

The City Record

Official Publication of the City of Cleveland

May the First, Nineteen Hundred and Ninety-Six

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

Containing	PAGE
City Council	3
The Calendar	16
Board of Control	17
Civil Service	20
Board of Zoning Appeals	20
Board of Building Standards and Building Appeals	21
Public Notices	21
Public Hearings	21
City of Cleveland Bids Adopted Resolutions and Ordinances	22
Committee Meetings	26
Index	26

FIRST-CLASSMAIL
U. S. POSTAGE PAID
CLEVELAND, OHIO
Permit No. 1372

First Class Mail

RECYCLE.....Save the Future



Printed on Recycled Paper.....Council Cares

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Gary M. Paulenske	1020 East 61st Street	44103
14	Helen K. Smith	3016 Carroll Avenue	44113
15	James Rokakis	4685 Dornur Road	44109
16	Patrick J. O'Malley	6111 Brookside Drive	44144
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Dale Miller	13726 Elsetta Avenue	44135
21	David McGuirk	17101 Amber Drive	44111

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DEPT. OF AGING - Rm. 122, Susan Axelrod, Director

COMMUNITY RELATIONS BOARD - Room 11, Sam Thomas, III, Exec. Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Louise Boddie, Jr., Muqit Abdul Sabur, Clifford Savren, Henry Simon, George S. Smilnak, Harry Taketa, Timothy Cosgrove.

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson, President; James J. Marniella, Vice President; Donna K. Nelson, Secretary; Timothy J. Cosgrove, Member.

SINKING FUND COMMISSION - Michael R. White, President; Patricia Stokes, Asst. Sec'y.; Kathryn Burrer Hyer, Director; President of Council Jay Westbrook.

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

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room 516, J. F. Denk, Chairman; J. Boves, S. K. Birch, Alternate Members - D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan. Exec. Sec'y.

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

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

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

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

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

MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, Kathryn Burrer Hyer, Councilmen James Rokakis, Jay Westbrook.

BOARD OF EXAMINERS OF ELECTRICIANS - Ralph R. Carpinelli, Chairman; Marion J. Long, Anton J. Eichmuller, Samuel Montfort J. Gilbert Steele, Laszlo V. Kemes, Secretary.

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.; Ben S. Eulinberg, Martin J. Kilbane, 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
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge Salvatore R. Calandra	13A
Judge Colleen C. Cooney	14A
Judge C. Ellen Connally	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 83

WEDNESDAY, MAY 1, 1996

No. 4299

CITY COUNCIL

MONDAY, APRIL 29, 1996

The City Record

Published weekly under authority of the Charter of the City of Cleveland
Subscription (by mail) \$75.00 a year
January 1 to December 31
Interim subscriptions prorated \$6.00 per month
Address all communications to

ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

1:30 P.M.—**Legislation Committee:** McGuirk, Chairman; Willis, Vice Chairman; Britt, Johnson, Patton, Rokakis, Rybka.

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

The following Committee is subject to Call of the Chairman:

Rules Committee: Westbrook, Chairman; Coats, Miller, Robinson, Smith.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio April 29, 1996.

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

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

Also present were Mayor White and Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Axelrod, Willis and Acting Directors Brown, Daniely.

Absent: Directors Morrison and Thomas.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Dean C. Kavouras, Chaplain of the Division of Fire of the City of Cleveland. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 745-96.

From the City of Bedford Heights re: Resolution No. 96-041 opposing the proposed Cuyahoga County Government reorganization. Received.

File No. 746-96.

From the Division of Purchases and Supplies re: Emergency Requisition (RE-85705) for the emergency purchase relating to water main break on Superior Avenue at East 45th Street. Received.

File No. 747-96.

From the Division of Purchases and Supplies re: Emergency Requisition (RE-83376) for the emergency

purchase of filtering system for the Glenville Recreation Swimming Pool. Received.

File No. 748-96.

From the Office of Equal Opportunity re: MBE's/FBE's deleted from OEO's database - First Quarter, 1996. Received.

File No. 749-96.

From the Office of Equal Opportunity re: Denial of Certification - First Quarter, 1996. Received.

File No. 750-96.

From the Division of Purchases and Supplies re: Sales Request No. 90144 for sale or lease of property; Easement Rights/Waterfront Rail Line. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 751-96.

Re: Stock Application - 73080330010 - Reserve Enterprises, Inc., dba Five Points Eagle Market, 1010 East 152nd Street. (Ward 10). Received.

STATEMENT OF WORK ACCEPTED

File No. 752-96.

From the Department of Port Control re: Contract No. 48685 for the improvement of interior terminal signage and exterior roadway and terminal signage. Received.

File No. 753-96.

From the Department of Public Service re: Contract No. 48819 for the improvement as it relates to the East 65th Steamline replacement. Received.

File No. 754-96.

From the Department of Parks, Recreation and Properties re: Contract No. 48159 for the improvement of Rockefeller Park Greenhouse. Received.

PLAT

File No. 793-96.

Councilwoman Britt. Bicentennial Village Subdivision No. 1. (Ward 6).

Approved by Directors of City Planning Commission, Public Service; Committee on Public Service. Received.

COMMUNICATION

File No. 755-96.

April 23, 1996

The Honorable Jay Westbrook
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am pleased to recommend Mr. Larry Liou for appointment to the Community Relations Board as an industry representative. This appointment is effectively immediately upon approval by Council and will expire on March 31, 2000.

Thank you for your consideration,

Sincerely,

Michael R. White
Mayor

Received.
Referred to Committee on Mayor's Appointment.

COMMITTEE ON MAYOR'S APPOINTMENTS

The Chair appointed Councilman Craig Willis as Chairman and Councilmen Michael Polensek, Edward Rybka, Patriciaa Britt and Roosevelt Coats to consider the Mayor's appointment to the Community Relations Board.

CONDOLENCE RESOLUTIONS

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

Res. No. 782-96. Beverly E. Taylor.
Res. No. 783-96. Mrs. Callie Foster Elie.

Res. No. 784-96. Adele Kucia.
Res. No. 785-96. Ellis Chappell, Sr.

CONGRATULATORY RESOLUTIONS

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

Res. No. 786-96. Second Ebenezer Baptist Church.

Res. No. 787-96. Joseph and Dolores Shega.

Res. No. 788-96. Minnie Lee Campbell.

Res. No. 794-96. Collinwood Community Bike-A-Thon.

Res. No. 795-96. New Day in Hough.

RESOLUTIONS OF RECOGNITION

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

Res. No. 789-96. National Nurses Week.

Res. No. 790-96. Bank One, Cleveland.

Res. No. 791-96. Emeritus Butler A. Jones, Ph.D.

Res. No. 792-96. Jacquelynn Otte.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 756-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

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

Section 1. That the Director of

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21044)

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. 757-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Cleveland Recycling Center, or its designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment and to relocate their facility to East 131st Street, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Cleveland Recycling Center, or its designee, to provide economic development assistance to partially finance the acquisition of machinery and equipment and to relocate their facility to 300 East 131st Street from 3939 Payne Avenue, Cleveland, Ohio.

Section 2. That the terms of said loan shall be determined by the Director of Economic Development in accordance with applicable Federal regulations, State and local law, and said director is authorized to amend said terms, from time to

time, as he deems necessary to remain consistent with said laws and regulations.

Section 3. That the costs of said contract shall not exceed Two Hundred Thousand Dollars Dollars (\$200,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 22411.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

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

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

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

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

Ord. No. 758-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Triad Partners Limited, or its designee, to provide economic development assistance to partially finance the acquisition and construction of a corporate headquarters for Federal Graphics, Inc., Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Triad Partners Limited, or its designee, to provide economic development assistance to partially finance the acquisition and construction of a corporate headquarters for Federal Graphics, Inc., located at 4640 State Road, Cleveland, Ohio.

Section 2. That the terms of said loan shall be determined by the Director of Economic Development in accordance with applicable Federal regulations, State and local law, and said director is authorized to amend said terms, from time to time, as he deems necessary to

remain consistent with said laws and regulations.

Section 3. That the costs of said contract shall not exceed Two Hundred Five Thousand Dollars (\$205,000.00), and shall be paid from Fund Nos. 12 SF 954 and 17 SF 008, Request No. 22410.

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

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

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

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

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

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

Ord. No. 759-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of various electrical supplies, materials, and equipment, including installation, if necessary, at various City facilities, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three 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 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 three years for the necessary items of various electrical supplies, materials, and equipment, including installation, if necessary, at various City facilities in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be

made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than three years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire three 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 20317)

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

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

Ord. No. 760-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with Neighborhood Centers Association to implement educational, recreational and cultural programs in various school buildings during evening hours.

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 to enter into an agreement with Neighborhood Centers Association to implement educational, recreational and cultural programs in various school buildings during evening hours in accordance with the recommendations and pilot program proposed by the schools as Neighborhood Resources Committee of the Cleveland Summit on Education, in an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00), payable from Fund No. 01-70-04-0380, Request No. 21400.

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

Ord. No. 761-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of graffiti removal services, including but not

limited to city buildings, monuments, parks and playground equipment, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three 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 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 three years for the necessary items of graffiti removal services, including applying paint, asphalt sealer, and other coatings, preventers, removers and other necessary items for City properties, including but not limited to buildings, monuments, parks and playground equipment in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than three years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire three 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 20316)

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

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

Ord. No. 762-96.
By Councilmen Miller, McGuirk, Robinson, Johnson and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of installing landscape and urban forest enhancements at Gunning Park and Luke Easter Park, and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing landscape and urban forest enhancements at Gunning Park and Luke Easter Park, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 10 SF 041, Request No. 20557.

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

Ord. No. 763-96.

By Councilman O'Malley.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 447.01 to 447.11 and 447.99 thereof, relating to the regulation and licensing of pedicabs, and to amend Sections 401.42 and 443.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted, respectively, by Ordinance Nos. 1684-76, passed June 29, 1976, and 1828-77, passed June 8, 1978 relating to the definition of taxicabs and hacks.

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 447.01 through 447.11 and 447.99 thereof, to read, respectively, as follows:

CHAPTER 447

PEDICABS

Section 447.01 Definitions.

As used in this chapter:

(a) "Commissioner" means the Commissioner of Assessments and Licenses, unless otherwise indicated.

(b) "Independent operator" means any owner to whom either of the following applies:

(1) The owner owns less than ten (10) pedicabs; or

(2) The owner is a member of a pedicab association that meets the requirements of Section 447.031.

(c) "Operator" means the person who operates, drives or is in actual physical control of any pedicab as defined in this section.

(d) "Owner" means any natural person, partnership or corporation having legal or equitable title to a pedicab, including lessors.

(e) "Passenger for hire" means a person transported in a pedicab for consideration.

(f) "Pedicab" means a multi-wheeled passenger vehicle that is moved by human power through a belt, chain or gears or a pushcart or a rickshaw-type vehicle with two wheels pulled or propelled by any person, which is used in the movement of passengers or property for hire upon the streets of the City.

(g) "Pedicab association" means a corporation, partnership or other business association organized by the independent operators of at least ten (10) pedicabs for the purpose of meeting the requirements imposed by Section 447.031.

(h) "Property for hire" means property transported in a pedicab for consideration.

Section 447.02 Business License and Operator's License Required.

No pedicab shall operate on the streets of the City without the owner of the pedicab obtaining a business license as required by Section 447.03 and the pedicab driver obtaining an operator's license as required by Section 447.04.

Section 447.03 Business License for Pedicabs.

(a) **Application.** Any person desiring a business license to operate a pedicab shall file an application with the Commissioner of Assessments and Licenses upon forms furnished by the Commissioner. The application shall contain the full name and address of the owner, the vehicle type, style or model, the number of persons the vehicle is capable of carrying and such other or additional information as the Commissioner may require.

(b) **Pedicab Inspection Prior to Licensing.** Prior to the licensing of a pedicab, the Commissioner of Assessments and Licenses shall inspect the pedicab. The pedicab shall be in a thoroughly safe condition for the transportation of passengers; clean, fit, of good appearance and well painted. The Commissioner shall refuse to permit the operation of any pedicab found to be unfit or unsuitable for public patronage.

(c) **Convictions Which Bar Issuance of a Business License.** No business license shall be issued to an owner of a pedicab if the applicant has been convicted of a felony, or of the violation of any law involving theft or any form of stealing, or of any crime involving moral turpitude that is reasonably related to the business license referred to herein, unless such conviction occurred more than five (5) years prior to the application date.

(d) **False Statements on Application Bar Issuance of a Business License.** No business license shall be issued to an owner of a pedicab who makes a false statement in connection with an application for a business license.

(e) **Minimum Number of Pedicabs.**

No business license for a pedicab shall be issued unless the applicant is the owner of at least ten (10) pedicabs or is a member of a pedicab association whose independent operators collectively own at least ten (10) pedicabs.

Section 447.031 Dispatching, Uniforms, Recordkeeping and Other Requirements of Business Licensees.

(a) As a condition of the issuance of a business license, the pedicab owner or pedicab association shall meet all of the following requirements:

(1) The owner or pedicab association shall provide dispatching services to its pedicab drivers.

(2) The owner or pedicab association shall require the use of a uniform and distinctive color scheme for its pedicab drivers.

(3) The owner or pedicab association shall provide services to the public in accordance with the provisions of this chapter.

(4) The owner or pedicab association shall assume the responsibility of collecting daily waybills and other operating records from individual members and maintaining the waybills and other operating records in one location. Waybills shall be retained for a period of at least one year and other operating records shall be retained for a period of at least three months. At all reasonable times, the owner or pedicab association shall permit the Commissioner or his designee to examine the records required by this chapter.

(b) In the event that the association membership of any independent operator is suspended or terminated for any reason, both the independent operator and the association shall immediately notify the Commissioner of this fact in writing. The Commissioner shall forthwith suspend or revoke any license granted under this chapter to the independent operator until it provides proof that it meets the requirements of this section.

Section 447.04 Pedicab Operator's License.

(a) **Application.** Any person desiring a license to operate a pedicab shall file an application with the Commissioner of Assessments and Licenses. The application shall be made in writing upon forms furnished by the Commissioner.

Each applicant for a pedicab operator's license shall:

(1) Be eighteen (18) years of age or over.

(2) Present a valid operator or chauffeur's license issued by the Ohio Registrar of Motor Vehicles under Chapter 4507 of the Revised Code.

(3) Present a certificate from a qualified physician stating that the applicant is sound physically and mentally, has good vision, and has no physical or mental condition which renders the applicant unfit for the safe operation of a pedicab.

(4) Furnish the Commissioner with a list of all criminal or city ordinances violated, convictions, forfeiture of bond and pleadings of nolo contendere on all charges, except minor traffic violations, within the last five (5) years.

(5) Provide two front face photographs of the applicant taken within 30 days of the date of application. The photographs shall be two inches by two inches in size.

