

The City Record

Official Publication of the City of Cleveland

March the Twelfth, Nineteen Hundred and Ninety-Seven

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

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

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

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

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

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

DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner, 5600 Carnegie Avenue.
Streets - Randell T. Scott, Commissioner, Room 25
Engineering and Construction - J. Christopher Nielson, Acting Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novik, Acting 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 - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue
Environment - Carolyn Wallace, Acting Commissioner, Mural Building, 1925 St. Clair Avenue
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road

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 - Jack F. Krumhansl, Acting Commissioner.
Neighborhood Development - Terri Hamilton, Commissioner.
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

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

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

DEPT. OF AGING - Rm. 122, Delores A. Lynch, Director

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

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, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Anthony Costanzo, Sec'y.

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

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

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

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

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

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

MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, _____, Councilman Jay Westbrook.

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

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

CLEVELAND LANDMARKS COMMISSION - Room 519, _____, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison, Kenneth 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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WEDNESDAY, MARCH 12, 1997

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CITY COUNCIL

MONDAY, MARCH 10, 1997

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

1:30 P.M.—**Legislation Committee:** Willis, Chairman; Melena, Vice Chairman; Dolan, Johnson, Rybka, Sweeney, White.

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio March 10, 1997.
The meeting of the Council was called to order, the President, Jay Westbrook in the chair.

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

Also present were Mayor White and Directors Sobol Jordan, Carmody, Konicek, Cunningham, Guzman, Staib, Spellman, Nolan, Warren, Lynch, Holland, Willis, Morrison and Acting Directors Resseger and Terry.

Absent: Directors Denihan and Hamilton.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Elder Gregory Shotwell, Sr., of Greater Love Missionary Baptist Church. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 359-97.

From The Richard E. Jacobs Group, Inc. re: Financial Agreements dated July 6, 1988 Between the City of Cleveland and Public Square North Community Urban Redevelopment Corporation, Mall A Community Urban Redevelopment Corporation and Memorial Park Garage Community Urban Redevelopment Corporation, as amended (the "Financial Agreements") pertaining to Tax Abatement for Key Center. Received.

File No. 360-97.

From the Director of Finance re: in accordance with Section 127.04 of the Codified Ordinances of Cleveland, the submitting of the annual report of licenses and permits issued during the fiscal year of 1966. Received.

File No. 361-97.

From Kevin Patrick Prendergast, Esq. re: letter he sent as it relates to the Civil Service Employees' Association and their concerns regarding the proposed budget for the Cleveland Civil Service Commission. Received.

File No. 362-97.

From the Commissioner of Purchases and Supplies re: Sales Request No. 90150 for sale or lease of property southwest corner portion of West 54th Street and Cass Avenue. Received.

File No. 363-97.

From the Commissioner of Purchases and Supplies re: Sales Request No. 90151 for sale or lease of property southeast corner portion of Ontario Street and Carnegie Avenue. Received.

EMERGENCY PURCHASES

File No. 364-97.

From the Commissioner of Purchases and Supplies re: (RE-099046) Emergency Purchase/Installation of Fence/Public Service. Received.

File No. 365-97.

From the Director of the Department of Public Utilities re: Notice to Council of Subsidiary Agreements. Contract No. 49858/Project Name-Lorain Avenue Sewer Replacement. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 366-97.

Re: Transfer of Ownership Application - 5378717 - MCS Retail Sales Inc. dba Stevens Supermarket, 4501-03-05 Lee Road. (Ward 1). Received.

File No. 367-97.

Re: Issuance Application - 0805723 - Bolevierre Variety Inc. dba Bolevierre Variety Store, 11728-30 Union Avenue. (Ward 3). Received.

File No. 368-97.

Re: Transfer of Ownership Application - 9655271 - Willie & Hazel Inc. dba Cafe Bluebird, 397 East 156th Street. (Ward 11). Received.

File No. 369-97.

Re: Transfer of Ownership Application - 0152585 - Amanpreet Inc. dba Convenient Food Mart #3-030, 788 East 200th Street and Gas Pumps. (Ward 11). Received.

File No. 370-97.

Re: Transfer of Ownership Application - 5339670 - Lucky 7 Inc., 3370 East 65th Street. (Ward 12). Received.

File No. 371-97.

Re: Transfer of Ownership Application - 8644681 - Eric Stringfield dba Eros Undergrround, 1127 Euclid Avenue Basement Only. (Ward 13). Received.

File No. 372-97.

Re: Issuance Application - 5379240 - M H Yachting Inc. Fed Reg #964804 dba Moondance North Coast Harbor Complex, 1 Key Plaza PO Box 5087. (Ward 13). Received.

File No. 373-97.

Re: Transfer of Ownership Application - 7534915 - Effie Jean Ross dba Metro Pub, 3420 West 25th Street, first floor only. (Ward 14). Received.

File No. 374-97.

Re: Transfer of Ownership Application - 0660778 - Liz & Greg Berthelot dba Liz Rd. Lounge, first floor and basement. Front, 4904 Pearl Road. (Ward 16). Received.

File No. 375-97.

Re: Transfer of Ownership Application - 5941054 - Mike Ferek Corp., 3135 West 63rd St. First floor and basement. (Ward 17). Received.

File No. 376-97.

Re: Transfer of Ownership Application - 7996155 - 760517 South Inc. dba Fidelity Sports Bar, 3349 West 117th St. (Ward 19). Received.

**STATEMENT OF
WORK ACCEPTED**

File No. 377-97.

From the Director of the Department of Port Control re: Contract No. 47939 for the improvement of the Terminal Building Refurbishment - Phase II. Received.

COMMUNICATIONS

File No. 300-96-A.

March 10, 1997

To The Honorable Council of the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee appointed by the Council President to consider the Mayor's appointment to the Police Review Board.

We have before us the Mayor's letter of February 8, 1996, wherein he names his appointment as follows:

**Alvin T. Jones
(Term expires August 8, 1998)**

The Committee hereby recommends that Council approve the Mayor's appointment as stated above.

Gary Paulenske, Chairman
Craig Willis
Charles L. Patton, Jr.
Michael D. Polensek
Odellia V. Robinson

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 15-97-A.

March 10, 1997

To The Honorable Council of the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee appoint-

ed by the Council President to consider the Mayor's appointment to the Cleveland-Cuyahoga County Port Authority.

We have before us the Mayor's letter of December 19, 1996, wherein he names his appointment as follows:

**Mr. J. Peter Kelly
(Term expires January 28, 2001)**

The Committee hereby recommends that Council approve the Mayor's appointment as stated above.

Gary Paulenske, Chairman
Craig Willis
Charles L. Patton, Jr.
Michael D. Polensek
Odellia V. Robinson

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 109-97-A.

March 10, 1997

To The Honorable Council of the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee appointed by the Council President to consider the Mayor's appointment to the Fair Housing Board.

We have before us the Mayor's letter of January 16, 1997, wherein he names his appointment as follows:

**Eduardo A. Romero
(Term expires March 1, 1999)**

The Committee hereby recommends that Council approve the Mayor's appointment as stated above.

Gary Paulenske, Chairman
Craig Willis
Charles L. Patton, Jr.
Michael D. Polensek
Odellia V. Robinson

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 110-97-A.

March 10, 1997

To The Honorable Council of the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee appointed by the Council President to consider the Mayor's appointment to the Fair Housing Board.

We have before us the Mayor's letter of January 16, 1997, wherein he names his appointment as follows:

**John Nolan
(Term expires March 1, 1999)**

The Committee hereby recommends that Council approve the Mayor's appointment as stated above.

Gary Paulenske, Chairman
Craig Willis
Charles L. Patton, Jr.
Michael D. Polensek
Odellia V. Robinson

Without objection, appointment approved. Yeas 21. Nays 0.

File No. 111-97-A.

March 10, 1997

To The Honorable Council of the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee appointed by the Council President to consider the Mayor's appointment to the Greater Cleveland Regional Transit Board.

We have before us the Mayor's letter of January 16, 1997, wherein he names his appointment as follows:

**Mark Ruzic
(Term expires March 4, 2000)**

The Committee hereby recommends that Council approve the Mayor's appointment as stated above.

Gary Paulenske, Chairman
Craig Willis
Charles L. Patton, Jr.
Michael D. Polensek
Odellia V. Robinson

Without objection, appointment approved. Yeas 21. Nays 0.

CONDOLENCE RESOLUTIONS

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

Res. No. 380-97. Joseph R. Carroll, Jr.

Res. No. 387-97. Antwan J. Carter.

Res. No. 405-97. Don F. Kostell.

Res. No. 406-97. Michael Viccaro.

CONGRATULATORY RESOLUTIONS

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

Res. No. 407-97. Tree of Life Church of God in Christ.

Res. No. 409-97. Rev. Timothy L. Eppinger.

Res. No. 410-97. Desmond Howard.

RESOLUTION OF WELCOME

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

Res. No. 408-97. Honorable Benjamin A. Briscoe.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 378-97.**

By Mayor White and Councilman Robinson.

An emergency ordinance to name the proposed recreation center located at Luke Easter Park as the Zelma Watson George Recreation Center.

Whereas, it is most fitting and appropriate to recognize Zelma Watson George for her years of dedicated service to the citizens of Cleveland; and

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

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

Section 1. That the proposed recreation center located at Luke Easter Park shall be named the Zelma Watson George Recreation Center.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized and directed to give effect to this ordinance by the placing of appropriate signs, nameplates and plaques to reflect the name of the center which will be located at Luke Easter Park.

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

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

Ord. No. 379-97.

By Councilman Britt.

An emergency ordinance to change the name of the Doan Brook Detention Structure to the Paul DeGrandis Water Retention Basin.

Whereas, it is most fitting and appropriate to recognize Paul DeGrandis for his years of dedicated service to the citizens of Cleveland; and

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

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

Section 1. That the name of the Doan Brook Detention Structure is hereby changed to the "Paul DeGrandis Water Retention Basin."

Section 2. That the Director of Public Utilities is hereby authorized and directed to give effect to this ordinance by the placing of appropriate signs, nameplates and plaques and the altering of references to the structure to reflect the change of name.

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. 381-97.

By Councilman Jackson.

An emergency ordinance to vacate a portion of East 39th Place, hereinafter described.

Whereas, on the 16th day of December, 1996 the Council of the City of Cleveland adopted Resolution No. 1801-96 declaring its intention to vacate a portion of East 39th Place, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1801-96 has been served upon the owners of all the property abutting East 39th Place, affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of February, 1997, the Board of Revision of Assessments approved the vacation of East 39th Place, hereinafter described, in accordance with the

provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating East 39th Place, hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of East 39th Place, (12.00 feet wide), extending Northerly from the Northerly line of Cedar Avenue S.E. (66.00 feet wide), to the Southerly line of Carnegie Avenue S.E. (86.00 feet wide), be and the same is hereby vacated.

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

That portion of East 39th Place, (12.00 feet wide), extending Northerly from the Northerly line of Cedar Avenue S.E. (66.00 feet wide), to the Southerly line of Carnegie Avenue S.E. (86.00 feet wide).

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

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of East 39th Place, herein provided by sending him a copy of this Ordinance.

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

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

Ord. No. 382-97.

By Councilman Jackson.

An emergency ordinance to vacate a portion of East 69th Street and East 70th Street, hereinafter described.

Whereas, on the 10th day of June, 1996 the Council of the City of Cleveland adopted Resolution No. 430-96 declaring its intention to vacate a portion of East 69th Street and East 70th Street, hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 430-96 has been served upon the owners of all the property abutting East 69th Street and East 70th 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 28th day of February, 1997, the Board of Revision of Assessments approved the vacation of East 69th Street and East 70th 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 69th Street and East 70th 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 69th Street, (50.00 feet wide), extending Northerly from the Easterly prolongation of the Southerly line of Sublot Number 17 in the W.V. Craw Subdivision as recorded in Volume 4 of Maps, Page 17 of Cuyahoga County Records, to its Northerly terminus, be and the same is hereby vacated, AND

All that portion of East 70th Street, (40.00 feet wide), as shown by the recorded plat in Volume 4 of Maps, Page 17 of Cuyahoga County Records, extending from the Northerly line of Quincy Avenue S.E. (80.00 feet wide), Northerly to the Southwesterly line of that portion of said East 70th Street, vacated by Ordinance Number 101220, passed by the Council of the City of Cleveland on March 19, 1934, be and the same is hereby vacated.

