

The City Record

Official Publication of the City of Cleveland

February the Seventh, Nineteen Hundred and Ninety-Six

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	Odella 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 122
Assessments and Licenses - John Hunt, Commissioner, Room 122
Purchases and Supplies - William A. Moon, Commissioner, Convention Center, Clubroom B
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, Acting 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 Guzman, Director, Room 113
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner, 5600 Carnegie Avenue.
Streets - Randell T. Scott, Commissioner, Room 25
Engineering and Construction - J. Christopher Nielson, Acting Commissioner, Rm. 518
Motor Vehicle Maintenance, Donald L. Haskins, Commissioner, Harvard Yards
Architecture - Kenneth Nobilio, Commissioner, Room 517

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

DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, 1825 Lakeside Avenue.
DIVISIONS - Police - John J. Collins, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
Fire - William E. Lee, 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. Bowes, 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 Guzman, 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 Nobilio, Theodore Sande, Randall Shorr, Shirley Thompson, Councilmen Craig E. Willis and Helen K. Smith.

CLEVELAND MUNICIPAL COURT JUSTICE CENTER-1200 ONTARIO CENTRAL SCHEDULING DEPARTMENT

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge Salvatore R. Calandra	13A
Judge Colleen C. Cooney	14C
Judge C. Ellen Connally	15A
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

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WEDNESDAY, FEBRUARY 7, 1996

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CITY COUNCIL

MONDAY, FEBRUARY 5, 1996

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

2:00 P.M.—**Finance Committee:** Rokakis, Chairman; Westbrook, Vice Chairman; Coats, Johnson, Lewis, McGuirk, Patton, 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 February 5, 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, Paulenske, Polensek, Rokakis, Rybka, Smith, Westbrook, White, Willis, Zone.

Also present were Mayor White, Chief of Staff Sheffield-Turner, and Directors Hyer, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Thomas, and Acting Director Horvath.

Absent: Director Sobol Jordan.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Luther Blackwell, Pastor of Mega Church. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 188-96.
From Cleveland City Council re: Action Plan 1996 (The mission of the Cleveland City Council). Received.

File No. 189-96.
From Cleveland Municipal Court re: The appointment of Earle B. Turner to the position of Clerk of Cleveland Municipal Court on January 12, 1996. Received.

File No. 190-96.
From the Clerk of Council, Village of Oakwood re: Resolution No. 1996-19, opposing and objecting to the excessive water rate increased proposed by the City of Cleveland. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 191-96.

Re: Transfer of Ownership Application - 0037008 - Abukhalil & Sons, Inc., dba Abeco Deli, 1023 Ansel Road, first floor and basement. (Ward 8). Received.

File No. 192-96.

Re: Transfer of Location Application - 170929500055 - Convenience Plus Mart, Inc., & 10509 Ashbury, Inc., A Joint Venture dba First Choice Beverage, 10509 Ashbury Avenue. (Ward 9). Received.

File No. 193-96.

Re: Transfer of Ownership Application - 5941894 - Mike's Broadview Bar & Grille, Inc., 2301 Broadview Road, first floor and basement. (Ward 15). Received.

File No. 194-96.

Re: Transfer of Ownership Application - 3554772 - Hammad Hammad dba Economy, 5404 Storer Avenue, first floor and basement front. (Ward 17). Received.

File No. 195-96.

Re: Transfer of Location Application - 2404741 - East Sixth Street Restaurant Corp., 1840 East 6th Street. (Ward 13). Received.

File No. 196-96.

Re: Transfer of Ownership Application - 8093758 - Shirley & Moe, Inc., dba Cedar Beverage, 2053 West 25th Street. (Ward 14). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 214-96. Mrs. Elizabeth Young.

Res. No. 215-96. Eleanora Lawson Redding.

CONGRATULATORY RESOLUTIONS

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

Res. No. 216-96. Cub Scout Pack 45, Greater Cleveland Council.

Res. No. 217-96. Sunday of Orthodoxy.

Res. No. 218-96. Laura E. Kleinman.

Res. No. 219-96. "Act Against Violence" — Help Wanted, By Ben Holbert and Betty Halliburton.

RESOLUTION OF RECOGNITION

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

Res. No. 220-96. William C. Skaryd.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 197-96.

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

An emergency ordinance to amend Section 507.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2417-90, passed June 17, 1991, relating to penalty for sidewalk obstructions and maintenance.

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 507.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2417-90, passed June 17, 1991, is hereby amended to read as follows:

Section 507.99 Penalty

(a) Whoever violates Sections 507.01 or 507.02 shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

(b) Whoever violates Sections 507.04 shall be fined not less than five dollars (\$5.00) nor more than twenty dollars (\$20.00).

(c) Whoever violates Sections 507.06, 507.07 or 507.08 shall be fined not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00) for each offense.

(d) Whoever violates Section 507.09 shall be fined not more than one hundred dollars (\$100.00).

(e) Any owner, agent, employee or other person violating Section 507.10 shall be fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense.