(b) **Examination of Operators.**

Each applicant for an operator's license under the provisions of this chapter, shall be examined by a person designated by the Commissioner of Assessments and Licenses as to the applicant's knowledge of the City Traffic Code and geography of the City. If the result of the examination is unsatisfactory, the applicant shall be refused a license.

(c) **Convictions Which Bar Issuance of an Operator's License.** No operator's license shall be issued if the applicant has been convicted of any of the following offenses:

(1) Manslaughter or negligent homicide resulting from the operation of a motor vehicle.

(2) Driving a motor vehicle while under the influence of intoxicating liquors or drugs, unless such conviction occurred more than five years prior to the application date.

(3) Failure to stop and render aid as required by the laws of this state, or leaving the scene of an accident contrary to the laws of this state, unless such conviction occurred more than five (5) years prior to the application date.

(4) Conviction of a felony, or of the violation of any law involving violence, theft or any form of stealing, or of any crime involving moral turpitude that is reasonably related to the license referred to herein, unless such conviction occurred more than five (5) years prior to the application date.

(5) Conviction, or forfeiture of bail, not vacated, upon three charges of a violation of the motor vehicle laws of this state within a period of twelve months.

(6) Repeated violations of the City ordinances which affect the safety of human life or limb on the streets of the City.

(d) **False Statements on Application Bar Issuance of an Operator's License.** No operator's license shall be issued to an applicant who makes a false statement in connection with an application for an operator's license.

Section 447.05 Operator's License Certificate; Business License Plate Posted on Pedicab.

(a) **Operator's License Certificate.** No operator of a pedicab shall operate a pedicab without carrying an operator's license certificate issued by the Commissioner of Assessments and Licenses. The certificate shall contain a photograph of the operator to be furnished by the operator, the operator's name and any other information specified by the Commissioner. The certificate shall be of such form and design as the Commissioner prescribes. Each licensed operator shall, upon demand of the Commissioner or his designee, a police officer or a passenger, exhibit the operator's license certificate for inspection.

(b) **Business License Plate Posted on Pedicab.** No pedicab shall be operated on the streets of the City without posting on the pedicab the business license plate for the pedicab obtained under Section 447.03. The business license plate for each pedicab shall be posted in a place designated by the Commissioner.

Section 447.06 Annual License Fees.

(a) **Annual Operator's License Fee.** The Commissioner of Assessments and Licenses shall assess a fee for each operator's license of ten dollars (\$10.00). Every operator's license shall be valid from April 1

until March 31 of the year following.

(b) **Annual Business License Fee.** The Commissioner of Assessments and Licenses shall assess a fee for each business license for a pedicab of fifty-five dollars (\$55.00) per vehicle. The business license year shall commence on April 1 and terminate on March 31 the year following.

Section 447.07 Insurance Requirements.

(a) No business license for a pedicab shall be issued until a policy or certificate of liability insurance is submitted to the Commissioner of Assessments and Licenses with limits not less than the following:

Bodily injury coverage per person -	\$250,000.00
Bodily injury coverage per occurrence -	\$500,000.00
Property damage coverage per occurrence -	\$ 50,000.00

In lieu thereof, a single limit policy or certificate of liability insurance of not less than \$500,000.00 for both personal injury and property damage may be submitted, or proof of a self-insured retention plan of not less than \$150,000.00.

(b) The insurance policy shall contain a clause obligating the insurance carrier to give notice to the Commissioner of Assessments and Licenses ten (10) days prior to cancellation or reduction of the required insurance coverages.

(c) In addition to and not in lieu of the obligation set forth in division (b) of this section, the licensee shall itself immediately notify the Commissioner of Assessments and Licenses of any cancellation or reduction of the required insurance coverages.

Section 447.08 Traffic Regulations.

(a) Every person operating a pedicab upon the streets of the City shall obey all traffic rules applicable to vehicles, shall ride as near to the right side of the roadway as practicable and exercise due care when passing a standing vehicle or one proceeding in the same direction.

(b) The Commissioner of Assessments and Licenses may establish pedicab stands at locations which have been surveyed and approved by the Commissioner of Traffic Engineering with respect to operation without unreasonable interference to traffic.

(c) The Commissioner of Traffic Engineering shall designate pedicab stands by permanent signs set at the curb boundaries, which signs shall bear the legend that it is a stand reserved for licensed pedicabs only.

(d) No person shall operate a pedicab on the streets of the City except during the hours of 10:00 a.m. to 4:00 p.m. Mondays through Fridays and during the hours of 8:00 a.m. to 6:00 p.m. Saturdays, Sundays and legal holidays.

(e) No person shall operate a pedicab on the streets of the City except in that portion of the areas of the City commonly known as the central business district and "flats" described in metes and bounds as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being an area bounded and described as follows:

Beginning in the centerline of the Cuyahoga River at its intersection with the established Harbor Line; thence Southerly along the centerline of the Cuyahoga River, to its intersection with the centerline of the Old Riverbed and Ship Channel; thence Southwesterly along the centerline of the Old Riverbed and Ship Channel, to its intersection with the center line of the Sycamore Slip; thence Southeasterly along the centerline of the Sycamore Slip and Sycamore Avenue N.W., to its intersection with the centerline of Main Avenue N.W.; thence Southwesterly along the centerline of Main Avenue N.W., to its intersection with the centerline of Center Street N.W.; thence Southeasterly along the centerline of Center Street N.W. to its intersection with the centerline of Riverbed Street N.W.; thence Southerly and Southeasterly, along the centerline of Riverbed Street N.W., to its point of intersection with the centerline of Columbus Road N.W., thence continuing Southeasterly along the Southeasterly prolongation of said Riverbed Street N.W., to its intersection with the centerline of University Road S.W. and Scranton Road S.W., thence in a general Easterly direction to the centerline of the Cuyahoga River; thence Northerly and Northeasterly, along the centerline of said Cuyahoga River, to its intersection with the Scranton Road Bridge; thence Southeasterly and in a general Easterly direction, along the center line of the Scranton Road Bridge and Scranton Road S.W., to its intersection with the centerline of Broadway S.E.; thence Southeasterly along the center line of Broadway S.E., to the Northerly line of the Inner Belt; thence in a general Easterly and Northeasterly direction, along the Northerly and Northwesterly line of the Inner Belt, to the shore of Lake Erie; thence in a general Southwesterly direction, along the shore of Lake Erie to the place of beginning.

(f) No person shall operate a pedicab on any street of the City which has been closed pursuant to lawful authority, including closings pursuant to Sections 133.09, 403.05 or 411.05 of these Codified Ordinances.

Section 447.09 Rates; Time Charges; Flat Fees.

(a) **Rates of Fare.** Pedicab owners issued a pedicab business license pursuant to Section 447.03 shall file with the Commissioner of Assessments and Licenses the rates of fare per passenger charged for each trip. The fare per passenger shall include either rates on an elapsed time basis, or rates and itinerary for tours, or both, and the areas of and hours of operation.

No pedicab owner or operator may charge or cause to be charged a rate of fare different than the rates of fare filed with the Commissioner. Pedicab owners shall provide written notice to the Commissioner at least thirty (30) days prior to changing rates of fare.

(b) **Elapsed Time Charges.** An operator of a pedicab may charge a passenger for hire on an elapsed time basis, provided that all fares shall be posted in such a location that any potential passenger for

hire may be aware of the fare before a commitment is made to hire the pedicab.

(c) **Flat Fees and Tours.** As an alternative, an owner or operator of a pedicab may offer a passenger for hire a choice of tours instead of elapsed time charges. A scale map showing the exact route or itinerary of each tour shall be provided to each potential passenger for hire by the pedicab operator. The pedicab operator may demand return of the map at the end of the tour. The passenger for hire shall be informed of which alternative, the elapsed time charge or the flat fee and tour he started.

Section 447.10 License Suspension or Revocation; Appeal.

In addition to any penalty imposed by Section 447.99, the Commissioner of Assessments and Licenses may suspend or revoke a license granted under Sections 447.03 or 447.04 for any reason which would have been cause for denial of a license, or for failure to comply with any provision of this chapter or any rule or regulation adopted pursuant to Section 447.11, provided that such licensee shall have the right to appeal in the manner provided in Section 403.09.

Section 447.11 Rules and Regulations.

The Commissioner of Assessments and Licenses is hereby authorized to issue such rules and regulations as he deems necessary to carry out the purposes of this chapter. Proposed rules and regulations shall be filed with the Clerk of Council. Such rules and regulations shall take effect on the thirtieth day following the filing with the Clerk, unless prior to such day, Council adopts a resolution of disapproval.

Section 447.99 Penalty.

Any person or organization who violates Section 447.02 of this chapter is guilty of operating a pedicab without a license, a minor misdemeanor.

Section 2. That Section 401.42 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976, is hereby amended to read as follows:

Section 401.42 Public Hack.

"Public hack" or "hack" means any public vehicle whose owner or driver secures or accepts passengers for hire on the public streets or in public or quasi-public places, except pedicabs as defined in Section 447.01 and vehicles operated by the Cleveland Regional Transit Authority.

Section 3. That existing Section 401.42 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976, is hereby repealed.

Section 4. That Section 443.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1828-77, passed June 8, 1978, is hereby amended to read as follows:

Section 443.011 Definitions.

As used in this chapter, certain terms are defined as follows:

(a) "Association" means a society, whether incorporated or not, organized for the purpose of benefitting a group of not less than 25 owners of public hacks by providing for its

members, dispatching services, a uniform and distinctive color scheme, and collection and maintenance of operating records.

(b) "Company" means any person, partnership or corporation owning 25 or more public hacks having a uniform distinctive color scheme.

(c) "Driver" means the person in actual physical control of a public hack.

(d) "Independent operator" means any owner to whom either of the following applies:

(1) Is the owner of less than twenty-five public hacks;

(2) Does not provide his own dispatching services.

(e) "Owner" means any natural person, partnership or corporation having legal or equitable title to a public hack and includes lessors.

(f) "Public hack" or "Hack" means any public vehicle whose owner or driver secures or accepts passengers for hire on the public streets, or in public or quasi-public places, except pedicabs as defined in division (d) of Section 447.01 and vehicles operated by the Cleveland Regional Transit Authority.

Section 5. That Section 443.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1828-77, passed June 8, 1978, is hereby repealed.

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

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

Ord. No. 764-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of office forms, paper and envelopes, for the Division of Water, Department of Public Utilities, 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 Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of office forms, paper and envelopes 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 Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 20945)

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

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

Ord. No. 765-96.

By Councilman Polensek (by departmental request).

An emergency ordinance to extend the retirement date of Lieutenant Michael O'Malley for a one-year period beginning on June 30, 1996, for the Division of Police, Department of Public Safety.

Whereas, Section 135.07 of the Codified Ordinances of Cleveland, Ohio, 1976, provides that members of the Division of Police in the Department of Public Safety, attaining the age of sixty-five years, upon written request of the Police Chief, shall continue on active duty on a year-to-year basis subject to the approval of the Department of Public Safety and this Council; and

Whereas, pursuant to Ordinance No. 523-95, this Council granted a one-year retirement extension to Lieutenant Michael O'Malley to remain on active duty; and

Whereas, that extension will expire on June 29, 1996, which is the eve of Lieutenant Michael O'Malley's sixty-sixth birthday; and

Whereas, the Director of Public Safety has approved the Lieutenant Michael O'Malley's continuation on active duty for an additional period of one year; and

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

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

Section 1. That Lieutenant Michael O'Malley of the Division of Police, Department of Public Safety, shall continue on active duty for a one (1) year period beginning on June 30, 1996, and that such continuation is hereby approved by this Council.

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

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

Ord. No. 766-96.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a contract with Salvation Army, for administrating and facilitating recreational services in the Collinwood community in Ward 11, for the 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 to enter into a contract with Salvation Army (Temple Corps), 17625 Grovewood Avenue, Cleveland, Ohio, or its designee, for professional services necessary to administrate and facilitate recreational services in the Collinwood Community in Ward 11, in the total sum of Fifty Thousand Dollars (\$50,000.00), payable from Fund No. 01-70-04-0380, Request No. 21399, for the Department of Parks, Recreation and Properties.

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

Ord. No. 767-96.

By Councilmen Polensek and Rokakis.

An emergency ordinance authorizing and directing the Director of Public Safety to enter into a requirement contract without competitive bidding with Finley Fire Equipment for the purchase of replacement parts for Pierce fire apparatus, and, if necessary, the purchase of parts and labor to repair accident damage in order for such equipment to remain under warranty, for the Divisions of Emergency Medical Service and 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Finley Fire Equipment. Therefore, the Director of Public Safety is hereby authorized and directed to make a written requirement contract for the period of two years with said Finley Fire Equipment for the purchase of replacement parts for Pierce fire apparatus, and, if necessary, the purchase of parts and labor to repair accident damage in order for such equipment to remain under warranty, to be purchased by the Commissioner of Purchases and Supplies, upon a unit basis for the Divisions of Emergency Medical Ser-

vice and Fire, Department of Public Safety.

Section 2. That 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 21144)

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. 768-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Safety to enter into a requirement contract without competitive bidding with Sutphen Corporation for the purchase of replacement parts for Sutphen fire apparatus and, if necessary, the purchase of parts and labor to repair accident damage in order for such equipment to remain under warranty, for the Divisions of Emergency Medical Service and 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Sutphen Corporation. Therefore, the Director of Public Safety is hereby authorized and directed to make a written requirement contract for the period of two years with said Sutphen Corporation for the purchase of replacement parts for Sutphen fire apparatus, and, if necessary, the purchase of parts and labor to repair accident damage in order for such equipment to remain under warranty, to be purchased by the Commissioner of Purchases and Supplies, upon a unit basis for the Divisions of Emergency Medical Service and Fire, Department of Public Safety.

Section 2. That 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 21143)

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.

**FIRST READING
ORDINANCE REFERRED**

Ord. No. 769-96.

By Councilman Paulenske.