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

That portion of East 69th Street, (50.00 feet wide), extending Northerly from the Easterly prolongation of the Southerly line of Sublot Number 17 in the W.V. Craw Subdivision as recorded in Volume 4 of Maps, Page 17 of Cuyahoga County Records, to its Northerly terminus, be and the same is hereby vacated, AND

All that portion of East 70th Street, (40.00 feet wide), as shown by the recorded plat in Volume 4 of Maps, Page 17 of Cuyahoga County Records, extending from the Northerly line of Quincy Avenue S.E. (80.00 feet wide), Northerly to the Southwesterly line of that portion of said East 70th Street, vacated by Ordinance Number 101220, passed by the Council of the City of Cleveland on March 19, 1934.

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

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of East 69th Street and East 70th Street, herein provided by sending him a copy of this Ordinance.

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

Referred to Directors of Public

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

Ord. No. 383-97.
By Councilmen Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase seven sites for land assembly and future redevelopment at various locations in the City of Cleveland, for the Department of Community Development.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

(Insert legal for Hicks School on 2409 Bridge)

Section 2. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

(Insert legal for John Adams School on 3817 MLK)

Section 3. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

(Insert legal for National Screw Site on E 75 & Quincy)

Section 4. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

(Insert legal for Wooldridge School on 6200 Kinsman)

Section 5. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

(Insert legal for Anthony Wayne School on 11711 Larchmere)

Section 6. That notwithstanding and as an exception to the provi-

sions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

(Insert legal for Hazeldell School on 654 E 124)

Section 7. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of assembling property for future redevelopment:

(Insert legal for Longmead School on 12712 Longmead)

Section 8. That the Director of Community Development is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such properties and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such properties.

Section 9. That the consideration to be paid for such properties shall not exceed its fair market value.

Section 10. That notwithstanding and as an exception to the provisions of Ordinance No. 56-94, passed June 13, 1994, costs of acquisition of land shall be paid from Fund No. 10 SF 501.

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

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

Ord. No. 384-97.
By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of unarmed, uniformed security guards for various pools and recreation centers, for the Division of Recreation, Department of Parks, Recreation and Properties, for a period not to exceed nine months.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of nine months for the necessary items for unarmed, uniformed security guards at various pools and recreation centers 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 Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than nine months may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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 21413)

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

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

Ord. No. 385-97.
By Councilmen Johnson and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of exterminating services, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

Section 1. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of exterminating services 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 Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of 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 21415)

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

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

Ord. No. 386-97.

By Councilman Lewis.

An emergency ordinance amending the Title and Section 1 of Ordinance No. 858-96, passed July 17, 1996, relating to the sale of real property as part of the Land Reutilization Program and located in Ward 7 to Hough Area Partners in Progress.

Whereas, on July 17, 1996, this Council passed Ordinance No. 858-96, authorizing the sale of certain real property located in Ward 7 and as part of the Land Reutilization Program to Auto Zone, Incorporated; and

Whereas, the City desires to substitute Hough Area Partners in Progress in place of Auto Zone, Incorporated; and

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

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

Section 1. That the Title and Section 1 of Ordinance No. 858-96, passed July 17, 1996, are hereby amended to read as follows:

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7508 Superior Avenue, rear of 7508 Superior Avenue, 7502 Superior Avenue, rear of 7502 Superior Avenue, 7510 Superior Avenue, 7516 Superior Avenue, 1320 East 76 Place, 1316 East 76 Place and 1314 East 76 Place to **Hough Area Partners in Progress.**

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 106-04-015, 106-04-096, 106-04-099, 106-04-097, 106-05-001, 106-05-002, 106-05-134, 106-05-135, and 106-05-136, more fully described in Section 2 below, to **Hough Area Partners in Progress.**

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 Committee on Community and Economic Development.

Ord. No. 388-97.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the southeast corner of the intersection of Johnston Parkway and Seville Avenue to NorthStar Equipment Corp., or its designee.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located at the southeast corner of the intersection of Johnston Parkway and Seville Avenue, identified as Permanent Parcel Nos. 142-20-070 and 142-20-072 to NorthStar Equipment Corp., or its designee; and

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

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

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

Lee-Seville/Cleveland Outerbelt Industrial Park

PPN: 142-20-072
BLOCK "D"

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being all of Block "D" in the Lee-Seville/Cleveland Outerbelt Industrial Park as shown by the recorded plat in Volume 231 of Maps, Page 42 of Cuyahoga County Records, further bounded and described as follows:

Commencing in the centerline of Johnston Parkway, S.E. (60 feet wide) at its intersection with the centerline of Seville Road, S.E. (60 feet wide);

Thence South 00° 09' 18" East along said centerline of Johnston Parkway, S.E., 162.41 feet to a point therein;

Thence North 89° 50' 42" East and at right angles to said centerline, 30.00 feet to a point on the Easterly line of Johnston Parkway, S.E. and the principle place of beginning of the following described parcel;

Thence Southeasterly along the arc of a curve deflecting to the left, an arc distance of 185.94 feet, said curve having a radius of 270.00 feet and a chord bearing South 19° 53' 02" East, 182.29 feet to a point of tangency therein;

Thence South 39° 36' 47" East along said line of Johnston Parkway, S.E., 313.20 feet to a point of curvature therein;

Thence Southeasterly along the arc of a curve deflecting to the right, an arc distance of 227.63 feet, said curve having a radius of 330.00 feet and a chord bearing South 19° 51' 06" East, 223.15 feet to a point of tangency therein;

Thence South 0° 05' 24" East, 190.14 feet to the Southwesterly corner of Block "D" as aforesaid;

Thence North 89° 54' 36" East along the Southerly line of Block "D", 140.28 feet to the Southeasterly corner thereof;

Thence North 0° 07' 05" West along the Easterly line of Block "D"

as aforesaid, 956.38 feet to a point in the Southerly line of Seville Road, S.E.;

Thence South 88° 41' 42" West along said line of Seville Road, S.E., 427.56 feet to a point of curvature therein;

Thence Southwesterly along the arc of a curve deflecting to the left, an arc distance of 77.54, said curve having a radius of 50.00 feet and a chord bearing South 44° 16' 12" West, 70.00 feet to a point of tangency in the Easterly line of Johnston Parkway, S.E.;

Thence South 00° 09' 18" East along said line of Johnston Parkway, S.E., 84.00 feet to the place of beginning.

Containing within said bounds, an area of 6.4662 acres of land, be the same more or less, but subject to all legal highways, easements, and restrictions of record.

Lee-Seville/Cleveland Outerbelt Industrial Park

PPN: 142-20-070
City owned land east of
Block "D"

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being a part of Original Warrensville Township Lot No. 103, further bounded and described as follows:

Commencing in the centerline of Seville Road, S.E. (60 feet wide) at its intersection with the centerline of Johnston Parkway, S.E. (60 feet wide);

Thence North 88° 41' 42" East along the centerline of Seville Road, S.E., 78.41 feet to a point therein;

Thence South 1° 18' 18" East and perpendicular to the centerline of Seville Road, S.E., 30.00 feet to the Southerly line thereof;

Thence North 88° 41' 42" East along said Southerly line, 427.56 feet to the Northeasterly corner of Block "D" in the Lee-Seville/Cleveland Outerbelt Industrial Park as shown by the recorded plat in Volume 231 of Maps, Page 42 of Cuyahoga County Records;

Thence South 0° 07' 05" East along the Easterly line of Block "D", 180.00 feet to a point therein, and the principle place of beginning of the following described parcel:

Thence continuing South 0° 07' 05" East along said line of Block "D" as aforesaid, 776.38 feet to a point in the Northerly line of Sublot 2 as shown by said plat;

Thence North 89° 54' 36" East along the Northerly line of Sublot 2, 192.22 feet to the Northeasterly corner thereof, said point being also on the Westerly line of the Homestead Allotment Company's Orchard Subdivision as shown by the recorded plat in Volume 98 of Maps, Page 17 of Cuyahoga County Records;

Thence North 0° 07' 05" West along said Subdivision line, 771.76 feet to a point in the Southerly line of a parcel of land conveyed to Maymie McLin by deed recorded in Volume 7870, Page 143 of Cuyahoga County Records;

Thence Westerly along said Southerly line and along the Southerly line of a parcel of land conveyed to Hope Incorporated by deed recorded in Volume 13304, Page 369 of Cuyahoga County Records, 192.22 feet to the place of beginning.

This description was prepared by David J. Bruckner, Registered Ohio Professional Surveyor No. 6939, from information in the Lee-Seville/Cleveland Outerbelt Industrial Park plat, recorded as aforesaid.

Containing within said bounds, an area of about 3.4158 acres of land, be the same more or less, but subject to all legal highways, easements, and restrictions of record.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to North-Star Equipment Corp., or its designee, at a price not less than fair market value as determined by the Board of Control.

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

Section 4. That the Director of Parks, Recreation and Properties and other appropriate City officials are authorized to prepare and execute such other documents and certificates and take such other action as may be necessary or appropriate to effectuate the sale authorized by this ordinance.

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

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

Ord. No. 389-97.

By Councilman Paulenske.

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

Whereas, on the 28th day of October, 1996 the Council of the City of Cleveland adopted Resolution No. 1625-96 declaring its intention to vacate a portion of King Court, N.E., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1625-96 has been served upon the owners of all the property abutting King Court, N.E., affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 28th day of February, 1997, the Board of Revision of Assessments approved the vacation of King Court, N.E., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating King Court N.E., hereinafter described and that it will not be detrimental to the general interest and ought to be made; and

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

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

Section 1. That all that portion of King Court N.E., (16.50 feet wide), extending Easterly from the Easterly line of East 33rd Street (66.00 feet wide), to the Westerly line of East 38th Street (99.00 feet wide), be and the same is hereby vacated.

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

That portion of King Court N.E., (16.50 feet wide), extending Easterly from the Easterly line of East 33rd Street (66.00 feet wide), to the Westerly line of East 38th Street (99.00 feet wide).

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

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

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

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

Ord. No. 390-97.

By Councilmen Polensek and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of fire hoses, nozzles and fittings, for the Division of Fire, Department of Public Safety, for a period not to exceed two years.

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

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

Section 1. That the Director of Public Safety is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of fire hoses, nozzles and fittings in the estimated sum of \$100,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Fire, Department of Public Safety. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made

for the requirements for the entire two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20613)

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

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

Ord. No. 391-97.

By Councilmen Patmon, Westbrook (by departmental request).

An emergency ordinance approving the collective bargaining agreement with The Building and Construction Trades 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, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with The Building and Construction Trades Council set forth in File No. 391-97-A, for the period from November 17, 1996, through November 16, 1999.

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; Committees on Employment, Affirmative Action and Training, Finance.

Ord. No. 392-97.

By Councilmen Patmon and Westbrook (by departmental request).

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

Whereas, this ordinance constitutes an emergency measure providing for 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 City, County and Waste Paper Drivers Union, Local 244 (Seasonal Drivers) set forth in File No. 392-97-A, for the period from April 1, 1995, through March 31, 1998, which provides,

among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

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

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

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

Ord. No. 393-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Neighborhood Development Investment Fund contract with MRN, Ltd., or its designee, to provide economic development assistance to redevelop the vacant, substandard Windsor Block buildings, located at 322-328-334-340 Euclid Avenue, Cleveland, Ohio.

Whereas, through Ordinance No. 56-94, passed June 13, 1994, the City established the Neighborhood Development Investment Program and the Neighborhood Development Investment Fund (NDIF) for the purpose of stimulating the development of major opportunities for job creation, retention, and expansion in the City's neighborhoods; 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, subject to the provisions of Section 8 of this Ordinance, the Director of Economic Development is hereby authorized to enter into a Neighborhood Development Investment Fund contract with MRN, Ltd., or its designee, to provide economic development assistance to redevelop the vacant, substandard Windsor Block buildings, located at 322-328-334-340 Euclid Avenue, Cleveland, Ohio.

Section 2. That the terms of said contract shall comply with the requirements of the Neighborhood Development Investment Program and NDIF, as set forth in Section 1 of Ordinance No. 56-94 passed June 13, 1994, and shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 393-97-A.

