilization Program -- located at 1358 East 88 Street -- Yucon Harris (O 1788-96).....	2177
Land Reutilization Program -- located at 1412 East 84 Street -- Frazier and Lucy Frazier (O 1792-96).....	2177
Land Reutilization Program -- located at 1487 East 71 Street -- George Thomas (O 1839-96).....	2178
Land Reutilization Program -- located at 1638 East 49th Street -- Enrique Solis and Magaly Heredia (O 1614-96)	2192
Land Reutilization Program -- located at 17633 Dorchester Drive -- East Shore Park Club (O 1034-96).....	2188
Land Reutilization Program -- located at 1787 Crawford Road to Lovell and Constance Whitaker (O 1789-96).....	2177
Land Reutilization Program -- located at 6906 Quincy Avenue -- Clara M. Gardner (O 1841-96).....	2178
Land Reutilization Program -- located at 9101 Blaine Avenue -- Evelyn Robinson (O 1706-96).....	2192
Land Reutilization Program --located at 1315-17 East 75 Place -- Willie D. Sims (O 1790-96).....	2177
Land Reutilization Program located at -- 3133 West 50 Street to Joseph J. and Jennie V. Dudash (O 1599-96).....	2191
Land Reutilization Program located on Carrington Avenue (O 1602-96)	2191
Land Reutilization Property located -- 10603-05 Hulda Avenue to Lawrence Cooper (O 1593-96).....	2190

Condolences

Cook, Thomas (R 2168-96) 2171
 Martin, Bill (R 2165-96)..... 2171
 McKay, Bill (R 2173-96) 2171
 Miller, Ruth (R 2167-96) 2171
 Moton, Cheryl A. (R 2166-96)..... 2171
 Weston, Elwood Sr. (R 2169-96) 2171

Congratulations

Rev. Paul M. Marshall (R 2171-96) 2171
 St. Timothy Missionary Baptist Church (R 2170-96)..... 2171

Economic Development Department

Emergency ordinance to amend Section 4 of Ordinance No. 2122-93 -- passed November 22,
 1993 -- relating to off-street parking (O 2044-96) **2194**
 Enter into Contract with Franklin Circle Inn -- provide economic development assistance
 partially finance (O 2146-96)..... 2172
 Enter into contract with -- Even Cut Abrasive Company -- provide economic development
 assistance to partially finance the acquisition and renovation (O 1797-96) 2177
 Enterprise Zone Agreement -- Eagle Engineering & Manufacturing, Inc. (O 1752-96) 2177

Finance Department

Accept -- grant from National Institute of Justice (O 1982-96)..... 2179
 Accept -- grant from U.S. Department of Justice (O 1983-96) 2179
 Amend Section 2 and 3 of Ordinance No. 646-96 -- passed May 20, 1996 adding new Section
 3a relating to purchases of -- long distance telephone service (O 1942-96) **2193**
 Apply Section 108 Loan -- United States Department -- Housing and Urban Development
 (O 1979-96)..... 2179
 Approving the Collective bargaining agreement with local 244 (O 2156-96)..... 2174
 Approving the Collective bargaining agreement -- Cleveland Police Association
 (O 2157-96)..... 2174
 Approving the Collective bargaining agreement -- Cleveland Police Patrolmen's Association
 (O 2154-96)..... 2174
 Contract labor and materials -- install airfield security equipment (O 2149-96) 2172
 Contract labor and materials necessary to maintain and repair elevators (O 1934-96)..... 2178
 Contract layout, printing and distribution of a flight guide (O 2147-96) 2172
 Contract of Case construction equipment parts and labor (O 1974-96)..... 2178
 Contract of labor and materials -- maintain and repair various keycard systems and closed
 circuit television equipment (O 2148-96) 2172
 Contract of labor and materials necessary to haul and dispose of water plant
 (O 1936-96)..... 2178
 Contract of meals served to prisoners -- Justice Center and various district jails
 (O 1939-96)..... 2178
 Contract of the disposal of catch basin debris at a sanitary landfill (O 2151-96) 2173
 Contract of towing service for city vehicles and equipment (O 1973-96) 2178
 Contract processing, transferring and marketing -- collected recyclable materials
 (O 2145-96)..... 2171
 Employ one or more professional consultants -- provide services for the design layout,
 printing and other marketing (O 2150-96)..... 2173
 Employ software development, engineering and data processing -- provide professional
 services -- develop and implement the Geographic information System (O 1833-96) 2177
 Enter into Contract with Franklin Circle Inn -- provide economic development assistance
 partially finance (O 2146-96)..... 2172
 Enter into a concession agreement -- The Ohio College of Podiatric Medicine
 (O 1754-96)..... 2177
 Enter into contract -- Famicos Foundation -- provide financial assistance -- Float Loan
 to partially finance (O 1978-96) 2178
 Enter into contract with Mt. Pleasant Now Development Corporation (O 1462-96)..... 2176
 Enter into contract without competitive bidding -- Pitney Bowes (O 1933-96)..... 2178
 Grant -- Ohio Attorney General's Office -- 1996-97 DARE Program (O 1615-96)..... **2192**