An ordinance to change the Use and Area Districts of lands on the northerly side of Lakefront Road, N.E., to Lake Erie between Marquette Street, N.E. and East 55 Street. (Map Change No. 1905, Sheet No. 4)

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

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

Description of Quay 55 Parcel 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 10-Acre Lots Nos. 165 and 166 and bounded and described as follows:

Beginning on the Northwesterly line of North Marginal Road, at its intersection with the Northwesterly prolongation of the Northeasterly line of Marquette Street, 100 feet wide;

Thence S. 32 degrees, 17 minutes, 35 seconds E., along said Northwesterly prolongation, a distance of 20.02 feet;

Thence N. 55 degrees, 13 minutes, 33 seconds E., parallel with the Northwesterly line of North Marginal Road, a distance of 542.49 feet to a point on a Westerly line of a parcel of land conveyed to Quay 55 Limited Partnership, by deed recorded in Volume 90-3857, Page 39 of Cuyahoga County Official Records and the principal place of beginning;

Thence N. 24 degrees, 28 minutes, 10 seconds W., along the Westerly line of land so conveyed to Quay 55 Limited Partnership, a distance of 81.45 feet to a Northwesterly corner thereof;

Thence N. 55 degrees, 18 minutes, 43 seconds E., along a Northwesterly line of land so conveyed to Quay 55 Limited Partnership, a distance of 149.85 feet to an interior corner thereof;

Thence N. 4 degrees, 52 minutes, 17 seconds W., along a Westerly line of land so conveyed to Quay 55 Limited Partnership, a distance of 581.97 feet to a Northwesterly corner thereof;

Thence Northerly and Southeasterly, a distance of 429.20 feet on the arc of a circle deflecting to the right, whose radius is 150.00 feet, and whose chord bears N. 55 degrees, 18 minutes, 43 seconds E., a distance of 297.06 feet to a Northwesterly line of land so conveyed to Quay 55 Limited Partnership;

Thence N. 55 degrees, 18 minutes, 43 seconds E., along a Northwesterly line of land so conveyed to Quay 55 Limited Partnership, a distance of 25.48 feet to the most Northerly corner thereof

Thence S. 4 degrees, 45 minutes, 00 seconds E. along the Easterly line of land so conveyed to Quay 55 Limited Partnership, a distance of 30.00 feet to the most Northerly corner of a parcel of land conveyed to Quay 55 Limited Partnership, by

deed recorded in Torrens Certificate No. 146602 of Cuyahoga County Torrens Records;

Thence N. 80 degrees, 26 minutes, 33 seconds E., along the Northerly line of land so conveyed to Quay 55 Limited Partnership in Certificate No. 146602, a distance of 275.47 feet to the Northeasterly corner thereof;

Thence S. 37 degrees, 05 minutes, 45 seconds E., along the Northeasterly line of land so conveyed to Quay 55 Limited Partnership in Certificate No. 146602, a distance of 25.00 feet;

Thence N. 76 degrees, 00 minutes, 54 seconds E., a distance of 257.64 feet;

Thence S. 46 degrees, 34 minutes, 15 seconds E., a distance of 60.00 feet;

Thence S. 32 degrees, 12 minutes, 02 seconds W., a distance of 23.80 feet;

Thence S. 57 degrees, 47 minutes, 55 seconds E., a distance of 38.00 feet;

Thence S. 3 degrees, 47 minutes, 20 seconds E., a distance of 102.81 feet;

Thence S. 40 degrees, 34 minutes, 00 seconds W., a distance of 350.00 feet;

Thence S. 46 degrees, 52 minutes, 55 seconds W., a distance of 151.62 feet;

Thence S. 49 degrees, 53 minutes, 37 seconds W., a distance of 150.66 feet;

Thence S. 51 degrees, 17 minutes, 54 seconds W., a distance of 116.82 feet;

Thence S. 55 degrees, 13 minutes, 33 seconds W., a distance of 451.20 feet to the principal place of beginning and containing 11.172 acres of land, be the same more or less, but subject to all legal highways.

All bearings are to an assumed meridian and are used to denote angles only.

Description of Quay 55 Parcel 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 10-Acre Lots Nos. 165 and 166 and bounded and described as follows:

Beginning on the Northwesterly line of North Marginal Road, at its intersection with the Northwesterly prolongation of the Northeasterly line of Marquette Street, 100 feet wide;

Thence S. 32 degrees, 17 minutes, 35 seconds E., along said Northwesterly prolongation, a distance of 20.02 feet to the principal place of beginning;

Thence N. 55 degrees, 13 minutes, 33 seconds E., parallel with the Northwesterly line of North Marginal Road, a distance of 542.49 feet to a point on a Westerly line of a parcel of land conveyed to Quay 55 Limited Partnership, by deed recorded in Volume 90-3857, Page 39 of Cuyahoga County Official Records;

Thence N. 24 degrees, 28 minutes, 10 seconds W., along the Westerly line of land so conveyed to Quay 55 Limited Partnership, and its Northerly prolongation, a distance of 450.81 feet;

Thence S. 65 degrees, 31 minutes, 50 seconds W., a distance of 366.76 feet;

Thence S. 57 degrees, 42 minutes, 24 seconds W., a distance of 240.00 feet;

Thence S. 32 degrees, 17 minutes, 36 seconds E., a distance of 500.00 feet to the principal place and containing 6.501 acres of land, be the

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

All bearings are to an assumed meridian and are used to denote angles only, and as outlined in red on the map hereto attached, be and the same are hereby changed to a General Retail Use District and a 'D' Area District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1905, Sheet No. 4 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 770-96.

By Councilman Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Cleveland Clinic Foundation to stretch a banner on its skywalk on Carnegie Avenue near East 90th Street for the period from April 30, 1996 to May 17, 1996, inclusive, publicizing the Cleveland Cavs Play-offs.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Cleveland Clinic Foundation to install, maintain and remove a banner on its skywalk on Carnegie Avenue near East 90th Street for the period from April 30, 1996 to May 17, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 771-96.

By Councilmen Coats and Polensek.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Community Relations Board and the Collinwood Community Services Center to stretch a banner in the vicinity of 813 East 152nd Street for the period from May 1, 1996 to May 26, 1996, inclusive, publicizing its Bike-A-Thon.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Community Relations Board and the Collinwood Community Services Center to install, maintain and remove a banner in the vicinity of 813 East 152nd Street for the period from May 1, 1996 to May 26, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 772-96.

By Councilmen Coats and Polensek.

An emergency ordinance consenting and approving the issuance of a permit for a Bike-A-Thon on May 25, 1996, sponsored by the Community Relations Board and the Collinwood Community Services.

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 Ordina-

nances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Bike-A-Thon, sponsored by the Community Relations Board and the Collinwood Community Services Center, on May 25, 1996, beginning at the Collinwood Community Services Center, 813 East 152nd Street, north on E. 152nd Street, east on Holmes, east on Roseland, south on Avalon, stop at Duggan Field, continue west on Olympia, north on Wayside, west on Kipling, stop at Holy Redeemer Church, continue west on Kipling, north on Ivanhoe, west on St. Clair, stop at St. Joseph School, continue north on E. 146th St., west on Aspinwall, stop at Aspinwall and E. 140th St., north on E. 140th St., east on Westropp, north on E. 149th St., east on Ridpath, stop at St. Jerome School, continue south on E. 152nd St. and finish back at the Collinwood Community Services Center, 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.

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

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

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

Ord. No. 773-96.

By Councilmen Jackson and Paulenske.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Department of Children & Family Services to stretch banners on Euclid Ave. at E. 40th St., on Carnegie Ave. at E. 40th St., on Chester Ave. at E. 40th St. and on Prospect Ave. at E. 40th St. for the period from May 1, 1996 to May 31, 1996, inclusive, publicizing its National Foster Parent Month.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Department of Children & Family Services to install, maintain and remove banners on Euclid Ave. at

E. 40th St., on Carnegie Ave. at E. 40th St., on Chester Ave. at E. 40th St. and on Prospect Ave. at E. 40th St. for the period from May 1, 1996 to May 31, 1996, inclusive. Said banners shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 774-96.

By Councilman O'Malley.

An emergency ordinance authorizing certain persons to engage in peddling in Ward 16. (Linda Davis at 4633 State Road).

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 the 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 16; 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 16, at the locations specified: Linda Davis at 4633 State Road.

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 20. Nays 0. Read second time. Read third time in full. Passed. Yeas 20. Nays 0.

Ord. No. 775-96.

By Councilman Paulenske.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Living in Cleveland Center to stretch a banner on East 9th Street near the Memorial Shoreway for the period from May 3, 1996 to June 3, 1996, inclusive, publicizing the 4th Annual Buying in Cleveland Program.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Living in Cleveland Center to install, maintain and remove a banner on East 9th Street near the Memorial Shoreway for the period from May 3, 1996 to June 3, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 776-96.

By Councilman Johnson.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 8928 Buckeye Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 7685051, Salima Inc., 8928 Buckeye Road, Cleveland, Ohio 44104, to Permit No. 5381115, M & S Groceries Inc., dba Buckeye Discount Grocery, 8928 Buckeye Road, Cleveland, Ohio 44104; 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 is not conformed to the building, safety or health requirements of the governing body of this County or City; and

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 7685051, Salima Inc., 8928 Buckeye Road, Cleveland, Ohio 44104, to Permit No. 5381115, M & S Groceries Inc., dba Buckeye Discount Grocery, 8928 Buckeye Road, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 777-96.

By Councilman Johnson.

An emergency resolution supporting House Bill 385 to raise the age limit for consensual sexual relations from 13 years to 17 years, and urging the House to amend the law to include mandatory life in prison

sentencing with no possibility for parole for anyone convicted of raping a child under 17 years of age.

Whereas, under current law, in place since the mid-1970s, "statutory rape" can be charged only if one participant is under age 13; and

Whereas, under current law, the offense for engaging in consensual sexual relations with a child between 13 years of age and 17 is "corruption of a minor"; and

Whereas, incidences of teenage pregnancies have skyrocketed since the mid-1970s when the age limit for sexual consent was set at 13; and

Whereas, a high percentage of the babies born to teenagers today are being fathered by men over 21 years of age; and

Whereas, the House recently took issue with teenage pregnancies by amending House Bill 385 to raise the age of sexual consent from 13 to age 17; and

Whereas, Ohio taxpayers are forced to bear some of the costs of the \$2.4 billion in Ohio child-support arrearages; and

Whereas, under current law rape is an aggravated felony of the first degree, punishable by up to 25 years in prison and a fine of up to \$10,000; and

Whereas, if an underage victim is compelled by force or the threat of force, the penalty is life in prison; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, safety or welfare of Ohio's youth; now, therefore,

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

Section 1. That this Council supports the amendment to House Bill 385 to raise the age limit for consensual sexual relations from 13 years to 17 years.

Section 2. That this Council urges the House to amend House Bill 385 to include mandatory life in prison sentencing with no possibility for parole for anyone convicted of raping a child under 17 years of age if the underage victim is compelled by force or the threat of force.

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

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

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

Res. No. 778-96.

By Councilman O'Malley.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4926 Denison Avenue, and repealing Res. No. 2067-95, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 4926 Denison Avenue by Res. No. 2067-95, adopted November 13, 1995; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to 4926 Denison Avenue be and the same is hereby withdrawn and Res. No. 2067-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 779-96.

By Councilman Patmon.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 7516 St. Clair Avenue, and repealing Res. No. 1531-95, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 7516 St. Clair Avenue by Res. No. 1531-95, adopted August 23, 1995; and

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

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

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

Section 1. That objection to the renewal of a C1 and C2 Liquor Permit to 7516 St. Clair Avenue be and the same is hereby withdrawn and Res. No. 1531-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 780-96.

By Councilman Polensek.

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit to 747 East 185th Street, and repealing Res. No. 1490-95, objecting to said renewal.

Whereas, this Council objected to

the renewal of a D5 Liquor Permit to 747 East 185th Street by Res. No. 1490-95, adopted August 23, 1995; and

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

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

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

Section 1. That objection to the renewal of a D5 Liquor Permit to 747 East 185th Street be and the same is hereby withdrawn and Res. No. 1490-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 781-96.

By Councilman White.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 9305 Miles Road, and repealing Res. No. 2254-95, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 9305 Miles Road by Res. No. 2254-95, adopted December 11, 1995; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 9305 Miles Road be and the same is hereby withdrawn and Res. No. 2254-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

**SECOND READING
EMERGENCY ORDINANCES**

Ord. No. 818-95.

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

An emergency ordinance to enact Sections 338.01, 338.02, 338.03, 338.04 and 338.05 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to establishing a manufactured housing park district.

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

Ord. No. 2278-95.

By Councilmen Brady and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of personal computers, various printers and software, for the Division of Water, Department of Public Utilities.

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

Ord. No. 36-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair treelawns, for the Division of Water, Department of Public Utilities.

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

Ord. No. 247-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of equipment and appurtenances for Vac-All vacuum catch basin cleaners for the Division of Water Pollution Control, Department of Public Utilities.

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

Ord. No. 248-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating the exterior surfaces of four water towers, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

Ord. No. 249-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance to amend the title, Section 2 and Section 4 of Ordinance No. 2161-94, passed June 5, 1995, relating to the public improvement of installing cathodic protection for various water mains in the City of Cleveland, for professional services, and to enter into contracts to reimburse public agencies for the performance of said work.

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

Ord. No. 313-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed three meter test benches, for the Division of Water, Department of Public Utilities.

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

Ord. No. 314-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to fabricate ring and pinion gears, for the Division of Water, Department of Public Utilities.

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

Ord. No. 362-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair or replace fire hydrants, for the Division of Water, Department of Public Utilities.

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

Ord. No. 421-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a contract with the National Junior Tennis League of Cleveland to provide a summer tennis program.

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

Ord. No. 424-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed for various building maintenance services, excluding janitorial services, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

Ord. No. 425-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair water mains and appurtenances, for the Division of Water, Department of Public Utilities.

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

Ord. No. 482-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 929-95, passed June 12, 1995, relating to professional services necessary for the acquisition of homes and relocation of residents located within the boundaries of Midvale Avenue, Brysdale Avenue, Interstate 71, Springdale and Westport Avenue.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 483-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various items of safety supplies and equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 485-96.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 129.28 thereof, relating to the purchase by competitively bid contract or professional services contract of laboratory testing and analytical services, laboratory testing equipment, and related items by the Director of Public Utilities.

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

Ord. No. 490-96.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an eleventh amendment to Lease Agreement No. 35620 to extend the term of the existing Lease Agreement for the rental of Broadway YMCA facilities at 11300 Miles Avenue, and to allow the City to utilize the Broadway YMCA gymnasium for a youth basketball program.

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

Ord. No. 526-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance to assess the cost and expense of construction and repairing of sidewalks and curbing.

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

Ord. No. 543-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 2055-95, passed November 13, 1995, relating to a requirement contract of labor and equipment needed to tow unattended vehicles from roadways at Cleveland Hopkins International Airport.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 545-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing a HVAC unit and associated appurtenances at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

SECOND READING EMERGENCY ORDINANCE PASSED**Ord. No. 647-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into agreements for the purchase and/or license of computer hardware, software, appurtenances, supplies, furniture, installation, training, maintenance, and other necessary ancillary items, labor and materials for cabling, maintenance, installation, as necessary for the Office of the Cleveland Municipal Court Clerk.

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

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

THIRD READING EMERGENCY ORDINANCES PASSED**Ord. No. 2283-95.**

By Councilmen Miller, McGuirk, Paulenske, Willis, Pianka, Rybka and Rokakis (by departmental request).