Section 3. That the costs of said contract shall not exceed Five Hundred Thousand Dollars (\$500,000.00), and shall be paid from Fund No. 10 SF 501.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordi-

nance 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 such loan and to deposit said monies in Fund No. 10 SF 502.

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

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

Section 8. That, prior to entering into any contract authorized herein, the Director of Finance is required and hereby is directed to certify that said contract is in compliance with the provision of Section 1 of Ordinance No. 56-94 regarding the use of such funds for construction and/or rehabilitation of housing units within the City, and to certify that un-appropriated funds equal to the contract amount set forth in Section 3 of this ordinance have been collected by the City and are available to be allocated to such contract.

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

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

Ord. No. 394-97.

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

An emergency ordinance authorizing the Director of Community Development to lease real property located south and adjacent to the Main Avenue Bridge west of West Ninth Street and a platform attached and located underneath the Main Avenue Bridge from the Board of County Commissioners of Cuyahoga County, and to then lease all or part of that same real property to the National Terminals Apartments Limited Liability Company, or its designee, for a term not to exceed fifty years to make parking available in support of a housing development project.

Whereas, the acquisition of real property and interests in real property for housing development is a proper public purpose pursuant to Article VIII, Section 16 of the Ohio Constitution; and

Whereas, the Board of County Commissioners of Cuyahoga County has proposed to lease to the City of Cleveland certain real property, located south and adjacent to the Main Avenue Bridge west of West Ninth Street and a platform attached and located underneath the Main

Avenue Bridge, for the purpose of enhancing housing development; and

Whereas, the City of Cleveland desires to sublease all or part of that same real property to the National Terminals Apartments Limited Liability Company, or its designee, for the purpose of providing parking for a housing project developed consistent with policies and standards set by the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to lease from the Board of County Commissioners of Cuyahoga County certain real property located south and adjacent to the Main Avenue Bridge west of West Ninth Street and a platform attached and located underneath the Main Avenue Bridge, and more fully described as follows:

Fee Simple Title

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of Original Two-Acre Lot No. 194 in said City, and if further described as follows:

Beginning at the intersection of the Northeastly line of West 10th Street, 50 feet wide, with the Southeastly line of Main Avenue, N.W., 40 feet wide;

Thence from said place of beginning North 56° 01' 20" East along said Southeastly line, 265.10 feet to the Westerly line of the Lighthouse Yard, so-called, being land formerly owned by the United States of America;

Thence South 34° 01' 10" East along said Westerly line of said land so formerly owned by the United States of America, 37.15 feet;

Thence South 56° 01' 20" West, 265.10 feet to the said Northeastly line of West 10th Street, 50 feet wide;

Thence North 34° 01' 20" West along said Northeastly line, 37.15 feet to the place of beginning, containing 9848 square feet.

Easement For Air Rights

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of Original Two-Acre Lot No. 194, in said City, and is further described as follows:

Beginning in the Northeastly line of West 10th Street, 50 feet wide, at a point which bears South 34° 01' 20" East along said Northeastly line, 37.15 feet from its intersection with the Southeastly line of Main Avenue, N.W., 40 feet wide;

Thence from said place of beginning South 34° 01' 20" East along said Northeastly line, 11.51 feet;

Thence Northeastly along a curved line deflecting to the right, 47.84 feet to a point of tangency, said curved line having a radius of 958 feet and the chord of whose arc bears North 54° 33' 30" East, 47.84 feet;

Thence North 55° 59' 20" East, 217.26 feet to the Westerly line of the Lighthouse Yard, so-called, being land formerly owned by the United States of America;

Thence North 34° 01' 10" West

along said Westerly line of land so formerly owned by the United States of America, 10.17 feet;

Thence South 56° 01' 20" West, 265.10 feet to the place of beginning, containing 2736 square feet.

Section 2. That the rent for the lease described in Section 1 shall be for fair market value as determined by the Board of Control; that the lease shall be for a term not to exceed fifty (50) years as determined by the Director of Community Development and subject to an annual appropriation by Council; that the lease shall be for the purpose of enhancing housing development; that the costs of the lease shall be paid from Fund No. 10 SF 501 and that the lease shall contain any other provisions that the Director of Community Development and Director of Law deem necessary to protect the public interest and effect the purpose of housing development.

Section 3. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to sublease all or part of the real property described in Section 1 to the National Terminals Apartments Limited Liability Company, or its designee, which property is determined to be not needed for any public use other than the provision of parking for housing development.

Section 4. That the rent for the real property described in Section 3 shall be for fair market value as determined by the Board of Control; that the lease shall be for a term equal to the term described in Section 2; that the lease shall be for the purpose of providing parking for housing development; and that the lease shall contain any other provisions that the Director of Community Development and Director of Law deem necessary to protect the public interest and effect the purpose of housing development.

Section 5. That the Directors of Community Development and Law, and other appropriate City officials, are hereby authorized to execute any other documents and certificates, and take any other actions as may be necessary or appropriate to effect the leases authorized pursuant to this ordinance.

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

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

Ord. No. 395-97.

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

An emergency ordinance establishing a Community Reinvestment Area in the area of Euclid Avenue, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

Whereas, Section 3735.65 et seq. of the Ohio Revised Code authorizes municipalities to designate Commu-

nity Reinvestment Areas where certain criteria have been met; and

Whereas, the area located at Euclid Avenue is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

Whereas, the City desires to encourage new housing construction and the repair of existing housing facilities to eliminate blight and prevent the recurrence of blight by granting tax exemptions; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating said Community Reinvestment Area will encourage development in the area located at Euclid Avenue and will, furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore,

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

Section 1. That based upon information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area located at 322, 328, 334 and 340 Euclid Avenue (Permanent Parcel Nos. 101-26-033, 101-26-034, 101-26-035, 101-26-036 and 101-26-064) is a blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

Section 2. That the area hereinabove described is hereby designated a Community Reinvestment Area pursuant to Section 3735.65 et seq. of the Ohio Revised Code.

Section 3. That the conversion of the Windsor Block Buildings at East 4th and Euclid into 42 apartments in the Community Reinvestment Area is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Neighborhood Development for the City of Cleveland for up to 75% for years one through five; 50% for years six through ten; and 25% for years eleven and twelve for the assessed taxes for the construction activities described above.

Section 4. That the Commissioner of Neighborhood Development for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 et seq. of the Ohio Revised Code and this ordinance. That this exemption from real property taxation is contingent upon all applicable requirements of Section 3735.65 et seq. of the Ohio Revised Code and this ordinance having been met.

Section 5. That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this

ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

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

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

Ord. No. 396-97.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at Carnegie Avenue east of Ontario Street to the Board of Trustees of Cuyahoga Community College District.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located on Carnegie Avenue east of Ontario Street; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1975, it is hereby found and determined that the following described property is no longer needed for public use:

PARCEL NO. 1:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 60 in A.W. Walworth's Subdivision of part of Original Two Acre Lots Nos. 117 to 124 both inclusive, and Nos. 130 to 133 both inclusive, as shown by the recorded plat in Volume P of Deeds, Page 558 of Cuyahoga County Records, and being 50 feet front of the Southeasterly side of Carnegie Avenue, S.E., (formerly Ohio Street) and extending back 121-7/12 feet on the Northeasterly line, 98-4/12 feet on the Southwesterly line and having a rear line of 55-2/12, as appears by said plat, 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. 64 in A.W. Walworth's Subdivision of part of Original Two Acre Lots Nos. 117 to 124, both inclusive and Nos. 129 to 133 both inclusive, as shown by the recorded plat in Volume P of Deeds, Page 558 of Cuyahoga County Records, and being 50 feet front on the Northeasterly side of Woodland Avenue, S.E., and extending back 98 feet 4 inches on the Northerly line, 121 feet 7 inches on the Southerly line and having a rear line of 55 feet 2 inches, as appears by said plat, be the same

more or less, but subject to all legal highways.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Board of Trustees of Cuyahoga Community College District at a price not less than fair market value, taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 3. That the conveyance authorized hereby shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland.

Section 4. That the Directors of Law and Parks, Recreation and Properties are hereby authorized to execute such certifications and documents, and take such other actions as may be necessary or appropriate in connection with the above authorized transaction.

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

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

Ord. No. 397-97.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for Humphrey Park Facility expansion project at 16009-16011 Damon Avenue, for the Division of Property Management, Department of Parks, Recreation and Properties.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase the following described property for the purpose of expanding the Humphrey Park Facility:

16009-16011 Damon Avenue
Permanent Parcel No. 113-13-004
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 417 and the Westerly 1/2 of Sublot No. 416 in the Eastwood Subdivision of part of Original Euclid Township Tract 16, as shown by the recorded plat in Volume 31 of Maps, Page 27 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 37-1/2 feet on the Northerly side of Damon Avenue, N.E., and extending back 101.49 feet on the Westerly line, 101.40 feet on the Easterly line, and being 37-1/2 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of such property.

Section 3. That the consideration to be paid for such property shall not exceed its fair market value as determined by the Board of Control.

Section 4. That all costs of acquisition of land shall be paid from Fund Nos 20 SF 180, 20 SF 303, 20 SF 192 and 20 SF 323, Request No. 20556.

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

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

Ord. No. 398-97.

By Councilmen Polensek, Willis and Westbrook (by departmental request).

An emergency ordinance supplementing the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 135.56 thereof, relating to authorizing the Director of Public Safety to enter into agreements with the Ohio Department of Public Safety for the Police Division to conduct the "Third Grade Safety Belt Program."

Whereas, the Ohio Department of Public Safety has developed a curriculum known as the "Third Grade Safety Belt Program"; and

Whereas, the program involves the training of third grade students on the use of safety belts; and

Whereas, the Ohio Department of Public Safety will reimburse the City for costs associated with conducting the program locally at a fixed rate per student; and

Whereas, for the 1997 program, the City will receive reimbursement from the state of Ohio in the sum of \$13,400.00 for the training of 6,700 third grade students; and

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 135.56 thereof to read as follows:

Section 135.56 Third Grade Safety Belt Program

(a) The Director of Public Safety is authorized to enter into agreements with the Ohio Department of Public Safety for the Division of Police to conduct a program known as the "Third Grade Safety Belt Program" to educate youngsters in the use of safety belts. The Chief of Police may co-sign such agreements and is further authorized to sign such other documents as may be

required by the Ohio Department of Public Safety for the Division of Police to participate in the program. Any such agreement shall provide that the City's Department of Public Safety receive reimbursement from the state of Ohio at the reimbursement rate per student then prevailing.

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

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

Ord. No. 399-97.

By Councilmen Smith and Westbrook (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of automotive parts and supplies for the repair, replacement and maintenance of airport maintenance vehicles and equipment, for the various divisions of 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 of automotive parts and supplies for the repair, replacement and maintenance of 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 various divisions of 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 22570)

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. 400-97.

By Councilman Sweeney.
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 676B.01 to 676B.06 and 676B.99 thereof, relating to garage and residential personal property sales.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 676B.01 to 676B.06 and 676B.99 thereof, to read, respectively, as follows:

**CHAPTER 676B
GARAGE AND RESIDENTIAL
PERSONAL PROPERTY SALES**

Section 676B.01 Definitions

(a) "Garage Sale or other Residential Personal Property Sale" shall mean all general sales, open to the public, conducted from or on a residential premises in any residential zone as defined by the Zoning Ordinance of the City, for the purpose of disposing of personal property, including, but not limited to, all sales commonly referred to as "garage", "lawn", "yard", "attic", "porch", "room", "backyard", "patio", "flea market", or "rummage sale.

(b) "Personal Property" shall mean property which is owned, utilized and maintained by an individual or members of his or her residence and which has been acquired in the normal course of living in or maintaining a residence.

(c) "Secondhand dealer" shall mean any person, firm or corporation dealing in the purchase or sale of secondhand articles of whatever nature, or dealing in the purchase or sale of any secondhand manufactured article composed wholly or in part of gold, silver, platinum or other metals, or in the purchase or sale of old gold, silver or platinum, or any person, firm or corporation dealing in the purchase of articles or things comprised of gold, silver or platinum for the purpose of melting or refining, or engaged in melting precious metals for the purpose of selling, or engaged in the purchase or sale of pawnbroker tickets or other evidence of pledged articles, or not being a pawnbroker, who deals in the redemption or sale of pledged articles.

Section 676B.02 Property Permitted to be Sold

No person, whether as owner, lessee, manager, occupant or any agent thereof, shall sell, offer for sale, conduct or permit a sale of property other than personal property.