Health Division

Accept -- Grant from Ohio Department of Health -- Ryan White Planning and Evaluation Project (O 1889-96)	2178
Accept -- Grant from U.S. Environmental Protection Agency -- Ohio Environmental Protection Agency (O 2152-96)	2173
Contract not to exceed two spectrum analyzers (O 1798-96)	2177

Land Reutilization Program

East 149th Street, 981-1003 and St. Clair Avenue, 14900-14918 -- Collinwood Community Services Center (O 1101-96)	2189
Emergency ordinance to amend Section 4 of Ordinance No. 2122-93 -- passed November 22, 1993 -- relating to off-street parking (O 2044-96)	2194

Liquor Permits

Broadview Road, 2071 -- withdrawing objection -- repealing Res. No. 1530-96 (R 2161-96)	2176
Detroit Avenue, 5901 -- objecting -- transfer of ownership (R 2159-96)	2175
State Road, 4462-64 -- withdrawing objection (R 2134-96)	2188
Yale Avenue, 9301 -- objecting to issuance (R 2160-96)	2175

Oath of Office

Holland, Gary L. -- Acting Executive Director of Community Relations Board -- City of Cleveland. (F 2164-96)	2171
--	------

Parks, Recreation and Properties Department

Accept ski lessons -- children enrolled in City programs in exchange for ski lift -- located at Camp Forbes (O 1835-96)	2193
---	------

Personnel and Human Resources Department

Accept -- Pilot and Demonstration Program grant -- Title IV Part D of -- Job Training Partnership Act (O 1890-96)	2178
Enter into various contracts for training services -- Disadvantaged and Employment and Training Assistance for Dislocated Workers (O 1891-96)	2178
Human Resources enter into an agreement -- lease of high capacity medium-sized copier (O 1984-96)	2193
Labor and materials -- install refurbished modular wall panels and blinds (O 1985-96)	2193

Port Control Department

Contract labor and materials -- install airfield security equipment (O 2149-96)	2172
Contract layout, printing and distribution of a flight guide (O 2147-96)	2172
Contract of labor and materials -- maintain and repair various keycard systems and closed circuit television equipment (O 2148-96)	2172
Employ one or more professional consultants -- provide services for the design layout, printing and other marketing (O 2150-96)	2173

Recognitions

Lewis, Bracy E. (R 2172-96)	2171
-----------------------------------	------

Repealed Ordinances and Resolutions (Not Codified)

Amend Section 3 of Ordinance No. 1284-96 -- passed October 14, 1996 -- public improvement of constructing, rehabilitating (O 2120-96)	2194
Amend Section 2 of Ordinance No. 269-95 -- passed February 27, 1995 adding new section 4 and 5 (O 2153-96)	2173

Safety Department

Accept -- grant from National Institute of Justice (O 1982-96)	2179
Accept -- grant from U.S. Department of Justice (O 1983-96)	2179
Contract of antifreeze for City vehicles (O 1970-96)	2178

Contract of meals served to prisoners -- Justice Center and various district jails
(O 1939-96).....2178
Grant -- Ohio Attorney General's Office -- 1996-97 DARE Program (O 1615-96).....**2192**

Service Department

Contract of Case construction equipment parts and labor (O 1974-96).....2178
Contract of towing service for city vehicles and equipment (O 1973-96)2178
Contract processing, transferring and marketing -- collected recyclable materials
(O 2145-96).....2171
Declaring intention to -- vacate a portion -- West 37th Place (R 1323-96)**2187**
Employ software development, engineering and data processing -- provide professional
services -- develop and implement the Geographic information System (O 1833-96)2177
Enter into a concession agreement -- The Ohio College of Podiatric Medicine
(O 1754-96).....2177
Vacate a portion -- East 88th Street (O 1279-96).....**2190**
Vacate portion -- Ardoyne Avenue S.W. (O 1318-96).....**2190**

Utilities Department

Contract labor and materials necessary to maintain and repair elevators (O 1934-96).....2178
Contract of labor and materials necessary to haul and dispose of water plant
(O 1936-96).....2178
Contract of the disposal of catch basin debris at a sanitary landfill (O 2151-96).....2173
Enter into contract without competitive bidding -- Pitney Bowes (O 1933-96).....2178
Opposing proposed merger of Centerior Energy Company -- parent company of Cleveland
Electric Illuminating (R 2136-96).....**2188**