An emergency ordinance to amend Section 1 and 3 of Ordinance No. 1352-90, passed July 23, 1990, relating to the establishment of Community Reinvestment Areas in the vicinities of Granton Avenue, Euclid Avenue, Edgewater Drive and Franklin Boulevard; to supplement said ordinance by adding new Section 4 thereof; and renumbering existing Sections 4 and 5.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 83-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at various locations on East 39 Street to Estelle Robinson.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 84-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Giancarlo Calicchia, or his designee, to provide economic development assistance to partially finance the acquisition of two com-

mercial buildings located at 3855 and 3865 Carnegie Avenue, Cleveland, Ohio, 44106.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 93-96.

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

An emergency ordinance establishing a Community Reinvestment Area in the area of West 110th Street, pursuant to Section 3735.65 et seq. of the Ohio Revised Code, and making certain findings and determinations in connection therewith.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 139-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7204-08 Central Avenue and 7216-18 Central Avenue to Stanley Jackson.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 140-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2352 East 59 Street to Syretha McConnell.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 141-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2175-79 East 71 Street to Pernel Jones Funeral Home.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 142-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2191 East 71 Street to Annie Delores Wooden and Demella Y. Wooden.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 143-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 7716 and 7708 Rawlings Avenue to Diane G. Vaughn.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 145-96.

By Councilman Miller (by request).

An emergency ordinance to accept the dedication of portions of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 147-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 570 East 101 Street to Eleanor Walker.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 148-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 558 East 102 Street to Susie E. and Artis Faucette.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 149-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3669 East 91 Street to JPS, Inc., d.b.a. Garfield Metal Products, Inc.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 150-96.

By Councilman Paulenske (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Tower City (on behalf of "The Avenue") for banners which will encroach into the public right-of-way of Huron Road, between Superior and Ontario Streets.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 159-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3752 East 96 Street to Diana L. Robinson.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 160-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12909 Marston Avenue to Percy Mitchell.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 161-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 11310 Miles Avenue to Henry and Diane Wilson.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 162-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1373-75 East 105 Street and 1383 East 105 Street to Brenda Yarbrough.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 204-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into contract with the Ohio Department of Health wherein the Department of Public Health shall receive Medicaid reimbursement for conducting inspections of houses for lead based paint.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 205-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1996 Health Promotion Program and authorizing the Director of Public Health to enter into contracts with various agencies for the implementation and operation of the Program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 209-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3263 East 55 Street to Maurice P. Kittle.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 246-96.

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

An emergency ordinance determining the method of making the public improvement of modifying and improving the Customs and Immigrations facility at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into contract for the making of such improvement; and to employ one or more design firms to provide professional services relating to such improvement.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 254-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1996 Hepatitis B Program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 255-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1996 Sexually Transmitted Disease Program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 347-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of

Public Service to enter into contract without competitive bidding with E.J. Ward, Inc. for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 417-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed twenty computers and not to exceed ten laser printers, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 428-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1996 Federal AIDS prevention Program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 429-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol & Drug Addiction Services Board of Cuyahoga County for the 1996 Target Cities Program.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 477-96.

By Councilmen Coats and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 478-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and maintain Cushman equipment, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 479-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and maintain Ford tractor, mower and construction equipment, including installation, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

Ord. No. 480-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and maintain Ford passenger cars, including installation, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

Read third time. Passed. Yeas 20. Nays 0.

THIRD READING EMERGENCY RESOLUTIONS ADOPTED**Res. No. 1709-95.**

By Councilman Rokakis (by request).

An emergency resolution declaring the intention to vacate a portion of Park Drive S.W.

Read third time. Adopted. Yeas 20. Nays 0.

Res. No. 96-96.

By Councilman Lewis (by request).

An emergency resolution declaring the intention to vacate a portion of East 72nd Place.

Read third time. Adopted. Yeas 20. Nays 0.

Res. No. 166-96.

By Councilman Miller (by request).

An emergency resolution declaring the intention to vacate portions of Westport Avenue, West 180th Street, West 181st Street and Sally Avenue, S.W.

Read third time. Adopted. Yeas 20. Nays 0.

Res. No. 167-96.

By Councilman Miller (by request).

An emergency resolution declaring the intention to vacate portions of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, Grayhill Road.

Read third time. Adopted. Yeas 20. Nays 0.

LAID ON THE TABLE**Ord. No. 2242-94.**

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 143.04 thereof, relating to applicant/employee background screening services.

Without objection, Ordinance No. 2242-95 was Laid on the Table pursuant to the Rules of Council.

Ord. No. 2239-95.

By Councilmen Brady and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Utilities to make alterations and modifications in Contract No. 44676 with Harlan Electric Company and Contract No. 44678 with Asplundh Construction Corporation for the Cleveland Public Power System Expansion Project, for the Department of Public Utilities.

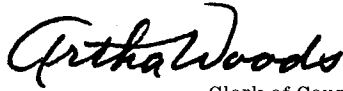
Without objection, Ordinance No. 2239-95 was Laid on the Table pursuant to the Rules of Council.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried, that the absence of Councilman Gary M. Paulenske be and is hereby authorized.

MOTION

The Council adjourned at 9:25 p.m. to meet on Monday, May 6, 1996 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES**Ord. No. 818-95.**

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

An emergency ordinance to enact Sections 338.01, 338.02, 338.03, 338.04 and 338.05 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to establishing a manufactured housing park district.

Ord. No. 2278-95.

By Councilmen Brady and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of personal computers, various printers and software, for the Division of Water, Department of Public Utilities.

Ord. No. 36-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair treelawns, for the Division of Water, Department of Public Utilities.

Ord. No. 247-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of equipment and appurtenances for Vac-All vacuum catch basin cleaners for the Division of Water Pollution Control, Department of Public Utilities.

Ord. No. 248-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating the exterior surfaces of four water towers, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

Ord. No. 249-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance to amend the title, Section 2 and Section 4 of Ordinance No. 2161-94, passed June

5, 1995, relating to the public improvement of installing cathodic protection for various water mains in the City of Cleveland, for professional services, and to enter into contracts to reimburse public agencies for the performance of said work.

Ord. No. 313-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed three meter test benches, for the Division of Water, Department of Public Utilities.

Ord. No. 314-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to fabricate ring and pinion gears, for the Division of Water, Department of Public Utilities.

Ord. No. 362-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair or replace fire hydrants, for the Division of Water, Department of Public Utilities.

Ord. No. 421-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a contract with the National Junior Tennis League of Cleveland to provide a summer tennis program.

Ord. No. 424-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed for various building maintenance services, excluding janitorial services, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

Ord. No. 425-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair water mains and appurtenances, for the Division of Water, Department of Public Utilities.

Ord. No. 482-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 929-95, passed June 12, 1995, relating to professional services necessary for the acquisition of homes and relocation of residents located within the boundaries of Midvale Avenue, Brysdale Avenue, Interstate 71, Springdale and Westport Avenue.

Ord. No. 483-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various

items of safety supplies and equipment, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Ord. No. 485-96.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 129.28 thereof, relating to the purchase by competitively bid contract or professional services contract of laboratory testing and analytical services, laboratory testing equipment, and related items by the Director of Public Utilities.

Ord. No. 490-96.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an eleventh amendment to Lease Agreement No. 35620 to extend the term of the existing Lease Agreement for the rental of Broadway YMCA facilities at 11300 Miles Avenue, and to allow the City to utilize the Broadway YMCA gymnasium for a youth basketball program.

Ord. No. 526-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance to assess the cost and expense of construction and repairing of sidewalks and curbing.

Ord. No. 543-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance to amend the title and Section 1 of Ordinance No. 2055-95, passed November 13, 1995, relating to a requirement contract of labor and equipment needed to tow unattended vehicles from roadways at Cleveland Hopkins International Airport.

Ord. No. 545-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing a HVAC unit and associated appurtenances at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

BOARD OF CONTROL

April 24, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 24, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 258-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Badger Meter, Inc., for an estimated quantity of large water meters (Items 8, 9 and 12) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 9th day of February, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976, which on the basis of the estimated quantity would amount to Seventy-One Thousand Six Hundred Dollars (\$71,600.00), (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. 78428

which shall be certified against such contract in the sum of Four Thousand Dollars (\$4,000.00).

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

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.

Absent:None.

Resolution No. 259-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of ABB Kent Meters, Inc., for an estimated quantity of large water meters (Items 1-5, 7, 10, 11 and 13) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 9th day of February, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976, which on the basis of the estimated quantity would amount to Four Hundred Eighty Thousand One Hundred Twenty-Five Dollars (\$480,125.00), (Net), 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. 78403

which shall be certified against such contract in the sum of Twenty-Four Thousand Six and 25/100 Dollars (\$24,006.25).

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

Yeas: Mayor White, Acting Direc-

tor Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.

Absent:None.

Resolution No. 260-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of ABB Kent Meters, Inc., for an estimated quantity of small water meters (Items 3, 4 and 5) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 9th day of February, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976, which on the basis of the estimated quantity would amount to Eighty-Nine Thousand Five Hundred Dollars (\$89,500.00), (Net), 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. 78404

which shall be certified against such contract in the sum of Two Thousand Five Hundred Dollars (\$2,500.00).

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

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.

Absent:None.

Resolution No. 261-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Woodhill Supply, Inc., for an estimated quantity of small water meters (Item 7) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 9th day of February, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976, which on the basis of the estimated quantity would amount to Thirty-Eight Thousand One Hundred Dollars (\$38,100.00), (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. 78405

which shall be certified against such contract in the sum of Four Thousand Dollars (\$4,000.00).

Said requirement contract shall further provide that the Contractor

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

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.
Absent: None.

Resolution No. 262-96.

By Director Konicek.
Resolved, by the Board of Control of the City of Cleveland, that the bid of Harlan Electric Company for the public improvement of R-1, Construction Modifications to existing 13.8 kv Electrical Distribution System, all items, for the Division of Cleveland Public Power, Department of Public Utilities, received on the 28th day of March, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, upon a unit basis for the improvement to be performed as ordered during the period of one (1) year beginning with the date of execution of a contract at the unit prices set forth in the said bid, which on the basis of the estimated work to be done would amount to Four Million Two Hundred Eighteen Thousand Five Hundred Sixty-Five and 93/cents (\$4,218,565.93) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby requested to enter into a REQUIREMENT CONTRACT for said improvement, which contract shall provide for initial performance of the following work hereunder:

Requisition No. 85076 which shall be certified against such contract in the sum of Three Hundred Thousand and no/cents (\$300,000.00) Dollars.

Said REQUIREMENT CONTRACT shall further provide that the contractor will perform so much of the balance of the work as may be ordered under subsequent requisitions separately certified against said REQUIREMENT CONTRACT, whether the same shall be less than the total estimate of work to be performed under said contract or shall exceed the same by not more than ten percent.

Be it further resolved that the employment of the following subcontractors of Harlan Electric Co., for the above mentioned public improvement requirement contract be and the same hereby is approved:

SUBCONTRACTORS	WORK
Leader Electric	Electrical Materials 10% PBE
Artisan Electrical	Overhead/Underground Electrical 23.8% MBE
Aqueduct Sewer Co.	Water/Sewer Repair 4.7% MBE
Ware Plumbing & Heat	Water/Sewer Repair 4.7% MBE

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.
Nays: None.
Absent:None.

Resolution No. 263-96.

By Director Konicek.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Central Electric Supply Company for an estimated quantity of tennis court lighting materials including adder for pre-shipped bases for item nos. 1 thru 5, for the Division of Cleveland Public Power, for the period of one (1) year beginning with the date of execution of a contract received on the 28th day of March 1996, pursuant to the authority of Section 129.26 of the Codified Ordinance of Cleveland, Ohio 1976 which on the basis of the estimated quantity would amount to Eighty-Seven Thousand Nine Hundred Forty-Three and no/cents Dollars, (\$87,943.00), (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. 85075 which shall be certified against such contract in the sum of Eighty-Seven Thousand Nine Hundred Forty-Three and no/cents Dollars, (\$87,943.00).

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

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.
Nays: None.
Absent:None.

Resolution No. 264-96.

By Director Cunningham.
Be it resolved, by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 929-95, passed by the Cleveland City Council on June 12, 1995, O. R. Colan Associates, Inc. ("Consultant" FBE/DBE) is hereby selected upon the nomination of the Director of Port Control to provide consulting services for acquisition/relocation services for 94 single residences at Cleveland Hopkins International Airport for the Department of Port Control.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a written contract with O. R. Colan Associates, Inc. based on its proposals dated November 22, 1995, and February 7, 1996. The fee for such services shall be an amount not to exceed one million three hundred sixty-eight thousand nine hundred fifty and 93/100 dollars (\$1,368,950.93)

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

the following subcontractors O. R. Colan and Associates, Inc. ("Consultant") is hereby approved:

SUBCONTRACTORS	SERVICE
Tower City Title Agency	Titles and closings (FBE - \$41,360.00/3%)
Northland Research	Review appraisals (MBE - \$19,740.00/1.5%)
Greater Cleveland Home Inspection Services	Home inspections (MBE - \$28,750.00/2.1%)
BAT Associates, Inc.	Environmental audits, asbestos surveys, reports, asbestos abatement supervision (MBE - \$47,940.00/3.5%)
Paramount, Inc.	Clerical and property management (MBE - \$54,000.00/4%)
General Construction	Demolition (MBE - \$90,678.00/6.7%)
Choice Construction Co.	Demolition (MBE - \$43,200.00/3.2%)
Emily Braman	Appraisals (\$32,900.00)
Superior Demolition	Demolition (\$111,000.00)
B & B Wrecking	Demolition (\$90,678.00)

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.
Absent:None.

Resolution No. 265-96.

By Director Guzman.
Resolved, by the Board of Control of the City of Cleveland that the bid of R&R, Inc. dba Cleveland Mack Sales for an estimated quantity of E. Z. Pack Packer Parts and Labor (All Items) (Price List dated 3/1/96 Less 10% and a Labor rate of \$50.00 per hour) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 22nd day of March, 1996, pursuant to the authority of Ordinance No. 2146-95, passed January 8, 1996, which on the basis of the estimated quantity would amount to approximately Thirty-Five Thousand and no/100 Dollars, (\$35,000.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 70710 which shall be certified against

such contract in the sum of Three Thousand Five Hundred and no/100 Dollars, (\$3,500.00).

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

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.
Absent:None.

Resolution No. 266-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Midwest Industrial Supply, Incorporated for an estimated quantity of Emulsion, Support Services and Equipment (All Items) (Labor Rate of \$35.00 Per Hour Less 15% Material Discount) for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 10th day of April, 1996, pursuant to the authority of Ordinance No. 198-96, passed April 10, 1996, which on the basis of the estimated quantity would amount to approximately Seventy-Five Thousand and no/100 Dollars, (\$75,000.00), (1%-10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 84384 which shall be certified against such contract in the sum of Seven Thousand Five Hundred and no/100 Dollars, (\$7,500.00).

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

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.
Absent:None.

Resolution No. 267-96.

By Director Staib.