Section 676B.03 Exceptions

The provisions of this chapter shall not apply to an officer executing process or order of any court having jurisdiction within the State of Ohio for selling property, directed by law, court order or local

process to be sold on the property where the same is located or to the sale or offering for sale of personal property as defined herein.

Section 676B.04 General Regulations

(a) No garage or other residential personal property sales shall be permitted except between the hours of 10:00 a.m. and 6:00 p.m., nor shall exceed more than four (4) consecutive days in duration.

(b) No more than three (3) garage or other residential personal property sales shall be conducted or permitted on or at a residential premises, as defined by Section 676B.01, during any year.

(c) A garage or other residential personal property sale conducted or managed on or at a residential premises, whether directly or indirectly, by any person other than the owner, lessee, manager, occupant or agent thereof, of the premises where said sale is conducted shall be included for purposes of calculation of the number of garage or other residential property sales permitted under this section.

Section 676B.05 Prohibitions

No person whether as owner, lessee, manager, occupant or any agent thereof, or any person other than the owner, lessee, manager, occupant or agent thereof, shall conduct, permit or manage whether, directly or indirectly, a garage sale, or other residential personal property sale in violation of Sections 676B.02 or divisions (a) or (b) of Section 676B.04.

Section 676B.06 When License of Secondhand Dealer Required

No person, whether as owner, lessee, manager, occupant or any agent thereof, shall conduct or permit more than three (3) garage or other residential personal property sales during any year unless and until licensed pursuant to Chapter 676 as a Secondhand Dealer.

Section 676B.99 Penalty

Whoever violates any of the provisions of Sections 676B.02, 676B.05, and 676B.06 of this chapter shall be guilty of a minor misdemeanor, and shall be fined not less than one hundred dollars (\$100.00). The fine set forth herein is mandatory and shall not be suspended by the court in whole or in part. Each day upon which a violation occurs or continues shall constitute a separate offense and shall be punishable as such hereunder.

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

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

Ord. No. 401-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance to amend Section 2 of Ordinance No. 1130-93, passed May 24, 1993, as amended by Ordinance No. 1711-96, passed October 28, 1996, relating to upgrading the computer system for the Department of Law.

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

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

Section 1. That Section 2 of Ordinance No. 1130-93, passed May 24, 1993, as amended by Ordinance No. 1711-96, passed October 28, 1996, is hereby amended to read as follows:

Section 2. That the cost of said contract and services hereby authorized shall be paid from Fund Nos. 10 SF 006, 52 SF 001, 54 SF 001 and 58 SF 001, Request No. 06485.

Section 2. That existing Section 2 of Ordinance No. 1130-93, passed May 24, 1993, as amended by Ordinance No. 1711-96, passed October 28, 1996, is hereby repealed.

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

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

**FIRST READING EMERGENCY
RESOLUTION REFERRED**

Res. No. 402-97.

By Councilman Dolan.

An emergency resolution urging the Mayor and the Administration to immediately and actively investigate and prepare the City of Cleveland for the imminent deregulation of the electric utility industry by pursuing the right of electrical utility customers, both residential and commercial/industrial, situated in the City of Cleveland to be aggregated together for the purpose of purchasing electricity to derive greater energy savings as a collective group and other matters set forth in Case No. 96-406-EL-COI before The Public Utilities Commission of Ohio.

Whereas, The Public Utilities Commission of Ohio issued findings in Case No. 96-406-EL-COI, relating to the right of electrical utility customers to be aggregated together for the purpose of purchasing electricity to derive greater energy savings as collective groups then would otherwise be able to achieve individually; and

Whereas, the members of this Council understand the importance of the potentially significant energy savings such customer aggregation may have to the residential and commercial/industrial customers of electrical power who reside in the City of Cleveland; and

Whereas, such customer aggregation and the resulting competitive market will have a positive effect upon the cost of living and the cost of doing business in the City of Cleveland;

Now, therefore, be it resolved by the Council of the City of Cleveland: **Section 1.** That this Council strongly urges Mayor Michael R. White and Directors Konicek and Jordan to commit the manpower and other resources required to immediately and actively investigate and prepare the City of Cleveland for the imminent deregulation of the electric utility industry and become fully involved in the matters set forth in Case No. 96-406-EL-COI

before The Public Utilities Commission of Ohio regarding competition in the electric utility industry in Ohio, particularly the advisability of conjunctive electric service and the potential cost savings to residential and commercial/industrial customers situated in the City of Cleveland.

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

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

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

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

Ord. No. 403-97.

By Councilman Jackson.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 5 (William Solomon).

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

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

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

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

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

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

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

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

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

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

**FIRST READING EMERGENCY
RESOLUTION READ IN FULL
AND ADOPTED**

Res. No. 404-97.

By Councilman Smith.

An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 3133 West 25th Street, first floor.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 1115534, Ira Dean Burgess, 3133 West 25th Street, first floor, Cleveland, Ohio 44109, to Permit No. 1008060, James C. Brown, 3133 West 25th Street, first floor, Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 Liquor Permit from Permit No. 1115534, Ira Dean Burgess, 3133 West 25th Street, first floor, Cleveland, Ohio 44109, to Permit No. 1008060, James C. Brown, 3133 West 25th Street, first floor, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

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

**SECOND READING
EMERGENCY ORDINANCE**

Ord. No. 172-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland for the year 1997.

Approved by Directors of Finance, Law; Recommended by Committee on Finance, when amended as follows:

1. In Section 1, strike lines 4, 5, 6, and 7 in their entirety and insert in lieu thereof the following:

"The sum of Four hundred two million two hundred seventy four thousand eighty seven dollars (\$402,274,087) from the General Fund;

The sum of Fifty four million six hundred thirty five thousand one hundred ninety eight dollars (\$54,635,198) from the Special Revenue Funds;"

2. In Section 1, at Section entitled "APPROPRIATION FOR THE YEAR 1997" at "Municipal Court", strike "20,540,515" and insert in lieu thereof **"20,575,515"**.

3. In Section 1, at Section entitled "APPROPRIATION FOR THE YEAR 1997" at "Transfers to Other Funds", strike "25,426,254" and insert in lieu thereof **"25,091,254"**.

4. In Section 1, at Section entitled "APPROPRIATION FOR THE YEAR 1997" at "TOTAL EXECUTIVE BRANCH", strike "\$378,482,699" and insert in lieu thereof **"\$378,147,699"**; and at Section entitled "TOTAL GENERAL FUND", strike "\$402,574,087" and insert in lieu thereof **"\$402,274,087"**.

5. In Section 1, at Section entitled "APPROPRIATION FOR THE YEAR 1997" at "Special Revenue Funds", strike "\$53,970,198" and insert in lieu thereof **"\$54,635,198"**.

6. In Section 1, at Section entitled "APPROPRIATION FOR THE YEAR 1997" at "TOTAL APPROPRIATIONS FOR 1997", strike "\$925,573,233" and insert in lieu thereof **"\$925,938,233"**.

7. In Section 1, at Section entitled "GENERAL GOVERNMENT" at "MUNICIPAL COURT" at "Municipal Court - Housing Division", strike "\$1,549,439" and insert in lieu thereof **"\$1,584,439"**; and at "I. Personnel and Related Expenses", strike "\$1,473,265" and insert in lieu thereof **"\$1,508,265"**.

8. In Section 1, at Section entitled "GENERAL GOVERNMENT" at "MUNICIPAL COURT" at "TOTAL MUNICIPAL COURT" strike "\$20,540,515" in both places, and insert in lieu thereof in both places **"20,575,515"**.

9. In Section 1, at Section entitled "NONDEPARTMENTAL" at "TOTAL SUPPORT FUNCTIONS" at "Transfers to Other Funds" and at "II Other Expenses", strike "\$25,426,254" in both places, and insert in lieu thereof in both places **"\$25,091,254"**.

10. In Section 1, at "NONDE-

PARTMENTAL" at "TOTAL GENERAL FUND", strike "\$402,574,087" in both places and insert in lieu thereof in both places "**\$402,274,087**".

11. In Section 1, at Section entitled "SPECIAL REVENUE FUND" at "Street Construction, Maintenance & Repair Fund", strike "\$23,626,992" and insert in lieu thereof "**\$24,291,992**"; and at "I. Personnel and Related Expenses", strike "\$12,608,871" and insert in lieu thereof "**\$12,838,871**"; and at "II. Other Expenses" strike "\$11,018,121" and insert in lieu thereof "**11,453,121**".

12. In Section 1, at Section entitled "SPECIAL REVENUE FUND" at "TOTAL SPECIAL REVENUE FUNDS", strike "\$53,970,198" in both places and insert in lieu thereof in both places "**\$54,635,198**".

Amendment agreed to. Yeas 21. Nays 0.

In compliance with the Charter, a copy of the amendments were furnished to each member of Council before the amendments were approved.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 123-97.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Personnel and Human Resources to enter into contract with DAC Ser-

vices to provide employee background and criminal checks.

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

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

Ord. No. 321-97.

By Councilmen Britt, Willis, Coats and Westbrook (by departmental request).

An emergency ordinance authorizing the Director of Public Service to accept a cash gift from University Hospitals Incorporated for the purpose of providing matching local funds for the public improvement of rehabilitating and reconstructing Cornell Road from Euclid Avenue to Murray Hill Road, and to identify additional funding sources for said improvement, for the Division of Engineering, Department of Public Service.

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

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

Ord. No. 326-97.

By Councilman Dolan (by request).

An emergency ordinance authoriz-

ing the Director of Public Service to issue a permit to St. Patrick's Church to encroach into the right-of way of Rocky River Dr. and Puritas Ave. with hanging banners for the period of one year from March 17, 1997 to March 17, 1998.

Approved by Directors of Public Service, Relieved of Departments of City Planning Commission, Finance, Relieved of Committees on Public Service, City Planning, Finance.

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

Ord. No. 343-97.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Broadway Area Housing Coalition, or their designee, to provide a grant to finance the demolition of certain properties in furtherance of construction of the Third Federal Savings and Loan Operations Center, located at 7007 Broadway Avenue, Cleveland, Ohio.

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

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

**APPROPRIATION FOR THE YEAR 1997
(SECOND READING EMERGENCY ORDINANCE)
ORDINANCE NO. 172-97**

Ord. No. 172-97.

By Councilman Westbrook (by departmental request).

An emergency ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland for the year 1997.

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

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

Section 1. That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 1997, the following sums be and they are hereby appropriated viz:

The sum of Four hundred two million two hundred seventy four thousand eighty seven dollars (\$402,274,087) from the General Fund;

The sum of Fifty four million six hundred thirty five thousand one hundred ninety eight dollars (\$54,635,198) from the Special Revenue Funds;

The sum of Twenty three million one hundred sixteen thousand three hundred ninety seven dollars (\$23,116,397) from the Internal Service Funds;

The sum of Three hundred ninety six million two hundred seventy thousand three hundred thirty two dollars (\$396,270,332) from the Enterprise Funds;

The sum of Five million seven hundred twenty eight thousand four hundred fifty four dollars (\$5,728,454) from the Trust and Agency Funds;

The sum of Forty three million nine hundred thirteen thousand seven hundred sixty five dollars (\$43,913,765) from the Debt Service Fund;

All set forth in the Mayor's Estimate on file with Council and identified as File No. 172-97-A in the aggregate amount for each department as follows:

APPROPRIATION FOR THE YEAR 1997

GENERAL FUND

Legislative Branch	\$3,550,873
Municipal Court	20,575,515
Executive Branch	
Office of the Mayor	1,737,601
Department of Public Safety	235,602,033
Community Relations Board	818,408
Department of Public Service	31,206,660
Department of Parks, Recreation & Properties	34,466,079
Boxing & Wrestling Commission	8,437
Urban Planning & Development	9,802,249
Department of Public Health	10,365,479

Department of Aging		253,265
Support Functions		28,796,234
Transfers to Other Funds		25,091,254
TOTAL EXECUTIVE BRANCH		\$378,147,699
TOTAL GENERAL FUND		\$402,274,087
Special Revenue Funds		\$54,635,198
Internal Service Funds		23,116,397
Enterprise Funds		396,270,332
Trust and Agency Funds		5,728,454
Debt Service Funds		43,913,765
TOTAL APPROPRIATIONS FOR 1997		\$925,938,233
GENERAL GOVERNMENT		
LEGISLATIVE BRANCH		
COUNCIL AND CLERK OF COUNCIL		
I. Personnel and Related Expenses	\$2,534,116	\$3,550,873
II. Other Expenses	1,016,757	
TOTAL LEGISLATIVE BRANCH	\$3,550,873	\$3,550,873
MUNICIPAL COURT		
MUNICIPAL COURT-JUDICIAL DIVISION		
I. Personnel and Related Expenses	\$10,731,823	\$12,216,735
II. Other Expenses	1,484,912	
MUNICIPAL COURT-HOUSING DIVISION		
I. Personnel and Related Expenses	\$1,508,265	\$1,584,439
II. Other Expenses	76,174	
MUNICIPAL COURT-CLERK'S DIVISION		
I. Personnel and Related Expenses	\$5,048,845	\$6,774,341
II. Other Expenses	1,725,496	
TOTAL MUNICIPAL COURT	\$20,575,515	\$20,575,515
EXECUTIVE BRANCH		
OFFICE OF THE MAYOR		
I. Personnel and Related Expenses	\$1,461,716	\$1,737,601
II. Other Expenses	275,885	
TOTAL EXECUTIVE BRANCH	\$1,737,601	\$1,737,601
DEPARTMENT OF PUBLIC SAFETY		
PUBLIC SAFETY ADMINISTRATION		
I. Personnel and Related Expenses	\$9,179,707	\$10,022,036
II. Other Expenses	842,329	
DIVISION OF POLICE		
I. Personnel and Related Expenses	\$132,202,913	\$142,416,287
II. Other Expenses	10,213,374	
DIVISION OF FIRE		
I. Personnel and Related Expenses	\$62,099,984	\$64,621,437
II. Other Expenses	2,521,453	
DIVISION OF EMERGENCY MEDICAL SERVICES		
I. Personnel and Related Expenses	\$13,562,843	\$14,583,783
II. Other Expenses	1,020,940	
DIVISION OF TRAFFIC ENGINEERING		
I. Personnel and Related Expenses	\$2,562,786	\$3,296,732
II. Other Expenses	733,946	
DIVISION OF DOG POUND		
I. Personnel and Related Expenses	\$509,850	\$661,758
II. Other Expenses	151,908	
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$235,602,033	\$235,602,033

COMMUNITY RELATIONS BOARD		\$818,408
I. Personnel and Related Expenses	\$752,775	
II. Other Expenses	65,633	
TOTAL COMMUNITY RELATIONS BOARD	\$818,408	\$818,408
DEPARTMENT OF PUBLIC SERVICE		
PUBLIC SERVICE ADMINISTRATION		\$309,562
I. Personnel and Related Expenses	\$289,435	
II. Other Expenses	20,127	
DIVISION OF ARCHITECTURE		\$543,735
I. Personnel and Related Expenses	\$493,467	
II. Other Expenses	50,268	
DIVISION OF WASTE COLLECTION & DISPOSAL		\$25,835,796
I. Personnel and Related Expenses	\$14,467,575	
II. Other Expenses	11,368,221	
DIVISION OF ENGINEERING AND CONSTRUCTION		\$4,517,567
I. Personnel and Related Expenses	\$4,009,062	
II. Other Expenses	508,505	
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$31,206,660	\$31,206,660
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
PARKS, RECREATION AND PROPERTIES ADMINISTRATION		\$744,815
I. Personnel and Related Expenses	\$570,774	
II. Other Expenses	174,041	
DIVISION OF RESEARCH, PLANNING & DEVELOPMENT		\$680,722
I. Personnel and Related Expenses	\$594,532	
II. Other Expenses	86,190	
DIVISION OF RECREATION		\$9,628,805
I. Personnel and Related Expenses	\$6,942,547	
II. Other Expenses	2,686,258	
DIVISION OF PARKING FACILITIES-ON STREET		\$921,137
I. Personnel and Related Expenses	\$880,431	
II. Other Expenses	40,706	
DIVISION OF PROPERTY MANAGEMENT		\$10,417,842
I. Personnel and Related Expenses	\$7,975,269	
II. Other Expenses	2,442,573	
DIVISION OF PARK MAINTENANCE & PROPERTIES		\$12,072,758
I. Personnel and Related Expenses	\$8,068,618	
II. Other Expenses	4,004,140	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$34,466,079	\$34,466,079
BOXING AND WRESTLING COMMISSION		
BOXING AND WRESTLING COMMISSION		\$8,437
I. Personnel and Related Expenses	\$8,253	
II. Other Expenses	184	
TOTAL DEPARTMENT BOXING AND WRESTLING COMMISSION	\$8,437	\$8,437
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
DIVISION OF ADMINISTRATIVE SERVICES		\$83,864
I. Personnel and Related Expenses	\$83,864	
DIVISION OF BUILDING & HOUSING		\$5,625,740
I. Personnel and Related Expenses	\$5,057,971	
II. Other Expenses	567,769	

DIRECTOR'S OFFICE		\$100,210
I. Personnel and Related Expenses	\$100,210	
DIVISION OF NEIGHBORHOOD DEVELOPMENT		\$429,170
I. Personnel and Related Expenses	\$219,170	
II. Other Expenses	210,000	
DIVISION OF NEIGHBORHOOD SERVICES		\$78,015
I. Personnel and Related Expenses	\$78,015	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT	\$6,316,999	\$6,316,999
REGULATORY BOARDS & COMMISSIONS		
LANDMARKS COMMISSION		\$92,285
I. Personnel and Related Expenses	\$78,997	
II. Other Expenses	13,288	
BOARD OF BUILDING STANDARDS & APPEALS		\$95,251
I. Personnel and Related Expenses	\$76,000	
II. Other Expenses	19,251	
BOARD OF ZONING APPEALS		\$232,171
I. Personnel and Related Expenses	\$211,001	
II. Other Expenses	21,170	
BOARD OF EXAMINERS OF PLUMBERS AND ELECTRICIANS		\$88,814
I. Personnel and Related Expenses	\$84,367	
II. Other Expenses	4,447	
FAIR CAMPAIGN FINANCE COMMISSION		\$9,843
II. Other Expenses	\$9,843	
TOTAL REGULATORY BOARDS	\$518,364	\$518,364
DEPARTMENT OF ECONOMIC DEVELOPMENT		
ECONOMIC DEVELOPMENT ADMINISTRATION		\$1,200,741
I. Personnel and Related Expenses	\$1,162,338	
II. Other Expenses	38,403	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT	\$1,200,741	\$1,200,741
OFFICE OF EQUAL OPPORTUNITY		\$535,948
I. Personnel and Related Expenses	\$451,426	
II. Other Expenses	84,522	
CITY PLANNING COMMISSION		\$1,171,861
I. Personnel and Related Expenses	\$1,107,290	
II. Other Expenses	64,571	
DIVISION OF HARBORS		\$58,336
I. Personnel and Related Expenses	\$58,336	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$9,802,249	\$9,802,249
DEPARTMENT OF PUBLIC HEALTH		
PUBLIC HEALTH AND WELFARE ADMINISTRATION		\$247,729
I. Personnel and Related Expenses	\$136,001	
II. Other Expenses	111,728	
DIVISION OF CORRECTION		\$5,025,718
I. Personnel and Related Expenses	\$3,975,457	
II. Other Expenses	1,050,261	

DIVISION OF HEALTH		\$2,905,220
I. Personnel and Related Expenses	\$2,358,736	
II. Other Expenses	546,484	
DIVISION OF ENVIRONMENT		\$2,186,812
I. Personnel and Related Expenses	\$1,980,979	
II. Other Expenses	205,833	
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$10,365,479	\$10,365,479
DEPARTMENT OF AGING		
DEPARTMENT OF AGING		\$253,265
I. Personnel and Related Expenses	\$194,597	
II. Other Expenses	58,668	
TOTAL DEPARTMENT OF AGING	\$253,265	\$253,265
SUPPORT FUNCTIONS		
FINANCIAL AND LEGAL ADMINISTRATION		
DEPARTMENT OF FINANCE		
FINANCE ADMINISTRATION		\$255,380
I. Personnel and Related Expenses	\$206,539	
II. Other Expenses	48,841	
DIVISION OF ACCOUNTS		\$1,137,397
I. Personnel and Related Expenses	\$757,168	
II. Other Expenses	380,229	
DIVISION OF ASSESSMENTS & LICENSES		\$997,755
I. Personnel and Related Expenses	\$865,346	
II. Other Expenses	132,409	
DIVISION OF TREASURY		\$374,245
I. Personnel and Related Expenses	\$310,979	
II. Other Expenses	63,266	
DIVISION OF PURCHASES & SUPPLIES		\$652,422
I. Personnel and Related Expenses	\$545,798	
II. Other Expenses	106,624	
BUREAU OF INTERNAL AUDIT		\$424,859
I. Personnel and Related Expenses	\$188,644	
II. Other Expenses	236,215	
DIVISION OF FINANCIAL REPORTING AND CONTROL		\$923,072
I. Personnel and Related Expenses	\$838,767	
II. Other Expenses	84,305	
TOTAL DEPARTMENT OF FINANCE	\$4,765,130	\$4,765,130
OFFICE OF BUDGET & MANAGEMENT-BUDGET ADMIN.		\$482,336
I. Personnel and Related Expenses	\$437,420	
II. Other Expenses	44,916	
DEPARTMENT OF LAW		\$7,546,701
I. Personnel and Related Expenses	\$5,434,185	
II. Other Expenses	2,112,516	
TOTAL FINANCIAL AND LEGAL ADMINISTRATION	\$12,794,167	\$12,794,167
PERSONNEL ADMINISTRATION		
OFFICE OF PERSONNEL		\$1,351,102
I. Personnel and Related Expenses	\$962,898	
II. Other Expenses	388,204	

CIVIL SERVICE COMMISSION		\$985,293
I. Personnel and Related Expenses	\$603,003	
II. Other Expenses	382,290	
TOTAL PERSONNEL ADMINISTRATION	\$2,336,395	\$2,336,395
NON DEPARTMENTAL		
COUNTY AUDITOR DEDUCTIONS		\$1,183,000
II. Other Expenses	\$1,183,000	
OTHER ADMINISTRATIVE		\$12,482,672
II. Other Expenses	\$12,482,672	
TOTAL NON DEPARTMENTAL	\$13,665,672	\$13,665,672
TOTAL SUPPORT FUNCTIONS	\$28,796,234	\$28,796,234
TRANSFERS TO OTHER FUNDS		\$25,091,254
II. Other Expenses	\$25,091,254	
TOTAL GENERAL FUND	\$402,274,087	\$402,274,087
SPECIAL REVENUE FUNDS		
RESTRICTED INCOME TAX FUND		\$28,343,206
I. Capital	\$20,843,206	
II. Debt Service	7,500,000	
STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND		\$24,291,992
I. Personnel and Related Expenses	\$12,838,871	
II. Other Expenses	11,453,121	
SCHOOLS RECREATION & CULTURAL ACTIVITIES FUND		\$2,000,000
II. Other Expenses	\$2,000,000	
TOTAL SPECIAL REVENUE FUNDS	\$54,635,198	\$54,635,198
INTERNAL SERVICE FUNDS		
INFORMATION SYSTEMS SERVICES-TELEPHONE EXCHANGE		\$3,877,005
I. Personnel and Related Expenses	\$379,821	
II. Other Expenses	3,497,184	
INFORMATION SYSTEMS SERVICES		\$2,676,126
I. Personnel and Related Expenses	\$1,380,931	
II. Other Expenses	1,295,195	
DIVISION OF MOTOR VEHICLE MAINTENANCE		\$14,643,427
I. Personnel and Related Expenses	\$4,427,086	
II. Other Expenses	10,216,341	
DIVISION OF PRINTING AND REPRODUCTION		\$1,109,451
I. Personnel and Related Expenses	\$519,584	
II. Other Expenses	589,867	
CITY STOREROOM AND CENTRAL WAREHOUSE		\$810,388
I. Personnel and Related Expenses	\$89,590	
II. Other Expenses	720,798	
TOTAL INTERNAL SERVICE FUNDS	\$23,116,397	\$23,116,397
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC UTILITIES		
UTILITIES ADMINISTRATION		\$2,422,302
I. Personnel and Related Expenses	\$868,282	
II. Other Expenses	1,554,020	