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 832-95, adopted November 1, 1995, amending Resolution No. 460-95 by increasing the compensation to be paid to A-1 Nursing Care of Cleveland, Inc. of the provision of nursing services to the Department of Public Health from \$20,000 to \$50,000, is hereby amended by deleting \$50,000 and replacing it with "\$85,000".

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director

Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.
Absent:None.

Resolution No. 268-96.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that all bids received on April 11, 1996 for Jail Cells Safety Screens Fabrication and Installation at City Police Stations, for the Division of Police, Department of Public Safety, pursuant to the authority of Ordinance No. 1333-88, passed by the Council of the City of Cleveland on September 19, 1988, be and the same are hereby rejected.

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.
Absent:None.

Resolution No. 269-96.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Anthony J. Chiancone Landscape & Nursery, Inc. for the public improvement of Thurgood Marshall Recreation Center Park site improvements for all bid items 1-54 inclusive, including the 5% contingency line item, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, received on March 27, 1996, pursuant to the authority of Ordinance No. 1455-94, passed November 21, 1994, upon a unit basis, for the improvement in the aggregate amount of One Hundred Twenty-Three Thousand, Three Hundred Nine and 90/100 (\$123,309.90) 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 Anthony J. Chiancone Landscape & Nursery, Inc. on the public improvement of Thurgood Marshall Recreation Center Park Site Improvements hereby are approved:

SUBCONTRACTORS RESPONSIBILITY

Kushatea & Sons	Landscaping (MBE)
Wilson Maintenance	Landscaping (MBE)
Barrow Sign	Signage (FBE)
Burkshire Construction Co.	Concrete (FBE)

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.
Absent:None.

Resolution No. 270-96.

By Directors Hamilton and Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R.J. Platten Contracting Co. for the public improvement of Moulton Park Phase II Site Improvements for base bid items 1B-11B, 13B-19B, 21B, 23B-28B, 31B-32B, 34B-39B, 41B, 44B-45B, 47B, 51B-52B, including alternate bid items 2, 4, 6, 8, 10 for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, received on March 27, 1996, pursuant to the authority of Ordinance Nos. 1455-94 and 683-95, passed November 21, 1994 and June 12, 1995 respectively, upon a unit basis, for the improvement in the aggregate amount of Two Hundred Seventy-Five Thousand Eighty-Five Dollars and 10/100 (\$275,085.10) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties and the Director of Community Development 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 employment of the following subcontractors for R.J. Platten Contracting Company on the public improvement of Moulton Park Phase II Site Improvements hereby are approved:

SUBCONTRACTORS RESPONSIBILITY

Cooper Landscaping	Landscaping (MBE)
United Ready Mix	Concrete Supplies (MBE)
Barrow Sign	Signage (FBE)
Thompson Ground Development	Topsoil and Trucking (MBE)
Cook Paving	Asphalt Work (MBE)
Crawford Fence	Wood Bollards (MBE)

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.

Nays: None.
Absent:None.

Resolution No. 271-96.

By Directors Hamilton and Spellman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Anthony J. Chiancone Landscape & Nursery, Inc. for the public improvement of Moulton Park Phase II cul-de-sac site improvements for all bid items A1-A33 inclusive, including item FA1, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, received on March 27, 1996, pursuant to the authority of Ordinance Nos. 1455-94 and 683-95, passed November

21, 1994 and June 12, 1995 respectively, upon a unit basis, for the improvement in the aggregate amount of One Hundred Forty-Eight Thousand, Eight Hundred Fifty-Five Dollars and 30/100, (\$148,855.30) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties and the Director of Community Development 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 employment of the following subcontractors for Anthony J. Chiancone Landscape & Nursery, Inc. on the public improvement of Moulton Park Phase II Cul-De-Sac Site Improvements hereby are approved:

SUBCONTRACTORS RESPONSIBILITY

Berkshire Construction	Aggregate Base and Concrete (FBE)
Cook Paving	Asphalt Work (MBE)
Barrow Sign	Signage (FBE)
Wilson Maintenance	Demolition and Backfill (MBE)

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.
Nays: None.
Absent: None.

Resolution No. 272-96.

By Directors Guzman, Hamilton and Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Perk Company Inc., 55 Industry Drive, Bedford, Ohio 44146 for the public improvement of Millcreek Subdivision Phases I & II Pavements for the Division of Engineering and Construction, Department of Public Service, received on April 11, 1996, June 17, 1991, June 15, 1992, pursuant to the authority of Ordinance Nos. 1275-91, 1654-91, 1276-92, 1200-93, 1909-92, passed June 17, 1991, June 15, 1992, June 15, 1992, June 14, 1993, September 21, 1992, upon a unit basis, for the improvement in the aggregate amount of Two Hundred Eighty-Nine Thousand Seven Hundred Twenty-Seven 15/100 (\$289,727.15) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Service, Public Utilities, Community Development are hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that employment of the following subcontractors of Perk Company Inc. for the aforementioned Public Improvement hereby is approved:

Choice Construction
30675 Solon Road Suite 100
Solon, Ohio 44139
F.B.E. 8.6%

Alexa Trucking
11512 Superior Avenue
Cleveland, Ohio 44103
M.B.E. 6.9%

Yeas: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Acting Director Smith, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Rivera.
Nays: None.
Absent: None.

Resolution No. 273-96.

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Baker Vehicle Systems, Inc. for an estimated quantity of Mowers (Item #3 Lease Price \$281.00 per unit/per month) for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, for Lease for a period of thirty-six (36) months beginning with the date of execution of a contract received on the 4th day of April, 1996, pursuant to the authority of Ordinance No. 202-96, passed February 26, 1996, which on the basis of the estimated quantity would amount to Forty Thousand, Four Hundred Sixty-Four and 00/100ths Dollars, (\$40,464.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 76078 which shall be certified against such contract in the sum of Thirteen Thousand, Four Hundred Eighty-Eight and 00/100ths Dollars, (\$13,488.00).

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

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Cunningham, Acting Director Nielson, Director Staib, Acting Director Holland, Director Spellman, Acting Director Resseger, Directors Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 13, 1996

9:30 A.M.

Calendar No. 96-47: 6880 Broadway, S.E.

Broadway Auto Works Inc., owner, c/o Bohdan Chowanec, to erect approximately 190' of 6' high chain link fence with 1' of barb thereon and to use the 13' specific setback area along the street line for the display of autos, all on the 144.9' x 150' irregular shaped lot located in a General Retail District and occupied by a 90' x 85' nonconforming repair garage building known as 6880 Broadway; said fence to be contrary to the setback and height restrictions of Sections 357.07 and 357.13 and said display of autos within the setback being contrary to the prohibitions of Section 357.14 of the Codified Ordinances.

Calendar No. 96-54: 4003-07 Franklin Blvd., N.W.

Franklin Estates Inc., owner, c/o James L. Hauer, and Joseph L. Zimmerman, prospective purchaser, to erect a 40' x 22' one story frame private garage on the rear of a 50.5' x 119' through lot located in a Two Family District at 4003-07 Franklin Blvd. and extending through to Terrett Ave.; said 880 square feet garage to be in excess of the 751 square feet maximum of Section 337.23 and said garage to be located at the rear property line, being the street line of Terrett Ave., instead of 1.5' therefrom as required by Section 337.23 of the Codified Ordinances.

Calendar No. 96-56: 6903 Father Caruso Dr., N.W.

Nolasco Housing Corp., owner, c/o Charles Manno, to erect a 107' x 40' three and one-half story 5 unit townhouse building and a 128' x 40' three and one-half story 6 unit townhouse building on the irregular shaped corner through lot located in a D-Multi-Family District on the southeast corner of Father Caruso Dr. and W. 70 St. and extending through to W. 69 St. and known as 6903 Father Caruso Dr.; said premises not to conform to the landscaping provisions of Sections 352.10 and 352.11 and one of the buildings to be located 8' from the street line of W. 70 St. instead of 19' therefrom as required by Section 357.04 and the buildings to be located 14' 6" from each other instead of 17' as required by Section 357.10 of the Codified Ordinances.

Calendar No. 96-62: 1200 W. 9 St. National Terminal Apartments L.L.C., owner, c/o The Alexander Co., Randy Alexander, to convert to commercial/retail and 249 dwelling units the 320' x 240' 9 story masonry warehouse building on a 199' x 297' irregular shaped lot located in a B-Limited Retail District and D-Limited Retail District at 1200 W. 9 St.; the residential gross floor area to exceed the allowable ratio as determined by Sections 355.04 and 357.03 and the south sideyard being 0' instead of 8 3/4' as required by Sections 355.06 and 357.03 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 29, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, April 22, 1996, the following appeals were heard by the Board, and decided on Monday, April 29, 1996.

The following appeals were **Refused:**

Calendar No. 96-31: 12830 Triskett Rd., S.W.

Diane McCurdy, owner, to install a 12' x 32' framed advertising sign to the west wall, a 6' x 40' painted advertising sign to the west wall and a 4' x 30' painted advertising sign to the north wall of the 50' x 150' one story masonry commercial building.

Calendar No. 96-41: 6815 Lansing Ave. S.E.

Margaret H. Mueller, owner, to convert to 4 dwelling units the 21' x 47' two story frame two dwelling unit building.

The following appeal was **Granted:**

Calendar No. 96-40: 1338 W. 58th St. John Strobl, owner, to convert to a suite for a total of 3 suites.

The following appeal was **Withdrawn** on April 29, 1996.

Calendar No. 96-30: 10500-14 Lorain Avenue.

The following appeal was **Postponed** to May 13, 1996.

Calendar No. 96-44: 15600 Lorain Avenue.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

The following are in violation of C.O. 623.14:
Richard Alt, last known address,

1742 West 29th Street, Cleveland, Ohio 44113.

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, MAY 17, 1996

Repairing or Rehabilitating Roofs, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 351-96, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 9, 1996 AT 1:00 P.M. IN THE BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

April 24 and May 1, 1996

THURSDAY, MAY 23, 1996

Concession Agreements to Provide Vending Machines at Various City Locations, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1670-94, passed by the Council of the City of Cleveland, November 28, 1994.

Wang System Component Upgrade, for the Department of Finance on behalf of the Cleveland Municipal Court, as authorized by Ordinance No. 1095-95, passed by the Council of the City of Cleveland.

April 24 and May 1, 1996

WEDNESDAY, MAY 15, 1996

Rehabilitation of Cardinal Minzenty Plaza, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 1254-92 and 2096-92, passed by the Council of the City of Cleveland, June 15, 1992 and December 14, 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 THURSDAY, MAY 9, 1996 10:00 A.M. AT THE PUBLIC UTILITIES BUILDING, AUDITORIUM A, 1201 LAKESIDE AVE.

May 1 and May 8, 1996

THURSDAY, MAY 16, 1996

Jail Cells/Safety Screens Installation, for the Department of Public Safety, as authorized by Ordinance No. 1333-88, passed by the Council of the City of Cleveland, February 24, 1992.

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

May 1 and May 8, 1996

THURSDAY, MAY 23, 1996

PVC Conduit and Fittings, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

Streetlighting Materials, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

May 1 and May 8, 1996

FRIDAY, MAY 24, 1996

One (1) 4x4 Ton Pick-up Truck, for the Various Divisions of the

Department of Port Control, as authorized by Ordinance No. 764-95, passed by the Council of the City of Cleveland, June 12, 1995.

Twenty-Two (22) Chassis and Cabs with 8 Ft. Pick Up Bodies, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1228-95, passed by the Council of the City of Cleveland, January 29, 1996.

One (1) Material Spreader, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 956-92, passed by the Council of the City of Cleveland, June 8, 1992.

Two (2) Runway Brooms, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 764-95, passed by the Council of the City of Cleveland, June 12, 1995.

May 1 and May 8, 1996

WEDNESDAY, MAY 29, 1996

Chemical Handling Improvements Phase One for Garrett A. Morgan Waterworks, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 1283-94, passed by the Council of the City of Cleveland, June 23, 1994.

A DEPOSIT OF TWO HUNDRED FIFTY DOLLARS (\$250.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, MAY 15, 1996 AT 10:00 A.M. AT THE AUDITORIUM A OF THE PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE.

May 1 and May 8, 1996

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 724-96.

By Councilman Britt.

An emergency resolution withdrawing objection to the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit to 12020 Mayfield Road, and repealing Res. No. 2291-95, objecting to said transfer of ownership and location.

Whereas, this Council objected to the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit to 12020 Mayfield Road, by Res. No. 2291-95, adopted December 18, 1995; and

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

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

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

Section 1. That objection to the transfer of ownership and location

of a D1, D2, D3 and D3A Liquor Permit to 12020 Mayfield Road, be and the same is hereby withdrawn and Res. No. 2291-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

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

Adopted April 22, 1996.

Effective April 30, 1996.

Res. No. 725-96.

By Councilman Rybka.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 4326 Warner Road, and repealing Res. No. 1499-95, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to 4326 Warner Road by Res. No. 1499-95, adopted August 23, 1995; and

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

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

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

Section 1. That objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to 4326 Warner Road be and the same is hereby withdrawn and Res. No. 1499-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted April 22, 1996.

Effective April 30, 1996.

Res. No. 726-96.

By Councilman O'Malley.

An emergency resolution objecting to the transfer of location of a D5 and D6 Liquor Permit to 4492 State Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a D5 and D6 Liquor Permit from Permit No. 25895930001, Evelyn E. Kinsey Inc., dba Paradise Inn, 4484-88 State Road, first floor and basement, Cleveland, Ohio 44109, to Permit No. 2589593-0005, Evelyn E. Kinsey Inc., dba Paradise Inn, 4492 State Road, Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a D5 and D6 Liquor Permit from Permit No. 25895930001, Evelyn E. Kinsey Inc., dba Paradise Inn, 4484-88 State Road, first floor and basement, Cleveland, Ohio 44109, to Permit No. 2589593-0005, Evelyn E. Kinsey Inc., dba Paradise Inn, 4492 State Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 22, 1996.

Effective April 30, 1996.

Res. No. 727-96.

By Councilmen Westbrook, Coats and Polensek.

An emergency resolution opposing the State of Ohio being selected as the receiver of hazardous radioactive nuclear waste from six mid-western states.

Whereas, on June 9, 1995, Governor George Voinovich signed Senate Bill 19 which designates the State of Ohio as the first low-level radioactive waste dumping site for six midwestern states; and

Whereas, the "low-level" radioac-

tive wastes that will be put into this dump are very highly toxic and long-lived radioactive materials, including all wastes from nuclear power plants except the "high-level" radioactive fuel rods; and

Whereas, there is no safe technology for disposal of "low-level" radioactive waste, and the taxpayers in the State of Ohio will take permanent title to and environmental and economic liability for a dump that is damaging the environment and jeopardizing the health and welfare of the citizens of the State of Ohio; and

Whereas, this Council unanimously passed Resolution No. 2813-91 on May 18, 1992, which opposed the selection of the State of Ohio as the site for radioactive waste from six states; and

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

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

Section 1. That this Council strongly opposes the State of Ohio being selected as the receiver of hazardous radioactive nuclear waste from six midwestern states.

Section 2. That the Clerk of Council be and she is hereby directed to transmit copies of this resolution to George V. Voinovich, Governor of the State of Ohio; Stanley J. Aronoff, President of the Ohio State Senate; and JoAnn Davidson, Speaker of the Ohio House of Representatives.

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 April 22, 1996.

Effective April 30, 1996.

Ord. No. 2046-95.
By Councilmen Pianka and Rokakis (by departmental request).
An emergency ordinance to amend Section 1 of Ordinance No. 949-95, passed June 19, 1995, as amended by Ordinance No. 1431-95, passed October 23, 1995, relating to contracts with various agencies to provide social service programs.

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

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

Section 1. That Section 1 of Ordinance No. 949-95, passed June 19, 1995, as amended by Ordinance No. 1431-95, passed October 23, 1995, is hereby amended to read as follows:

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

American Sickle Cell Anemia Association, Inc.
Beech Brook (Youth and Family Counseling)
Bellflower Center for Prevention of Child Abuse, Inc.
Boys and Girls Clubs of Cleveland
Brooklyn Memorial Community Youth Center
Brownettes Academy of Charm

Calvary Hill Community Socialization Program

Catholic Youth and Community Service Corporation/Cleveland Mediation Center

Catholic Youth and Community Service Corporation/Hispanic Senior Center

Catholic Youth and Community Service Corporation/Martin DePorres Information and Service Center
Center for Families and Children
Center for the Prevention of Domestic Violence (Women Together)
Child Care Resource Center of Cuyahoga County (Starting Point)
Cleveland Women, Inc.

Collinwood Community Services Center (Youth)

Collinwood Community Services Center (Elderly)

Community Re-Entry, Inc. (Elderly)

Community Re-Entry, Inc. (Youth)

Cornerstone Connection, Inc.

Cory Senior Citizens Program

Custom Enrichment Center/Cleveland Church of Christ Economic Development, Inc.

Delta Tutoring and Nutrition Program, Inc.

Department of Public Safety (Youth at Risk)

Division of Recreation (After School Recreation)

East End Neighborhood House

Eastside Social and Vocational Center

El Barrio, Inc. (Family Services)

EBC's FERY Development Corporation

Esperanza, Inc.

First United Methodist Church of Cleveland/Project Heat

Garden Valley Neighborhood House

GLAD Center, Inc.

Golden Age Centers of Greater Cleveland, Inc.

Greater Cleveland Neighborhood Centers Association

Greater Cleveland Neighborhood Centers Association (Schools as a Neighborhood Resource)

Guardian House Shelter, Inc. aka Golgotha Baptist

Harambee: Services to Black Families

Harvard Community Services Center

Hijos de Borinquen Spanish American Center

Hunger Network of Greater Cleveland and Federation for Community Planning

Interchurch Council of Greater Cleveland

Karamu House, Inc.

Lee Memorial Nutrition and Enrichment Center

Lexington Bell Community Center

M.C. Chatman Center for Humanitarian Services

Marotta Montessori Schools of Cleveland

McIntyre Foundation.

Merrick House, Inc. (Counseling)

Merrick House, Inc. (Youth Recreation)

Mum-Ford, Inc.

My House Your House Multi Service Center

Near West Side Multi Service Corporation

Near West Side Multi Service Corporation (Consortium)

Neighborhood Counseling Services

New Cleveland Food Basket

Nottingham Youth Center

Our Community Center - Glenville A.C.'s

Police Athletic League

Senior Outreach Services

Senior Citizen Resources (Transportation Program)

Senior Citizen Resources (Nutrition)

Services for Independent Living, Inc.

Spanish American Committee for a Better Community

The Alta Social Settlement

The Better Living Center/Allegheny West Conference Corporation of Seventh Day Adventists

The Chorale, Inc.

The Phillis Wheatley Association

The Salvation Army (Meals)

The Salvation Army (Elderly Service)

The Substance Abuse Initiative of Greater Cleveland

United Labor Agency

Werner Community Outreach

West Side Community House (Child Day Care)

West Side Community House (Elderly Nutrition)

West Side Ecumenical Ministry

Young Men's Christian Association of Cleveland, Ohio (Broadway Branch)

Young Men's Christian Association of Cleveland, Ohio (Glenville Branch)

Young Men's Christian Association of Cleveland, Ohio (Midtown East Branch)

Young Men's Christian Association of Cleveland, Ohio (West Park Branch)

Section 2. That existing Section 1 of Ordinance No. 949-95, passed June 19, 1995, as amended by Ordinance No. 1431-95, passed October 23, 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 April 22, 1996.

Effective May 1, 1996.

Ord. No. 153-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Health to lease space at the Mural Building, located at 1925 St. Clair Avenue, and associated parking lots, from Mural Properties Company, or its designee, for a term not to exceed two years, for the purpose of providing office and administrative space for the Department of Public Health.

Whereas, the City of Cleveland requires certain space located in the Mural Building, 1925 St. Clair Avenue, and associated parking lots, for the public purpose of providing office and administrative space for the Department of Public Health; and

Whereas, Mural Properties Company, or its designee, has proposed to lease said space to the City of Cleveland; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Health is authorized to lease from Mural Properties Company, or its designee, approximately 26,000 square feet of space located on two stories and in the basement of the Mural Building, 1925 St. Clair, and two (2) surrounding parking lots.

Section 2. That the term of the lease authorized by Section 1 shall not exceed two years, commencing upon execution of a contract with an option to renew for three additional one year terms, terminating December 31, 1998, December 31, 1999, and December 31, 2000; or for a two year term ending December 31, 1999 with an option to renew for one additional year until December 31, 2000; or for a single three year term ending December 31, 2000, all cancellable upon thirty days written notice by the Director of Public Health.

Section 3. That the rent for the lease for the two year term authorized by Section 1 shall be Two Hundred Eight Thousand Dollars (\$208,000.00) per year, payable in equal monthly installments of Seventeen Thousand Three Hundred Thirty-Three and 33/100 Dollars (\$17,333.33).

In the event that the Director of Public Health exercises an option to renew the lease, as authorized in Section 1, the rent for said renewal period shall not exceed fair market value as determined by the Board of Control.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public purpose of providing office and administrative space to the Department of Public Health.

Section 5. That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

Section 6. That the costs of the lease shall be paid from Fund Nos. 01-50-02-360, 01-50-06-360, 13 SF 405, 13 SF 360, 13 SF 426 and 13 SF 423, Request No. 20996.

Section 7. That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

Section 8. That the Director of Public Health and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Passed April 22, 1996.
Effective April 30, 1996.

Ord. No. 201-96
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of tree plant-

ng and tree trimming in the Downtown Tree Assessment District, for the Division of Park Maintenance, 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 tree trimming and tree planting, including sidewalk cuts, excavation and planting in the estimated sum of \$154,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year. The Director of Parks, Recreation and Properties shall consult with the Councilmember representing the ward in which work will be performed under the contract concerning the plan for tree trimming and tree planting in the ward prior to commencing the contract.

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 21677)

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 April 22, 1996.
Effective April 30, 1996.

Ord. No. 234-96.
By Mayor White.
An emergency ordinance authorizing the Mayor, or his designee, to accept registration fees, enter into contract for the provision of facilities and purchase course supplies and refreshments, in connection with the James H. Walker Construction Management Training Course to be conducted by the Minority Business Development Center, Office of Equal Opportunity.

Whereas, the Office of Equal Opportunity is required, pursuant to Section 123.08 of the Codified Ordinances of Cleveland, Ohio, 1976, and the MBE/FBE Code contained in

Chapter 187 thereof, to hold periodic training seminars to assist minority and female business firms; and

Whereas, from March 12, 1996 through May 23, 1996, the Office of Equal Opportunity through the Minority Business Development Center, will be sponsoring the James H. Walker Construction Management Training Course; and

Whereas, the Council of the City of Cleveland has determined that collection of fees and provision of facilities, course supplies, refreshments and a graduation dinner in connection with said training course constitute a public purpose; 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 Mayor, or his designee, is hereby authorized to accept a registration fee of \$200.00 from every registrant attending the James H. Walker Construction Management Training Course, being held March 12, 1996 through May 23, 1996; to enter into contract with Case Western Reserve University for seminar facilities; and to purchase course supplies, refreshments and food required for the training course and graduation dinner. Such facilities, services and food shall be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Minority Business Development Center, Office of Equal Opportunity, using fees collected for registration, and paid from Fund No. 01-01-13-0380, Request No. 20351.

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 April 22, 1996.
Effective April 30, 1996.

Ord. No. 355-96.
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 Applied Benefits Research, Inc., dba COBRASERV for professional services necessary to administer the City's COBRA program for the Department of Personnel and Human Resources.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized and directed to enter into contract with Applied Benefits Research, Inc., dba COBRASERV for professional services necessary to administer the City's COBRA program on the basis of its proposal dated March 7, 1996.

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 01-04-02-0324, Request No. 20223.

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 April 22, 1996.
Effective May 1, 1996.

Ord. No. 416-96.
By Councilmen Britt, Jackson and Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 1411-95, passed February 12, 1996, relating to the establishment of a Community Reinvestment area in the area of 11424-32 Cedar Glen Parkway Avenue.

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

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

Section 1. That Section 1 of Ordinance No. 1411-95, passed February 12, 1996, is hereby amended to read as follows:

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 11424-32 Cedar Glen Parkway Avenue (Parcel No. 121-14-301 to 121-14-325) 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 existing Section 1 of Ordinance No. 1411-95, passed February 12, 1996, is hereby repealed.

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

Passed April 22, 1996.
Effective April 30, 1996.

Ord. No. 419-96.
By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply and accept a grant from the State of Ohio Department of Development to conduct the State Home Weatherization Assistance Program and to enter into contract with various organizations, individual landlords, tenants and contractors for the purpose of providing weatherization assistance to low-income City residents through the State Home Weatherization Program.

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

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

Section 1. That the Director of Community Development is hereby authorized to apply for and accept a grant in the amount of

\$1,950,941.00 from the State of Ohio Department of Development, to conduct the State Weatherization Assistance Program and to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the Director of Community Development is authorized to enter into contract with individual landlords, tenants, contractors and the following non-profit organizations for the provision of weatherization assistance to low-income City residents through the State Home Weatherization Assistance Program: Cleveland Housing Network, Cudell Improvement, Inc., Hough Area Partners in Progress, Mt. Pleasant Now Development Corporation, Neighborhood Housing Services and Lutheran Housing Corporation.

Section 3. That the cost of said contracts shall not exceed, in the aggregate, \$1,950,941.00 and shall be paid from Fund Nos. 13 SF 851, 13 SF 852 and 13 SF 853.

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 April 22, 1996.
Effective April 30, 1996.

Ord. No. 420-96.
By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 816-95, passed June 5, 1995, as amended by Ordinance No. 1666-95, passed October 23, 1995, relating to the Storefront Renovation Program.

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

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

Section 1. That Section 1 of Ordinance No. 816-95, passed June 5, 1995, as amended by Ordinance No. 1666-95, passed October 23, 1995, is hereby amended to read as follows:

Section 1. That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$1,040,000 from Fund Nos. 14 SF 018, 14 SF 020 and 14 SF 021, Request No. 21658 for the operation of the Storefront Renovation Program for all related services including: to enter into rebate contracts with program applicants and to reimburse eligible administrative costs to local development corporations for implementation of the program.

Section 2. That existing Section 1 of Ordinance No. 816-95, passed June 5, 1995, as amended by Ordinance No. 1666-95, passed October 23, 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 April 22, 1996.
Effective April 30, 1996.

Ord. No. 426-96.
By Councilmen Paulenske, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Alcoholism Services of Cleveland, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of property at 3950 Chester Avenue, for use as a location for its occupation services center.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with the Alcoholism Services of Cleveland, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of property at 3950 Chester Avenue, for use as a location for its occupational services center.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 426-96-A.

Section 3. That the costs of said contract shall not exceed One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22254.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

Section 6. That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited to and expended from Fund No. 18 SF 004, Loan Fees Fund.

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

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

Passed April 22, 1996.
Effective April 30, 1996.

Ord. No. 722-96.
By Councilmen Johnson, Rybka and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to execute an easement granting to Chiuchiarelli Construction, Inc./Colabianchi Construction, Inc. certain easement rights to property located at 18670 Pearl Road, City of Strongsville, and declaring said easement rights no longer needed for public use.

Whereas, Chiuchiarelli Construction, Inc./Colabianchi Construction, Inc. has requested the Director of Parks, Recreation and Properties to convey certain easement rights in property located at 18670 Pearl Road, City of Strongsville; and

Whereas, the easement rights to be granted are no longer needed for public use; 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 an easement interest in the property described in File No. 722-96-A is no longer needed for public use.

Section 2. That the easement shall be non-exclusive and the purpose of the easement shall be to install storm sewer manholes, and other related appurtenances.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described (non-exclusive) easement interest to Chiuchiarelli Construction, Inc./Colabianchi Construction, Inc. at a price not less than fair market value as determined by the Board of Control.

Section 4. That the duration of the easement shall be permanent; that the easement may include reasonable access rights; that the easement shall not be assignable except with the approval of the Director; that the easement shall require the grantee to indemnify the City, provide reasonable insurance, maintain any grantee improvements located within the easement, and pay any applicable taxes and assessments.

Section 5. That the conveyance referred to above shall be made by Official Deed of Easement prepared by Director of Law and executed by

the Director of Parks, Recreation and Properties on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to protect the interests of the parties.

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 April 22, 1996.
 Effective April 30, 1996.

Ord. No. 723-96.
By Councilman Lewis.
An emergency ordinance consenting and approving the issuance of a permit for a 3K Race and Parade on May 11, 1996, sponsored by the Thurgood Marshall Recreation Center.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a 3K Race and Parade, sponsored by the Thurgood Marshall Recreation Center, on May 11, 1996, with the 3K Race beginning at 8611 Hough Ave., east on Hough Ave. to Ansel Rd., north on Ansel Rd. to Wade Park, east on Wade Park to Crawford Rd., north on Crawford Rd. to E. 94th St., E. 94th St. to Superior Ave., west on Superior Ave. to E. 79th St., E. 79th St. to Hough Ave., east on Hough Ave. and finish in front of the Thurgood Marshall Recreation Center; and the Parade to begin at the Thurgood Marshall Recreation Center, Hough Ave. to Ansel Rd., Ansel Rd. to Bellvue Ave., Bellvue Ave. to E. 79th St., E. 79th St. to Donald Ave., Donald Ave. to E. 71st St., E. 71st St. to Superior Ave., Superior Ave. to E. 55th St., E. 55th St. to Hough Ave., out Hough ave. to Ansel Rd., south on Ansel Rd. to Chester Ave., west on Chester Ave. to E. 55th St., north on E. 55th St. to Hough Ave., east on Hough Ave. and finish in front of the Thurgood Marshall Recreation Center, 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 April 22, 1996.
 Effective April 30, 1996.