DIVISION OF FISCAL CONTROL		\$1,684,023
I. Personnel and Related Expenses	\$1,538,173	
II. Other Expenses	145,850	
DIVISION OF WATER		\$184,552,299
I. Personnel and Related Expenses	\$60,848,299	
II. Other Expenses	123,704,000	
DIVISION OF WATER POLLUTION CONTROL		\$17,877,525
I. Personnel and Related Expenses	\$7,194,081	
II. Other Expenses	10,683,444	
DIVISION OF CLEVELAND PUBLIC POWER		\$113,708,088
I. Personnel and Related Expenses	\$21,504,252	
II. Other Expenses	92,203,836	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$320,244,237	\$320,244,237
DEPARTMENT OF PORT CONTROL		
DIVISIONS OF CLEVELAND HOPKINS & BURKE LAKEFRONT AIRPORTS-OPERATIONS		
I. Personnel and Related Expenses	\$15,995,723	\$56,484,723
II. Other Expenses	40,489,000	
AIRPORT DEVELOPMENT FUND		\$60,000
II. Other Expenses	\$60,000	
TOTAL DEPARTMENT OF PORT CONTROL	\$56,544,723	\$56,544,723
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
DIVISION OF CEMETERIES		
I. Personnel and Related Expenses	\$1,340,932	\$1,851,229
II. Other Expenses	510,297	
GOLF COURSE FUND		
I. Personnel and Related Expenses	\$923,200	\$2,200,226
II. Other Expenses	1,277,026	
DIVISION OF PARKING FACILITIES-OFF STREET PARKING		
I. Personnel and Related Expenses	\$832,760	\$7,214,864
II. Other Expenses	6,382,104	
DIVISION OF CONVENTION CENTER & STADIUM-CONVENTION CENTER		
I. Personnel and Related Expenses	\$1,876,090	\$6,931,059
II. Other Expenses	5,054,969	
DIVISION OF CONVENTION CENTER & STADIUM-WEST SIDE MARKET		
I. Personnel and Related Expenses	\$349,325	\$1,099,706
II. Other Expenses	750,381	
DIVISION OF PROPERTY MANAGEMENT-EAST SIDE MARKET		
I. Personnel and Related Expenses	\$39,269	\$184,288
II. Other Expenses	145,019	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$19,481,372	\$19,481,372
TOTAL ENTERPRISE FUNDS	\$396,270,332	\$396,270,332
AGENCY FUND		
CENTRAL COLLECTION AGENCY		
I. Personnel and Related Expenses	\$3,595,575	\$5,728,454
II. Other Expenses	2,132,879	
TOTAL AGENCY FUND	\$5,728,454	\$5,728,454

DEBT SERVICE FUND

SINKING FUND COMMISSION		\$43,051,265
I. Personnel and Related Expenses	\$107,487	
II. Other Expenses	351,044	
III. Debt Service	42,592,734	
 STADIUM BOND FUND		\$862,500
III. Debt Service	\$862,500	
 TOTAL DEBT SERVICE FUNDS	\$43,913,765	\$43,913,765

Section 2. That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate File No. 172-97-A, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 1996 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 1997 or prior years. The Mayor's Estimate File No. 172-97-A, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 1997 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. - Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

Section 3. That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

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.

Schedule of Items asked for in the Mayor's Estimate refused or changed by Council and the reason for such changes. (Published pursuant to Section 30 of the Charter.)

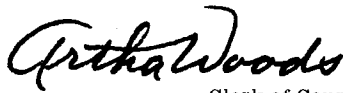
The following changes are made to provide for reductions in various departments and increases in other departments of City Government resulting from additional revenue sources in the amount of \$1,035,000 to correct the total of the 1997 Appropriation Ordinance No. 172-97.

1. Increase in request for		
Municipal Court-Housing Division		
By the Sum of	\$35,000	
By adding to:		
I. Personnel and Related Expenses		\$35,000
 Division of Streets		
By the Sum of	\$1,000,000	
By adding to:		
I. Personnel and Related Expenses		\$230,000
II. Other Expenses		\$770,000
 2. Reduction in request for		
Division of Streets		
By the Sum of	\$335,000	
By subtracting from:		
II. Other Expenses		\$335,000
 Subsidies to Other Funds		
By the Sum of	\$335,000	
By subtracting from:		
II. Other Expenses		\$335,000

Ordinance No. 172-97 is herein published following the Public Hearings and before the third reading and final passage and reflects the necessary amendments required by this schedule.

MOTION

The Council adjourned at 9:40 p.m. to meet on Monday, March 24, 1997 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

March 5, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 5, 1997, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton and Director Lynch.

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

On motion, the following resolutions were adopted.

Resolution No. 128-97.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland that all bids received on February 26, 1997 for Reproduction and Mounting Service for the various divisions of City Government for the Department of Finance, pursuant to the authority of Ordinance No. 2210-96, passed by the Council of the City of Cleveland on January 13, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Acting Director Parker, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Terry, Directors Spellman, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.

Absent: Directors Sobol Jordan and Hamilton.

Resolution No. 129-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by National Engineering & Contracting Company, contractor for the public improvement of the rehabilitation and expansion of the Crown Waterworks Facility, Phase II, under City Contract No. 48060, pursuant to Board of Control Resolution No. 42-95, adopted January 18, 1995 is hereby approved.

Subcontractor

O.A. Bertin Co.

Work

Terrazzo

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Direc-

tors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.

Absent: None.

Resolution No. 130-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by EMA Services, Inc., consultant for the establishment of an information management system, pursuant to Board of Control Resolution No. 820-96, adopted November 13, 1996 is hereby approved.

Subcontractor

OneNet Communications, Inc.

Work

Professional IT Consulting (10%, FBE)

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.

Absent: None.

Resolution No. 131-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 76-97, adopted February 5, 1997, approving the bid of Nerone & Sons, Inc. for the Division of Water Pollution Control, Department of Public Utilities, is hereby amended by correcting the Ordinance passed date from "June 15, 1996" to "June 15, 1992".

Be it further resolved that all other provisions of said Resolution No. 76-97 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.

Absent: None.

Resolution No. 132-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of American Municipal Supplies for an estimated quantity of ductile iron pipe and fittings (items 14, 16-19, 35, 36, 43, 45, 47 and 55) for the Division of Water, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 18th day of December, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Thirty Six Thousand One Hundred and Seventy Five and 28/100 Dollars (\$136,175.28), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00338

which shall be certified against

such contract in the sum of Fifteen Thousand Dollars, (\$15,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.

Absent: None.

Resolution No. 133-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Richmond Valve and Pipe Co., Inc. for an estimated quantity of ductile iron pipe and fittings (items 1-11, 32, 65-69, 103 and 111) for the Division of Water, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 18th day of December, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Forty Seven Thousand Eight Hundred Nine and 10/100 Dollars (\$147,809.10), (Net 30 Days), (1% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00339

which shall be certified against such contract in the sum of Fifteen Thousand Dollars, (\$15,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.

Absent: None.

Resolution No. 134-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of United States Pipe and Foundry Co., Inc. for an estimated quantity of ductile iron pipe and fittings (items 12, 13 and 106) for the Division of Water, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 18th day of December, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Forty Thousand Three Hundred Twenty Three Dollars (\$40,323.00), (Net 30

Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00340 which shall be certified against such contract in the sum of Twenty Thousand Dollars, (\$20,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.
Absent: None.

Resolution No. 135-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Victory White Metal Company for an estimated quantity of ductile iron pipe and fittings (items 15, 20-31, 33, 34, 37-42, 44, 46, 48-54, 56, 58-64, 70-102, 104, 105, 107-110, 112-131) for the Division of Water, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 18th day of December, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to One Hundred Forty Five Thousand Seven Hundred and Forty and 48/100 Dollars (\$145,740.48), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 00341

which shall be certified against such contract in the sum of Twenty Thousand Dollars, (\$20,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.
Absent: None.

Resolution No. 136-97.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Anthony Allega Cement Contractor, Inc., 5585 Canal Road, Valleyview, Ohio 44125, for

the public improvement of The Rehabilitation of Cornell Road between Euclid Avenue and Murray Hill Road for the Division of Engineering and Construction, Department of Public Service, received on January 16, 1997, pursuant to the authority of Ordinance No. 1330-96 and 1433-96, passed July 17 and October 28, 1996, upon a unit basis, for the improvement in the aggregate amount of One million four hundred ninety one thousand two hundred fifty and 03/100 (\$1,491,250.03) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Service is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractors of Anthony Allega Cement Contractor, Inc. for the aforementioned public improvement hereby are approved:

SUBCONTRACTORS

Markie Construction Company, Inc.
Suite 200
Euclid, Ohio 44117
FBE 10%

Granger Trucking, Inc.
8001 Old Granger Road
Garfield Hts., Ohio 44125
MBE 39%

Cook Paving & Construction
Company, Inc.
5545 Canal Road
Cleveland, Ohio 44125
MBE 5%

Yeas: None.

Nays: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Absent: None.

Resolution No. 137-97.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to authority of Ordinance Nos. 1330-96 and 1468-96, passed by the Council of the City of Cleveland July 17, 1996 & October 14, 1996 respectively, the firm of Finkbeiner, Pettis & Strout, Inc. is hereby selected upon the nomination of the Director of Public Service from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvas by the Director of Public Service as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City in order to obtain engineering services for the rehabilitation of Bessemer Avenue.

Be it further resolved that the Director of Public Service hereby is authorized to enter into a written contract with Finkbeiner, Pettis & Strout, Inc. based upon their original proposal dated November 8, 1996 and their revised proposal dated December 18, 1996, provided that the compensation to be paid shall not exceed \$184,805.00, which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-

consultants to Finkbeiner, Pettis & Strout, Inc. for the design services contract authorized above hereby is approved:

John E. Foster & Assoc., Inc.
Asia Plaza
2999 Payne Ave.
Cleveland, Ohio 44114
MBE 22.2%

Corner Stone Professional
Land Surveyors
4123 Weymouth Rd.
Medina, Ohio 44256
FBE 9.5%

Douglas Bowden & Assoc.
2502 East 127 St.
Cleveland, Ohio 44120
MBE 7.8%

City Blue Printing Co.
1100 West 9th Street
Cleveland, Ohio 44113
FBE 1.7%

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.
Absent: None.

Resolution No. 138-97.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to authority of Ordinance No. 1471-96 and 1330-96, passed by the Council of the City of Cleveland October 14, 1996 and July 17, 1996, the firm of Dodson-Stilson Inc. is hereby selected upon the nomination of the Director of Public Service from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Public Service as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City in order to obtain engineering services for the rehabilitation of East 123rd/Arlington Avenue/East 125th Street.

Be it further resolved that the Director of Public Service hereby is authorized to enter into a written contract with Dodson-Stilson, Inc. based upon its proposal of October 31, 1996, as supplemented by letter dated December 18, 1996, provided that the compensation to be paid shall not exceed \$260,070.00, which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subcontractors by Dodson-Stilson, Inc. for the design services contract authorized above hereby is approved:

Ralph Tyler, Inc.
2143 Stokes Blvd.
Cleveland, Ohio 44106
MBE 30.3%

Oxbow Engineering, Inc.
10 West Erie Street, Suite 201
Painesville, Ohio 44077
FBE 15.4%

City Blue Printing Co.
1100 West 9th Street
Cleveland, Ohio 44113
FBE 1.2%

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.
Absent: None.

Resolution No. 139-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of S.W. Franks Construction Co. for the public improvement of Martin Luther King, Jr. Park Site Improvements, for base bid items A1-A50 inclusive, and for Add Alternates 1-4 inclusive, and including the adjusted 5% contingency line item, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, received on January 10, 1997, pursuant to the authority of Ordinance No. 1284-96, passed October 14, 1996, upon a unit basis, for the improvement in the aggregate amount of One hundred ninety-five thousand, nine hundred forty-one, and 55/100 (\$195,941.55) 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.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for S.W. Franks Construction Co. on the public improvement contract for Martin Luther King, Jr. Park Site Improvements hereby are approved:

SUBCONTRACTORS

RESPONSIBILITY

Cooper Landscaping	Landscaping (MBE)
Cook Paving	Asphalt (MBE)
Able Fence	Fencing (FBE)
Barrow Sign	Signage (FBE)

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.
Absent: None.