COUNCIL COMMITTEE MEETINGS

Monday, April 29, 1996

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

Tuesday, April 30, 1996

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

Wednesday, May 1, 1996

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

City Planning (Zoning) Committee: 1:30 P.M. — Present: Rybka, Chrm.; Britt, V-Chrm.; O'Malley, Rokakis, White, Zone. Excused: Paulenske.

City Planning Committee: 1:30 P.M. — Present: Rybka, Chrm.; Britt, V-Chrm.; O'Malley, Rokakis, White, Zone. Excused: Paulenske.

Index to Council Proceedings

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

City Planning Commission

Accept dedication — West 204th Street — West 205th Street — Bacon Avenue — Hillside Road — Grayhill Road (O 145-96)..... 790

Authorizing Sale of real property — Land Reutilization Program — located at 2175-79 East 71 Street — Pernel Jones Funeral Home (O 141-96)..... 790

Authorizing sale of real property — Land Reutilization Program — located at 3263 East 55 St. — Maurice P. Kittle (O 209-96)..... 791

Authorizing sale of real property — Land Reutilization program — located at 3669 East 91 Street — JPS Inc. — Garfield Metal Products Inc. (O 149-96)..... 791

Authorizing sale of real property — Land reutilization program — located at 2352 East 59 street — Syretha McConnell (O 140-96)..... 790

Authorizing sale of real property — Land reutilization program — located at 558 East 102 Street — Susie E. — Artis Faucette (O 148-96)..... 791

Authorizing sale of real property — Land reutilization program — located at 570 East 101 Street — Eleanor Walker (O 147-96)..... 791

Authorizing sale of real property — Land reutilization Program — located at 2191 East 71 Street — Annie Delores Wooden — Demella Y. Wooden (O 142-96)..... 790

Authorizing sale of real property — Land reutilization program — located at 7716 and 7708 Rawling Avenue — Diane G. Vaughn (O 143-96)..... 790

Authorizing sale of real property — Located E. 39 to Estelle Robinson (O 83-96)..... 790

Authorizing the Director of Public Service — issue permit — Tower City banner — encroach into — Huron Road — Superior and Ontario Street (O 150-96)..... 791

Authorizing the Directors of Economic Development — enter into — contract with Giancarlo Calicchia — provide economic development assistance — two commercial building — Carnegie Avenue, 3855 to 3865 (O 84-96)..... 790

Authorizing the Sale of Real — property — Land Reutilization Program — located at 7204-08 Central Avenue — 7216-18 Central Avenue — Stanley Jackson (O 139-96)..... 790

Authorizing the sale of real property — Land Reutilization program — located at 11310 Miles Avenue — Henry and Diane Wilson (O 161-96)..... 791

Authorizing the sale of real property — Land Reutilization Program — located at 3752 East 96th Street — Diana L. Robinson (O 159-96)..... 791

Authorizing the sale of real property — Land Reutilization program — located at 12909 Mareton Avenue — Percy Mitchell (O 160-96)..... 791

Authorizing the sale of real property — Land Reutilization Program — located at 1373-75 East 105 Street — 1383 East 105 Street — Brenda Yarbrough (O 162-96)..... 791

Change Area District — Lakefront Road N.E. — Lake Erie between Marquette Street N.E. and East 55 Street (O 769-96)..... 785

Declaring intention to vacate — Westport Avenue West 180th — West 181th Street — Sally Avenue (R 166-96)..... 792

Declaring the intention — vacate East 72nd Place (R 96-96)..... 792

Declaring the intention vacate — West 205th St. — Bacon Avenue — Hillside Road — Grayhill Road (R 167-96)..... 792

Determining the method — public improvement of modifying — Immigrations facility at Cleveland Hopkins International Airport — employ one of more design — provide professional services (O 246-96)..... 791

Establishing — Community Reinvestment Area — West 110th Street — pursuant Section 3735.65 — Ohio Revised Code (O 93-96)..... 790

Granting — Chiuchiarelli Construction — located at 18670 Pearl Road (O 722-96)..... 802

City Planning Committee—Public Hearings—Zoning

Enact Sections 338.01, 338.02, 338.03, 338.04 and 338.05 — establishing a manufactured housing park district. (O 818-95)..... 789-792

City Planning Department

Amend Section 1 and 3 — Ordinance No. 1352-90 — passed July 23, 1990 — Establishment Community Reinvestment Areas — supplement ordinance adding section 4 (O 2283-95)..... 790

Codified Ordinances

Amend Section 1 of Ordinance No. 1411-95 — passed February 12, 1996 — establishment community reinvestment area — 11424-32 Cedar Glen Parkway Avenue (O 416-96)..... 801

Amend Section 1 of Ordinance No. 816-95 — passed June 5, 1995 — Amended by Ordinance No. 1666-95 — passed October 23, 1995 — Storefront Renovation Program (O 420-96)..... 801

Amend Section 1 of Ordinance No. 929-95 — passed June 12, 1995 — acquisition of homes and relocation — residents located within boundaries of Midvale Avenue — Brysdale Avenue — Interstate 71 Springdale — Westport Avenue (O 482-96)..... 790-792

Enact Sections 338.01, 338.02, 338.03, 338.04 and 338.05 — establishing a manufactured housing park district. (O 818-95)..... 789-792

Enacting new Section 143.04 — applicant employee background screening services (O 2242-94)..... 792-T

Enacting new Sections 447.01 to 447.11 and 447.99 — regulation and licensing of pedicabs — amend section 401.42 and 443.001 (O 763-96)..... 782

Supplement — Codified Ordinances — enacting new section 129.28 — competitively bid — professional services — laboratory testing — analytical services (O 485-96)..... 790-793

To amend the title — Section 2 and Section 4 — Ordinance No. 2161-94 — passed June 5, 1995 — relating to public improvement of installing — cathodic protection water mains — enter into contracts — reimburse public agencies (O 249-96)..... 789-792

Communications

Denials of Certification (F 749-96)..... 779

Glenville Recreation Swimming Pool (F 747-96)..... 779

MBE's/FBE's delted from OEO's database — first Quarter (F 748-96)..... 779

Relating water main break — Superior Avenue — East 45th Street (F 746-96)..... 779

Resolution No. 96-041 — opposing the Cuyahoga County Government (F 745-96)..... 779

Sales Request No. 90144 — sale or lease property — Easement Rights/Waterfront Rail Line (F 750-96)..... 779

Community Development

Amend Section 1 and 3 — Ordinance No. 1352-90 — passed July 23, 1990 — Establishment Community Reinvestment Areas — supplement ordinance adding section 4 (O 2283-95)..... 790

Amend Section 1 of Ordinance No. 1411-95 — passed February 12, 1996 — establishment community reinvestment area — 11424-32 Cedar Glen Parkway Avenue (O 416-96)..... 801

Amend Section 1 of Ordinance No. 816-95 — passed June 5, 1995 — Amended by Ordinance No. 1666-95 — passed October 23, 1995 — Storefront Renovation Program (O 420-96)..... 801

Amend Section 1 of Ordinance No. 949-95, passed June 19, 1995, as amended by Ordinance No. 1431-95, passed October 23, 1995 — contracts with agencies to provide social service programs — Community Development Department (O 2046-95)..... 799

Authorizing Sale of real property — Land Reutilization Program — located at 2175-79 East 71 Street — Pernel Jones Funeral Home (O 141-96)..... 790

Authorizing sale of real property — Land reutilization program — located at 2352 East 59 street — Syretha McConnell (O 140-96)	790
Authorizing sale of real property — Land reutilization Program — located at 2191 East 71 Street — Annie Delores Wooden — Demella Y. Wooden (O 142-96).....	790
Authorizing sale of real property — Land Reutilization Program — located at 3263 East 55 St, — Maurice P. Kittle (O 209-96)	791
Authorizing sale of real property — Land reutilization program — located at 7716 and 7708 Rawling Avenue — Diane G. Vaughn (O 143-96).....	790
Authorizing sale of real property — Land reutilization program — located at 558 East 102 Street — Susie E. — Artis Faucette (O 148-96).....	791
Authorizing sale of real property — Land Reutilization program — located at 3669 East 91 Street — JPS Inc. — Garfield Metal Products Inc. (O 149-96).....	791
Authorizing sale of real property — Land reutilization program — located at 570 East 101 Street — Eleanor Walker (O 147-96).....	791
Authorizing sale of real property — Located E. 39 to Estelle Robinson (O 83-96).....	790
Authorizing the Sale of Real — property — Land Reutilization Program — located at 7204-08 Central Avenue — 7216-18 Central Avenue — Stanley Jackson (O 139-96).....	790
Authorizing the sale of real property — Land Reutilization Program — located at 3752 East 96th Street — Diana L. Robinson (O 159-96).....	791
Authorizing the sale of real property — Land Reutilization program — located at 11310 Miles Avenue — Henry and Diane Wilson (O 161-96)	791
Authorizing the sale of real property — Land Reutilization program — located at 12909 Mareton Avenue — Percy Mitchell (O 160-96).....	791
Authorizing the sale of real property — Land Reutilization Program — located at 1373-75 East 105 Street — 1383 East 105 Street — Brenda Yarbrough (O 162-96)	791
Enact Sections 338.01, 338.02, 338.03, 338.04 and 338.05 — establishing a manufactured housing park district. (O 818-95).....	789-792
Establishing — Community Reinvestment Area — West 110th Street — pursuant Section 3735.65 — Ohio Revised Code (O 93-96).....	790
Grant — State of Ohio Department of Development — conduct State Home Weatherization Program — contract — organizations, landlords, tenants and contractors (O 419-96)	801

Condolences

Chappell, Ellis Sr. (R 785-96)	780
Kucia, Adele (R 784-96)	780
Mrs. Elis-Foster, Callie (R 783-96)	780
Taylor, Beverly E. (R 782-96)	780

Congratulations

Campbell, Minnie Lee (R 788-96)	780
Collinwood Community — Bike-A-Thon (R 794-96).....	780
New Day In Hough (R 795-96).....	780
Second Ebenezer Baptist Church (R 786-96).....	780
Shega, Joseph & Dolores (R 787-96)	780

Contracts

Authorizing and Directing — Personal computers, printers and software — Water Division (O 2278-95)	789-792
---	---------

Economic Development Department

Alcoholism Services — provide economic development — acquisition of property at 3950 Chester Avenue — occupation services center (O 426-96)	801
Authorizing the Directors of Economic Development — enter into — contract with Giancarlo Calicchia — provide economic development assistance — two commercial building — Carnegie Avenue, 3855 to 3865 (O 84-96).....	790
Cleveland Recycling Center — provide economic development assistance — machinery and equipment — relocate facility — East 131st (O 757-96).....	780
Triad Partners Limited — assistance to partially finance — acquisition and construction — corporate headquarters — Federal Graphics (O 758-96)	780

Equal Opportunity Office

Authorizing the Mayor — enter into contract — provision of facilities — purchase course supplies and refreshments — James H. Walker — Construction Management Training — Minority Business Development Center (O 234-96).....	800
---	-----

Finance Department

Accept dedication — West 204th Street — West 205th Street — Bacon Avenue — Hillside Road — Grayhill Road (O 145-96).....	790
Agreement with Neighborhood Center Association — Implement educational, recreational and Cultural program (O 760-96)	781
Alcoholism Services — provide economic development — acquisition of property at 3950 Chester Avenue — occupation services center (O 426-96)	801
Amend Section 1 and 3 — Ordinance No. 1352-90 — passed July 23, 1990 — Establishment Community Reinvestment Areas — supplement ordinance adding section 4 (O 2283-95).....	790
Amend Section 1 of Ordinance No. 816-95 — passed June 5, 1995 — Amended by Ordinance No. 1666-95 — passed October 23, 1995 — Storefront Renovation Program (O 420-96).....	801
Amend Section 1 of Ordinance No. 929-95 — passed June 12, 1995 — acquisition of homes and relocation — residents located within boundaries of Midvale Avenue — Brysdale Avenue — Interstate 71 Springdale — Westport Avenue (O 482-96)	790-792

Assess cost and expense — construction and repairing of sidewalks and curbing (O 526-96) 790-793

Authorizing Sale of real property — Land Reutilization Program — located at 2175-79 East 71 Street — Pernel Jones Funeral Home (O 141-96) 790

Authorizing and Directing — purchase by requirement — contract tree planting and tree trimming — Downtown tree assessment district (O 201-96) **800**

Authorizing and Directing — purchase by requirement — contract of equipment and appurtenance — vac-All vacuum catch basin cleaners (O 247-96) 789-792

Authorizing and Directing — purchase by requirement contract — labor and materials needed to fabricate — ring and pinion gears (O 314-96) 789-792

Authorizing and Directing — purchase by requirement contract — labor and materials — repair or replace — fire hydrants (O 362-96) 789-792

Authorizing and Directing —purchase by contract — not to exceed — three meter test benches (O 313-96) 789-792

Authorizing sale of real property — Land reutilization program — located at 2352 East 59 street — Syretha McConnell (O 140-96) 790

Authorizing sale of real property — Land reutilization Program — located at 2191 East 71 Street — Annie Delores Wooden — Demella Y. Wooden (O 142-96)..... 790

Authorizing sale of real property — Land reutilization program — located at 7716 and 7708 Rawling Avenue — Diane G. Vaughn (O 143-96) 790

Authorizing sale of real property — Land Reutilization Program — located at 3263 East 55 St. — Maurice P. Kittle (O 209-96) 791

Authorizing sale of real property — Land Reutilization program — located at 3669 East 91 Street — JPS Inc. — Garfield Metal Products Inc. (O 149-96) 791

Authorizing sale of real property — Land reutilization program — located at 558 East 102 Street — Susie E. — Artis Faucette (O 148-96)..... 791

Authorizing sale of real property — Land reutilization program — located at 570 East 101 Street — Eleanor Walker (O 147-96)..... 791

Authorizing the Director — Personnel and Human Resources — employ one professional consultants — provide administration services for City's COBRA program (O 355-96) **800**

Authorizing the Director — Public Health — accept grant — Ohio Department of Health — 1996 Health Promotion Program authorizing Director of Public Health — enter into contract — agencies for implementation (O 205-96) 791

Authorizing the Director of Public Health — lease space — Mural Building — located at 1925 St. Clair Avenue — associated parking lots — Mural Properties — term exceed two year (O 153-96) **799**

Authorizing the Director of Public Service — issue permit — Tower City banner — encroach into — Huron Road — Superior and Ontario Street (O 150-96)..... 791

Authorizing the Mayor — enter into contract — provision of facilities — purchase course supplies and refreshments — James H. Walker — Construction Management Training — Minority Business Development Center (O 234-96)..... **800**

Authorizing the Sale of Real — property — Land Reutilization Program — located at 7204-08 Central Avenue — 7216-18 Central Avenue — Stanley Jackson (O 139-96)..... 790

Authorizing the sale of real property — Land Reutilization Program — located at 3752 East 96th Street — Diana L. Robinson (O 159-96)..... 791

Authorizing the sale of real property — Land Reutilization program — located at 12909 Mareton Avenue — Percy Mitchell (O 160-96) 791

Authorizing the sale of real property — Land Reutilization Program — located at 1373-75 East 105 Street — 1383 East 105 Street — Brenda Yarbrough (O 162-96) 791

Authorizing the sale of real property — Land Reutilization program — located at 11310 Miles Avenue — Henry and Diane Wilson (O 161-96) 791

Cleveland Recycling Center — provide economic development assistance — machinery and equipment — relocate facility — East 131st (O 757-96) 780

Competitive bidding — Finley Fire Equipment (O 767-96) 785

Competitive bidding — Sutphen Corporation (O 768-96) 785

Contract — National Junior Tennis League — provide — summer tennis program (O 421-96)..... 789-792

Contract — batteries for types of vehicles and equipment — Motor Vehicle Maintenance Division (O 477-96) 791

Contract not exceed twenty computers — not exceed ten laser printers — Motor Vehicle Maintenance Division (O 417-96) 791

Contract office forms, paper and envelopes (O 764-96) 784

Declaring intention to vacate — Westport Avenue West 180th — West 181th Street — Sally Avenue (R 166-96) 792

Declaring the intention — vacate East 72nd Place (R 96-96) 792

Determining the method — public improvement of modifying — Immigrations facility at Cleveland Hopkins International Airport — employ one of more design — provide professional services (O 246-96) 791

Determining the method — public improvement of rehabilitating the exterior surfaces — four water towers (O 248-96) 789-792

Electrical supplies, materials and equipment — City facilities — Division of Property Management (O 759-96)..... 781

Enter into agreements for purchase — license of computer — hardware — software — appurtenances — supplies — furniture — installation training (O 647-96) 790

Establishing — Community Reinvestment Area — West 110th Street — pursuant Section 3735.65 — Ohio Revised Code (O 93-96)..... 790

Graffiti removal services — not limited to city buildings monuments, parks, and playground equipment (O 761-96) 781

Grant — Alcohol & Drug Addiction Services — Cuyahoga County 1996 Target Cities Program (O 429-96) 791

Grant — State of Ohio Department of Development — conduct State Home Weatherization Program — contract — organizations, landlords, tenants and contractors (O 419-96) **801**

Installing Urban forest enhancements — Gunning Park and Luke Easter Park (O 762-96) 781

Installing a HVAC unit — associated appurtenances — Cleveland Hopkins International Airport (O 545-96)..... 790-793

Lease Agreement No. 35620 — existing Lease agreement for rental of Broadway YMCA — 11300 Miles Avenue — Broadway YMCA gymnasium — youth basketball program (O 490-96)..... 790-793

Repair and maintain — cushman equipment — Motor Vehicle Maintenance Division (O 478-96)	791
Repair and maintain — Ford passenger cars — Motor vehicle Maintenance Division (O 480-96)	792
Repair and maintain — Ford tractor mower — construction equipment — Motor Vehicle Maintenance Division (O 479-96)	791
Safety supplies and equipment — not exceed two years (O 483-96)	790-792
Salvation Army — administrating and facilitating — recreational services — Collinwood Community Ward 11 (O 766-96)	785
Supplement — Codified Ordinances — enacting new section 129.28 — competitively bid — professional services — laboratory testing — analytical services (O 485-96)	790-793
To amend the title — Section 2 and Section 4 — Ordinance No. 2161-94 — passed June 5, 1995 — relating to public improvement of installing — cathodic protection water mains — enter into contracts — reimburse public agencies (O 249-96)	789-792
Triad Partners Limited — assistance to partially finance — acquisition and construction — corporate headquarters — Federal Graphics (O 758-96)	780
Health Division	
Grant — Alcohol & Drug Addiction Services — Cuyahoga County 1996 Target Cities Program (O 429-96)	791
Grany — Ohio Department of Health 1996 — Federal AIDS Prevention Program (O 428-96)	791
Health and Welfare Department	
Authorizing the Director — Public Health — accept grant — Ohio Department of Health — 1996 Health Promotion Program authorizing Director of Public Health — enter into contract — agencies for implementation (O 205-96)	791
Authorizing the Director — Public Health — enter into — contract with — Ohio Department of Health — receive Medicaid reimbursement — conducting inspections of houses — lead paint (O 204-96)	791
Authorizing the Director — Public Health — to apply for and accept — grant from Ohio Department of Health — 1996 Sexually Transmitted Disease Program (O 255-96)	791
Law Department	
Agreement with Neighborhood Center Association — Implement educational, recreational and Cultural program (O 760-96)	781
Assess cost and expense — construction and repairing of sidewalks and curbing (O 526-96)	790-793
Authorizing and Directing — purchase by requirement — contract tree planting and tree trimming — Downtown tree assessment district (O 201-96)	800
Authorizing and Directing — purchase by requirement — contract of equipment and appurtenance — vac-All vacuum catch basin cleaners (O 247-96)	789-792
Change Area District — Lakefront Road N.E. — Lake Erie between Marquette Street N.E. and East 55 Street (O 769-96)	785
Enter into agreements for purchase — license of computer — hardware — software — appurtenances — supplies — furniture — installation training (O 647-96)	790
Re-extend — retirement date — Lieutenant Michael O'Malley — one year — beginning June 30, 1996 (O 765-96)	784
Liquor Permits	
Buckeye Road — objecting — transfer of ownership (R 776-96)	787
Denison Avenue, 4926 — withdrawing objection — transfer of ownership (R 778-96)	788
East 152nd Street, 1010 — Five Points Eagle Market — Stock Application (F 751-96)	779
East 185th Street, 747 — withdrawing objection — Res. No. 1490-95 (R 780-96)	788
Mayfield Road, 12020 — withdrawing objection — transfer of ownership (R 724-96)	798
Miles Road, 9305 — withdrawing objection — transfer of ownership — repealing Res. No. 2254-95 (R 781-96)	789
St. Clair Avenue, 7516 — withdrawing objection — renewal (R 779-96)	788
State Road, 4492 — Objecting — transfer of ownership (R 726-96)	798
Warner Road, 4326 — withdrawing objection — transfer of ownership (R 725-96)	798
Mayor's Appointments	
Liou, Larry — Community Relations Board — industry representative — expire March 31, 2000 (F 755-96)	779
Parks, Recreation and Properties Department	
Agreement with Neighborhood Center Association — Implement educational, recreational and Cultural program (O 760-96)	781
Authorizing and Directing — purchase by requirement — contract tree planting and tree trimming — Downtown tree assessment district (O 201-96)	800
Contract — National Junior Tennis League — provide — summer tennis program (O 421-96)	789-792
Electrical supplies, materials and equipment — City facilities — Division of Property Management (O 759-96)	781
Graffiti removal services — not limited to city buildings monuments, parks, and playground equipment (O 761-96)	781
Granting — Chiuchiarelli Construction — located at 18670 Pearl Road (O 722-96)	802
Installing Urban forest enhancements — Gunning Park and Luke Easter Park (O 762-96)	781

Lease Agreement No. 35620 — existing Lease agreement for rental of Broadway YMCA — 11300 Miles Avenue — Broadway YMCA gymnasium — youth basketball program (O 490-96)..... 790-793
 Salvation Army — administrating and facilitating — recreational services — Collinwood Community Ward 11 (O 766-96) 785

Peddlers

Engage in peddling — Ward 16 (O 774-96) 787

Permits

Permit — 3K Race and Parade — May 11, 1996 (O 723-96) **802**
 Permit — Bike-A-Thon — May 25, 1996 (O 772-96)..... 786
 Permit — Children & Family Services — banner Euclid Avenue at E. 40th — on Carnegie Ave. — May 1, 1996 to May 31, 1996 (O 773-96) 787
 Permit — Cleveland Clinic Foundation — stretch banner — skywalk on Carnegie Avenue — East 90th Street — April 30, 1996 to May 17, 1996 (O 770-96) 786
 Permit — Community Relations Board — Collinwood Community Services Center — stretch banner — vicinity of 813 — East 152nd Street — May 26, 1996 (O 771-96)..... 786
 Permit — Living in Cleveland Center — banner — East 9th Street near Memorial Shoreway — May 3, 1996 (O 775-96)..... 787

Personnel and Human Resources Department

Authorizing the Director — Personnel and Human Resources — employ one professional consultants — provide administration services for City's COBRA program (O 355-96) **800**

Plats

Bicentennial Village Subdivision No. 1 — Ward 6 (F 793-96)..... 779

Port Control Department

Amend Section 1 of Ordinance No. 929-95 — passed June 12, 1995 — acquisition of homes and relocation — residents located within boundaries of Midvale Avenue — Brysdale Avenue — Interstate 71 Springdale — Westport Avenue (O 482-96)..... 790-792
 Amend title and Section 1 of Ordinance No. 2055-95 — passes November 13, 1995 — tow unattended vehicles (O 543-96) 790-793
 Determining the method — public improvement of modifying — Immigrations facility at Cleveland Hopkins International Airport — employ one of more design — provide professional services (O 246-96) 791
 Installing a HVAC unit — associated appurtenances — Cleveland Hopkins International Airport (O 545-96)..... 790-793
 Safety supplies and equipment — not exceed two years (O 483-96) 790-792

Public Health Department

Authorizing the Director — Public Health — to apply for and accept — grant from Ohio Department of Health — 1996 Hepatitis B Program (O 254-96)..... 791

Public Health and Welfare

Authorizing the Director of Public Health — lease space — Mural Building — located at 1925 St. Clair Avenue — associated parking lots — Mural Properties — term exceed two year (O 153-96) **799**

Public Utilities Commission (PUCO)

Authorizing and Directing — Personal computers, printers and software — Water Division (O 2278-95) 789-792

Purchases/Contracts

Contracts No. 44676 — Harlan Electric Company Contracts 44678 — Asplundh Constructions — Utilities Department (O 2239-95)..... 792-T

Recognitions

Bank One, Cleveland (R 790-96)..... 780
 Emeritus Butler A. Jones, Ph.D. (R 791-96) 780
 National Nurses Week (R 789-96)..... 780
 Otte, Jacquelynn (R 792-96)..... 780

Repealed Ordinances and Resolutions (Noncodified)

Amend Section 1 of Ordinance No. 949-95, passed June 19, 1995, as amended by Ordinance No. 1431-95, passed October 23, 1995 — contracts with agencies to provide social service programs — Community Development Department (O 2046-95)..... **799**

Resolutions — Miscellaneous

Opposing — State of Ohio — hazardous radioactive nuclear waste — six midwestern state (R 727-96)	798
Supporting House Bill 385 — age limit — consensual sexual relations — 13 years to 17 years — House to amend the law (R 777-96)	788

Safety Department

Competitive bidding — Finley Fire Equipment (O 767-96)	785
Competitive bidding — Sutphen Corporation (O 768-96)	785
Re-extend — retirement date — Lieutenant Michael O'Malley — one year — beginning June 30, 1996 (O 765-96)	784

Service Department

Accept dedication — West 204th Street — West 205th Street — Bacon Avenue — Hillside Road — Grayhill Road (O 145-96)	790
Authorizing and Directing — Public Service — enter into contract — without bidding with E.J. Ward Inc. — purchase spare replacement parts — fuel control terminals — telephone consultation — maintain terminals (O 347-96)	791
Authorizing the Director of Public Service — issue permit — Tower City banner — encroach into — Huron Road — Superior and Ontario Street (O 150-96)	791
Contract — batteries for types of vehicles and equipment — Motor Vehicle Maintenance Division (O 477-96)	791
Contract not exceed twenty computers — not exceed ten laser printers — Motor Vehicle Maintenance Division (O 417-96)	791
Declaring intention to vacate — Westport Avenue West 180th — West 181th Street — Sally Avenue (R 166-96)	792
Declaring the intention — vacate East 72nd Place (R 96-96)	792
Declaring the intention vacate — West 205th St. — Bacon Avenue — Hillside Road — Grayhill Road (R 167-96)	792
Repair and maintain — cushion equipment — Motor Vehicle Maintenance Division (O 478-96)	791
Repair and maintain — Ford passenger cars — Motor vehicle Maintenance Division (O 480-96)	792
Repair and maintain — Ford tractor mower — construction equipment — Motor Vehicle Maintenance Division (O 479-96)	791
Tire repair road service — Division of Motor Vehicle Maintenance (O 756-96)	780

Statement of Work Acceptance

Contract No. 48159 — Rockefeller Park Greenhouse (F 754-96)	779
Contract No. 48819 — East 65th Steamline replacement (F 753-96)	779
Interior terminal signage and exterior roadway (F 752-96)	779

Streets - Vacation

Park Drive, S.W. — vacation (R 1709-95)	792
---	-----

Utilities Department

Authorizing and Directing — Purchase — Contract — labor and materials — needed to repair treelawn — (O 36-96)	789-792
Authorizing and Directing — purchase by requirement contract — labor and materials needed to fabricate — ring and pinion gears (O 314-96)	789-792
Authorizing and Directing — purchase by requirement — contract of equipment and appurtenance — vac-All vacuum catch basin cleaners (O 247-96)	789-792
Authorizing and Directing — purchase by requirement contract — labor and materials — repair or replace — fire hydrants (O 362-96)	789-792
Authorizing and Directing — purchase by contract — not to exceed — three meter test benches (O 313-96)	789-792
Contract — Labor and Materials — repair water mains and appurtenances — Water Division (O 425-96)	789-792
Contract — labor and materials — building maintenance services — excluding janitorial services — Cleveland Public Power (O 424-96)	789-792
Contract office forms, paper and envelopes (O 764-96)	784
Contracts No. 44676 — Harlan Electric Company Contracts 44678 — Asplundh Constructions — Utilities Department (O 2239-95)	792-T
Determining the method — public improvement of rehabilitating the exterior surfaces — four water towers (O 248-96)	789-792
Supplement — Codified Ordinances — enacting new section 129.28 — competitively bid — professional services — laboratory testing — analytical services (O 485-96)	790-793
To amend the title — Section 2 and Section 4 — Ordinance No. 2161-94 — passed June 5, 1995 — relating to public improvement of installing — cathodic protection water mains — enter into contracts — reimburse public agencies (O 249-96)	789-792

Water Division

Authorizing and Directing — Personal computers, printers and software — Water Division (O 2278-95)	789-792
Authorizing and Directing — Purchase — Contract — labor and materials — needed to repair treelawn — (O 36-96)	789-792