Resolution No. 140-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. DiLillo & Co. for the public improvement of Groton Park Site Improvements, for base bid items 1-12, 15, 17-18, 20-47, and Add Alternate bid items B1, B2, B4, B7, and including the adjusted 5% contingency line item, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, received on January 10, 1997, pursuant to the authority of Ordinance No. 1284-96, passed October 14, 1996, upon a unit basis, for the improvement in the aggregate amount of Two hundred

thousand, seven hundred thirty-six, and 16/100 (\$200,736.16) 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.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for R. DiLillo & Co. on the public improvement contract for Groton Park Site Improvements hereby are approved:

SUBCONTRACTORS

RESPONSIBILITY

United Ready Mix	Concrete and Related Materials (MBE)
Cook Paving	Asphalt (MBE)
Alexa Trucking	Trucking (MBE)
Barrow Sign	Signage (FBE)

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.
Absent: None.

Resolution No. 141-97.

By Director Hamilton.

Whereas, Resolution No. 228-96, adopted by this Board on April 21, 1996, amending Resolution No. 211-96, adopted March 27, 1996, to implement the transfer of title to certain real property located at Franklin and Mable Court to the Cleveland Restoration Society requires further amendment in order to fully authorize said transfer in accordance with Ordinance No. 1035-95, passed June 5, 1995, as amended by Ordinance No. 1162-95, passed June 19, 1995, and amended by Ordinance No. 258-97 passed March 3, 1997; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that paragraph four of said Resolution No. 228-96 is hereby amended to read as follows:

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to the authorization of Ordinance No. 1035-95, passed June 5, 1995, as amended by Ordinance No. 1162-95, passed June 19, 1995 and amended by Ordinance No. 258-97, passed March 3, 1997 by the Cleveland City Council, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property no longer needed for public use, described therein and located at Franklin and Mable Court, to the Cleveland Restoration Society for the restoration and renovation of the historic structure located thereon. The consideration to be paid for said property is fixed at one dollar (\$1.00), with all other costs to be paid by grantee.

Be it further resolved that all other provisions of said Resolutions Nos. 211-96 and 228-96 not expressly amended hereby shall remain

unchanged and in full force and effect.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.
Absent: None.

Resolution No. 142-97.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 105-16-187 under said Land Reutilization Program; and

Whereas, Ordinance No. 2203-96 passed January 27, 1997, authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Even Cut Abrasive Company or its designee has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2203-96 passed January 27, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Even Cut Abrasive Company or its designee for the sale and development of Permanent Parcel No. 105-16-087, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Director Sobol Jordan, Acting Director Parker, Directors Konicek, Cunningham, Staib, Acting Director Terry, Directors Spellman, Hamilton, Nolan, Acting Director Seaton, and Director Lynch.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers.

Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 24, 1997

9:30 A.M.

Calendar No. 97-32: 971 E. 141 St. William Askew and Glendora Askew, owners, to convert to a rooming house with 10 rooming occupancies (16 roomers) the front 6 dwelling unit portion, 30' x 52', of the 30' x 87' 3 story nonconforming masonry 9 dwelling unit apartment building on a 40' x 133' lot located in a B-Two-Family District at 971 E. 141 St.; said use as a rooming house being contrary to the two family use limits of Section 337.03 and the floor area of said building being 7293 square feet instead of the 2660 square feet maximum of Section 355.04 and the north sideyard being 0' and the south 7' instead of both being 8' in width as required for a multi-family structure by Section 357.09 and the conversion from an apartment building to a rooming house being subject to the substitution provisions of Section 359.01 of the Codified Ordinances.

Calendar No. 97-33: 4395 Rocky River Dr., S.W. Bishop Anthony Pilla, owner, c/o St. Patrick's Church, West Park, c/o Joyce Needham, to convert to a "community center" building with food storage for "Hunger Center", classrooms and offices the 46' x 127' two story masonry convent building on a 110' x 374' (av.) irregular shaped parcel located partially in a Local Retail District and partially in a One Family District at 4395 Rocky River Dr.; said building being located 20' from the Residence District to the north instead of being 30' therefrom as required by Section 337.02 of the Codified Ordinances.

Calendar No. 97-35: 1610-12 Euclid Ave. T. W. Grogan Co., Owner, and Merlin Corp., tenant, c/o Ned G. Huffman, to raze the 29' x 120' three story masonry building on a 33' x 189' lot located in a General Retail District at 1610-12 Euclid Ave. and to construct thereon a parking lot; said use for a parking lot being without approval of the City Planning Commission as required by Section 349.14 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 10, 1997

At the Meeting of the Board of Zoning Appeals, on Monday, March 10, 1997, the following appeal was **Withdrawn:**

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

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
March 5, 1997

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

* * *

Docket A-217-96.

RE: Continuance of Appeal of S&B Industries, Owner of the Property located on the premises known as 2900 East 65th Street from a NOTICE OF VIOLATION - FIRE CODE of the Chief of the Division of Fire dated October 10, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action required by the Board at this time; the Appellant will submit new information to the plan examiner in the Building Department, the Docket will remain open.

* * *

Docket A-3-97.

RE: Appeal of Rosemary Koncilja, Owner of the Residential Property located on the premises known as 18211 St. Clair Avenue from a CONDEMNATION 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 REMAND the property at 18211 St. Clair Avenue to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-4-97.

RE: Appeal of Robert Dolan, Owner of the Residential Property located on the premises known as 16701 Larchwood Avenue from a NOTICE OF VIOLATION - NEC of the Commissioner of the Division of Building and Housing dated December 9, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at the time to REMAND the property at 16701 Larchwood Avenue to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

Docket A-5-97.

RE: Appeal of Norm Toms, Owner of the Property located on the premises known as 1490 West 96 Street from a NOTICE OF VIOLATION - NEC of the Commissioner of the Division of Building and Housing dated December 11, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to NEC 110-16 and permit the service panel to remain where it is installed, noting that this variance is for the third floor apartment - Building 'P' ONLY. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-6-97.

RE: Appeal of Alfred Martin, Owner of the Residential Property located on the premises known as 2940 East 81st Street from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated January 15, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant a six month (6 mo.) "Extension of Time" on the permit in which to complete abatement of the violations on the property; the property is to be maintained boarded and secured and the grounds debris free during that period of time and to REMAND the property at 2940 East 81st Street to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-8-97.

RE: Appeal of Michael Hocevar, Owner of the Residential Property located on the premises known as 1594 East 47th Street from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated January 21, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1594 East 47th Street to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-9-97.

RE: Appeal of The Huntington Mortgage Co., Owner of the Residential Property located on the premises known as 9900 Parkview Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing

dated January 10, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 9900 Parkview Avenue to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-10-97.

RE: Appeal of Chase Manhattan Mortgage Corp., Mortgagee of the Residential Property located on the premises known as 9514 Dunlap Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated January 28, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 9514 Dunlap Avenue to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Williams.

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

* * *

Docket A-11-97.

RE: Appeal of Harvey G. Oppman, Owner of the Property located on the premises known as 1012 Prospect Avenue from a NOTICE OF VIOLATION - RESIDENTIAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated December 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 1012 Prospect Avenue to the Division of Building and Housing for supervision and further action, noting that all violations will be completed by July 31, 1997. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-12-97.

RE: Appeal of Full Life Church Of God In Christ, Owner of the Property located on the premises known as 9324 Union Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated December 30, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-12-97 has been **POSTPONED**; to be rescheduled for a later date.

* * *

Docket A-17-97.

RE: Appeal of Jardene Shell, Owner of the Property located on

the premises known as 7800 Superior Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated January 24, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-17-97 has been **WITHDRAWN** at the request of the Appellant.

* * *

Docket A-22-97.

RE: Appeal of The Cleveland Clinic Foundation, Owner of the Property located on the premises known as 9620-998 Carnegie Avenue from an ADJUDICATION ORDER (Items #7 & #19) of the Commissioner of the Division of Building and Housing redated February 11, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to OBBC 1017.4.4 and permit the doors to remain as indicated on the drawings; and to revert this section (OBBC 3106.4) back to the Building Department for compliance. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-23-97.

RE: Appeal of Michael C. Joseph, Owner of the Property located on the premises known as 848 Linn Drive from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

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 the Appellant to obtain permits within two weeks (2 wks.), and to grant the Appellant six months (6 mos.) in which to complete abatement of the violations on the property. 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 September 19, 1997. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Sullivan.

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

* * *

Docket A-29-97.

RE: Appeal of Water Street Associates Ltd., Owner of the Property located on the premises known as

1133 West 9th Street from an ADJUDICATION ORDER - SUPPLEMENTARY CONDITIONS of the Commissioner of the Division of Building and Housing dated February 3, 1997, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action.

* * *

EXTENSION OF TIME:

Docket A-101-96 - Terrace Adair - 4280 East 128th Street:

A motion is in order at this time to DENY the Appellant's request for a three month (3 mo.) "Extension of Time"; the property is REMANDED to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-125-96 - Metmor Financial Inc. - 555-57 East 123rd Street:

A motion is in order at this time to DENY the Appellant's request for a four month (4 mo.) "Extension of Time"; the property is REMANDED to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-131-96 - Leondas Nash, Jr. - 3305-07 East 93rd Street:

A motion is in order at this time to DENY the Appellant's request for a forty-five day (45) "Extension of Time"; the property is REMANDED to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

APPROVAL OF RESOLUTIONS:

Resolutions from the February 19, 1997 hearing will be Adopted March 19, 1997.

* * *

APPROVAL OF MINUTES:

Minutes from the February 19, 1997 hearing will be Adopted March 19, 1997.

* * *

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, March 24, 1997
12:00 Noon**

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, March 24, 1997, at 12:00 Noon, to consider the following ordinances now pending in the Council:

Ord. No. 877-96.
By Councilman Paulenske.
An ordinance to change the Use, Area and Height Districts of lands on the northerly side of Lakeside Avenue, N.E. to the Shoreway between E. 13 Street and E. 23 Street. (Map Change No. 1905, Sheet Nos. 1, 4 & 5)

Ord. No. 2215-96.
By Councilman Rybka (by departmental request).
An emergency ordinance to enact Sections 325.121 and 347.15 of the Codified Ordinances of Cleveland, Ohio, 1976, and to amend Sections 337.10, 343.01, 343.11, 345.01, 345.02 and 345.03, as enacted by various ordinances, all relating to correctional halfway houses.

Ord. No. 2216-96.
By Councilman Jackson.
An ordinance to change the Use and Height Districts of lands from the south side of Harris Avenue, S.E. to the north side of Union Avenue, S.E. between E. 88 Street and west of E. 93 Street. (Map Change No. 1925, Sheets Nos 5 & 6)

Ord. No. 124-97.
By Councilman Patmon.
An ordinance to change the Use and Height Districts of lands on the southerly side of St. Clair Avenue, N.E. between E. 105 Street and Parkwood Drive. (Map Change No. 1933, Sheet No. 8)

Ord. No. 125-97.
By Councilman Polensek.
An ordinance to change the Use District of lands on the west side of East 156 Street between Lakeshore Boulevard and Glencoe Road, N.E. (Map Change No. 1932, Sheet No. 7)

Ord. No. 173-97.
By Councilman Westbrook.
An ordinance to change the Use, Area, and Height Districts of lands on the southwesterly side of Detroit Avenue between West 110 Street and the N.Y.C. Railroad tracks. (Map Change No. 1931, Sheet No. 1)

Ord. No. 276-97.
By Councilman Westbrook.
An ordinance to change the Use District of lands on the southeasterly side of West 110 Street and Franklin Boulevard, N.W. (Map Change No. 1935, Sheet No. 1)

Ord. No. 277-97.
By Councilman Westbrook.
An ordinance to change the Use District of lands on the southeast corner of West 117 Street and Berea

Road, N.W. (Map Change No. 1936, Sheet No. 1)

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

March 12 and March 19, 1997

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, MARCH 19, 1997

Luke Easter Park Landscaping Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1455-94 and 762-96, passed by the Council of the City of Cleveland, November 21, 1994 and May 20, 1996, respectively.

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

Reproduction and Mounting Services, for the various Divisions of

City Government, Department of Finance, as authorized by Ordinance No. 2210-96, passed by the Council of the City of Cleveland, January 13, 1997.

March 5 and March 12, 1997

FRIDAY, MARCH 21, 1997

Crane Carrier, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2022-96, passed by the Council of the City of Cleveland, December 16, 1996.

March 5 and March 12, 1997

WEDNESDAY, MARCH 26, 1997

Labor and Material to Maintain the Trac Vac Residuals Collection System at Garrett A. Morgan Water Works Facility, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2033-96, passed by the Council of the City of Cleveland, February 10, 1997.

Two (2) Portable Lead Analyzers, for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 1798-96, passed by the Council of the City of Cleveland, December 2, 1996.

March 5 and March 12, 1997

FRIDAY, MARCH 28, 1997

Burials for the Indigent Dead, for the Division of Health, Department of Public Health, as authorized by Ordinance No. 1464-96, passed by the Council of the City of Cleveland, September 30, 1996.

Repair of Rear Loading Packer Bodies, for the Division of Waste Collection, Department of Public Service, as authorized by Ordinance No. 1018-96.

Repair of Compactor and Push Pits, for the Division of Waste Collection, Department of Public Service, as authorized by Ordinance No. 1019-96.

March 5 and March 12, 1997

FRIDAY, APRIL 4, 1997

New Cleveland Browns Stadium Project Mass Excavation and Piling, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2193-96, passed by the Council of the City of Cleveland, January 13, 1997.

BID DOCUMENTS MAY BE PURCHASED IN THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CITY HALL, AT THE COST OF \$150.00 (NON-REFUNDABLE). ONLY A CERTIFIED CASHIER'S CHECK WILL BE ACCEPTED. A PRE-BID MEETING WILL BE HELD ON TUESDAY, MARCH 18, 1997, 10:00 A.M. IN ROOM 230B OF THE CLEVELAND CONVENTION CENTER, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 5 and March 12, 1997

THURSDAY, MARCH 27, 1997

Luke Easter Landscaping Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1455-94 and 762-96, passed by the Council of the City of Cleveland, November 21, 1994 and May 20, 1996, respectively.

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

March 12 and March 19, 1997

WEDNESDAY, APRIL 2, 1997

Bypass Piping Fittings and Valves, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

One (1) Trailer Mounted Vacuum System, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 19-97, passed by the Council of the City of Cleveland, February 10, 1997.

Powder Activated Carbon, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

Hydraulic Repairs, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2197-96, passed by the Council of the City of Cleveland, February 10, 1997.

Fleet Washing, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 258-96, passed by the Council of the City of Cleveland, June 18, 1996.

March 12 and March 19, 1997

THURSDAY, APRIL 3, 1997

Masonry Repairs at Engine House 43, 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.

Gasoline, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Various Spreader and Plow Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service as authorized by Ordinance No. 2028-96, passed by the Council of the City of Cleveland, December 16, 1996.

March 12 and March 19, 1997

THURSDAY, APRIL 10, 1997

Interior Renovation at the Third District Police Station Building (17-90D), for the Department of Public Safety, as authorized by Ordinance Nos. 1278-92 and 2053-91, passed by the Council of the City of Cleveland, July 22, 1992 and February 24, 1992, respectively.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON MONDAY, MARCH 24, 1997, 9:00 A.M. AT THE THIRD DISTRICT POLICE STATION, 2001 PAYNE AVENUE, SECOND FLOOR OLD COURTROOM.

New Furniture for the Third District Police Station Building (17-90E), for the Department of Public Safety, as authorized by Ordinance Nos. 1278-92 and 2053-91, passed by the Council of the City of Cleveland, July 22, 1992 and February 24, 1992, respectively.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON MONDAY, MARCH 24, 1997, 9:00 A.M. AT CITY HALL, DIVISION OF ARCHITECTURE, ROOM 517, 601 LAKESIDE AVENUE.

March 12 and March 19, 1997

WEDNESDAY, APRIL 16, 1997

One (1) Computer Network System, Including All Hardware, Software, Installation and Maintenance, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1508-92, passed by the Council of the City of Cleveland, August 19, 1992.

March 12 and March 19, 1997

THURSDAY, APRIL 17, 1997

Residential Sound Insulation Program Group "F", for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 930-95, passed by the Council of the City of Cleveland, June 19, 1995.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 3, 1997, 10:00 A.M. LOCAL TIME IN CONCOURSE "B" CONFERENCE ROOM IN THE CLEVE-

LAND HOPKINS INTERNATIONAL AIRPORT PASSENGER TERMINAL BUILDING.

March 12 and March 19, 1997

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 351-97.

By Councilman Lewis.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 8802-06 Superior Avenue, and repealing Res. No. 2056-96, objecting to said transfer of ownership, pursuant to a Cooperation Agreement signed February 18, 1997.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 8802-06 Superior Avenue by Res. No. 2056-96, adopted November 18, 1996; and

Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership based upon and pursuant to a Cooperation Agreement signed February 18, 1997, a copy of which is in the file for this address in the City Law Department; and

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2X Liquor Permit to 8802-06 Superior Avenue be and the same is hereby withdrawn and Res. No. 2056-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted March 3, 1997.

Effective March 11, 1997 without the signature of the Mayor.

Res. No. 352-97.

By Councilman Sweeney.

An emergency resolution urging Rini-Rego Stop-N-Shop Corporation to terminate their lease option at Puritas Plaza or to sublease the building to another supermarket chain willing to place its operations at Puritas Plaza.

Whereas, the Rini-Rego Stop-N-Shop Corporation ("Rini-Rego") has operated a supermarket in Puritas Plaza over the last several years selling perishable and non-perishable goods to neighborhood residents; and

Whereas, Rini-Rego recently announced that it would relocate their supermarket from Puritas Plaza to West 138th Street and Lorain; and

Whereas, on March 1, 1997, the building that housed the supermarket at Puritas Plaza became vacant; and

Whereas, Rini-Rego has renewed its lease on this vacant building for

another five years, even though it has relocated its supermarket; and
Whereas, since Rini-Rego still holds the lease to the building, no other supermarket chain can place its operations inside of the building without authorization from Rini-Rego; and

Whereas, the existence of Rini-Rego's vacant building in Puritas Plaza could decrease the property values of neighboring properties and increase the risk of arson and vandalism, as well as blight, to this commercial retail district; and

Whereas, since no other supermarket exists in the vicinity of the Bellaire-Puritas neighborhood, the loss of the Puritas Plaza store will create tremendous inconvenience to the many elderly citizens in the community who do not have access to transportation to shop at a supermarket outside their neighborhood boundary, as well as to a significant number of neighborhood WIC recipients, who will have to travel to another supermarket outside their community to receive perishable goods in exchange for food stamp coupons; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the loss of the Puritas Plaza supermarket will cause immediate hardship to the Bellaire-Puritas neighborhood; now, therefore,

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

Section 1. That this Council strongly urges Rini-Rego Stop-N-Shop Corporation to allow another supermarket chain to sublease the building at the Puritas Plaza location or terminate its existing lease in order to allow another supermarket chain to place one of its stores at the Puritas Plaza location.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to the corporate officers of Rini-Rego Stop-N-Shop Corporation.

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

Adopted March 3, 1997.

Effective March 11, 1997.

Ord. No. 160-97.
By Councilmen Britt, Jackson, Rybka and Westbrook (by departmental request).

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2215 East 87th Street to Fairfax Bicentennial Village Development Ltd.

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). 119-31-041, as more fully described in Section 2 below, to Fairfax Bicentennial Village Development Ltd.

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

P.P. No. 119-31-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 408 and bounded and described as follows:

Beginning at the Southwest corner of Sublot No. 11 in Henry White's and Howard White's Allotment of a part of Original One Hundred Acre Lot No. 408 as recorded in Volume 11 of Maps, Page 40 of Cuyahoga County Records, thence Northerly along the Westerly line of said Sublot No. 11, 40 feet, thence Westerly at right angles with East 87th Street, (formerly Vienna Street) about 165 feet to the Easterly line of East 87th Street, thence Southerly along the Easterly line of East 87th Street, 40 feet; thence Easterly about 165 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 March 3, 1997.

Effective March 11, 1997.

Ord. No. 258-97.

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

An emergency ordinance to amend Section 1 of Ordinance No. 1035-95, passed June 5, 1995, as amended by Ordinance No. 1162-95, passed June 19, 1995, relating to the acquisition and transfer of property from the County to the City to the Cleveland Restoration Society.

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

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to acquire and accept fee title to the following described property from the County Board of Commissioners of Cuyahoga County (the "County") for the purpose of transferring said property to the Cleveland Restoration Society (the "Society") in accordance with Section 3 of this ordinance:

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

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

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

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

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

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

Thence North 07° 47' 17" East along the Easterly face of said retaining wall a distance of 5.64 ft.

to a P.K. nail set at an angle therein;

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

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

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

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

Passed March 3, 1997.

Effective March 11, 1997.

Ord. No. 347-97.

By Councilman Britt.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 6. (Jean E. Appleby and the Girl Scouts of Lake Erie Council).

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 6; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 6: Jean E. Appleby and Girl Scouts of Lake Erie Council.

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

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

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

from and after the earliest period allowed by law.

Passed March 3, 1997.

Effective March 11, 1997.

Ord. No. 348-97.

By Councilman Patton (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Cory United Methodist Church to install, use and maintain two (2) pole banners on Cleveland Public Poles (pole permit obtained at Cleveland Public Power separately from encroachment permit), on East 105th Street Southerly of Drexel Avenue to announce Cory United Methodist Church's Anniversary for the period of January 9, 1997 to December 31, 1997.

Whereas, this ordinance constitutes an emergency measure providing for 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 Service is hereby authorized and directed to issue a permit to Cory United Methodist Church to install, use and maintain, two (2) pole banners (pole permit obtained at Cleveland Public Power separately from encroachment permit) announcing the Anniversary of Cory United Methodist Church, 1117 East 105th Street, Cleveland, Ohio 44108; from the period of January 9, 1997 to December 31, 1997 which will encroach into the right-of-way of East 105th Street at the following locations:

STREET

East 105th Street

POLE LOC. / & NUMBER

1st Pole South of Drexel Avenue, (E);
No. NE2-30-14; CPT,
3594, SPN06, 355.

ATTACHMENT

Hang Banner on Wood CPP Pole.

STREET

East 105th Street

POLE LOC. / & NUMBER

2nd Pole South of Drexel Avenue, (E);
No. NE2-30-13

ATTACHMENT

Hang Banner on Wood CPP Pole.

Section 2. That said banners in Section 1, shall encroach in the public right-of-way at the locations aforesaid, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all lost which may result from said permit.

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

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

Passed March 3, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 349-97.

By Councilman Smith.

An emergency ordinance consenting and approving the issuance of a permit for a Run on March 15, 1997, sponsored by St. Malachi Church.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Run, sponsored by St. Malachi Church, on March 15, 1997, beginning on Winslow Ave., Winslow Ave. to Center, Center to River, River to Elm, Elm to Riverbed, Riverbed to Carter, Carter to Scranton, Scranton to Independence, turn around and return along the same route, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed March 3, 1997.

Effective March 11, 1997.

Ord. No. 350-97.

By Councilman Willis.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 9. (Jean E. Appleby and the Girl Scouts of Lake Erie Council).

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 9; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 9: Jean E. Appleby and Girl Scouts of Lake Erie Council.

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

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

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

from and after the earliest period allowed by law.

Passed March 3, 1997.
Effective March 11, 1997.

COUNCIL COMMITTEE MEETINGS

Thursday, March 6, 1997

Finance Committee (Budget): 9:30 A.M. — Present: Westbrook, Chrm.; Polensek, Vice Chrm.; Britt, Coats, Johnson, Lewis, Patmon, Paulenske, Robinson, Rybka, Smith.

Friday, March 7, 1997

Finance Committee (Budget): 9:30 A.M. — Present: Westbrook, Chrm.; Polensek, Vice Chrm.; Britt, Coats, Johnson, Lewis, Patmon, Robinson, Smith. Excused: Paulenske, Rybka.

Monday, March 10, 1997

Finance Committee (Budget): 9:30 A.M. — Present: Westbrook, Chrm.; Polensek, Vice Chrm.; Britt, Coats, Johnson, Lewis, Patmon, Robinson, Rybka, Smith. Excused: Paulenske.

Mayor's Appointment: 2:00 P.M. — Present: Patton, Polensek, Robinson. Excused: Paulenske, Chrm.; Willis.

Tuesday, March 11, 1997

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

Wednesday, March 12, 1997

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

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