(f) Whoever violates Section 507.11 and 507.12 or who fails or neglects to comply with either of those sections shall be fined not more than fifty dollars (\$50.00) for each offense or violation, and five dollars (\$5.00) for each day the violation is continued.

(g) Subject to division (h) of this section, whoever violates Section 507.13 or 507.14 or who fails or neglects to comply with any of the provisions thereof shall be fined not more than five dollars (\$5.00) for each offense, and one dollar (\$1.00) for each day the offense is continued.

(h) Any owner of lots or lands which are used in whole or in part for the operation of a business, as defined in Section 505.11, and who violates Section 507.13 or fails or neglects to comply with any of the provisions thereof shall be fined twenty-five dollars (\$25.00) for each day the offense occurs or continues.

(i) **Whoever violates Section 507.15 is guilty of a minor misdemeanor, and shall be fined one hundred dollars (\$100.00). The fine set forth herein is mandatory and shall not be suspended by the court in whole or in part. Each day upon which a violation occurs or continues shall constitute a separate offense and shall be punishable as such hereunder. If the offender persists in violating Section 507.15, after reasonable warning or request to desist, the offender is guilty of a misdemeanor of the first degree.**

(j) **In addition to any other method of enforcement provided for**

in this chapter, the provisions of division (i) of this section may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

Section 2. That existing Section 507.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2417-90, passed June 17, 1991, is hereby repealed.

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

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

Ord. No. 198-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of high flow rapid setting emulsion, for the Division of Streets, 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 high flow rapid setting emulsion in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, 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 21301)

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. 199-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of virgin and reclaimed asphalt, for the Division of Streets, 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 virgin and reclaimed asphalt in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, 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 21309)

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. 200-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of SSI tack coat, for the Division of Streets, 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 SSitack coat in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, 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 21304)

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. 201-96

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of tree planting 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.

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.

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

Ord. No. 202-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into an agreement for the purchase, lease, or lease with option to purchase of heavy duty equipment and accessories, for the Division of Park Maintenance and Properties, 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 agreement for the purchase, lease, or lease with option to purchase, exercisable by the Director of Parks, Recreation and Properties, in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for heavy duty equipment and accessories, including trucks, vans, and mowers as set forth in detail on file in the office of the Division of Purchases and Supplies and attached to Request No. 21684, to be purchased or procured 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.

Section 2. That the cost of said contract or contracts hereby authorized shall be paid from Fund No. 10 SF 006, Request No. 21684.

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 and Recreation, Finance.

Ord. No. 203-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract without competitive bidding with IBM for the purchase of a direct access storage device, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than IBM. Therefore, the Director of Public Utilities is hereby authorized and directed to make a written contract with said IBM for a direct access storage device, including but not limited to one (1) IBM 9337 Disk Array Subsystem and four (4) IBM upgrades for existing direct access storage devices, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20926.

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. 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.

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

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

Section 1. That the Director of Public Health is hereby authorized to enter into a contract with the Ohio Department of Health wherein the Department of Public Health shall receive Medicaid reimbursement for inspection of houses for lead based paint.

Section 2. That the Medicaid reimbursement received pursuant to the aforementioned contract shall be deposited in a separate fund designated by the Director of Finance, wherein said monies shall be utilized solely for the purposes set forth in the contract.

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

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

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

Ord. No. 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.

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the estimated amount of \$256,537.00, and such other funds as may become available during the grant period, from the Ohio Department of Health, to conduct the 1996 Health Promotion Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 205-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Health is hereby authorized to enter into contracts with the American Cancer Society, City of East Cleveland, Cuyahoga County Board of Health, Lexington Bell Community Center, and Neighborhood Health Care, Inc. for the imple-

mentation and operation of the Program, and that said contacts are payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

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

Ord. No. 206-96.

By Councilmen Robinson and Rokakis (by departmental request).

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

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

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

Section 1. That the Director of Public Health is hereby authorized to apply for and accept a grant in the estimated amount of \$247,318.00, and such other funds as may become available during the grant period, from the Federation for Community Planning, to conduct the 1996 Immunization Action Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 206-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

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

Ord. No. 207-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the Cleveland Foundation for the 1996 Attorney Training 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 Law is hereby authorized to apply for and accept a grant in the amount of \$15,000, from the Cleveland Foundation, to conduct the 1996 Attorney Training Program, for the purposes set forth in the application and according thereto; that the Director of Law is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 207-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Ord. No. 208-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland for the year 1996.

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

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

Section 1. That to provide for the current expenses of the City of Cleveland for the fiscal year ending December 31, 1996, the following sums be and they are hereby appropriated viz:

The sum of Three hundred eighty eight million five hundred sixty thousand five hundred thirty six dollars (\$388,560,536) from the General Fund;

The sum of Fifty one million five hundred seventy two thousand three hundred thirty three dollars (\$51,572,333) from the Special Revenue Funds;

The sum of Twenty two million eight hundred eighty three thousand six hundred sixty four dollars (\$22,883,664) from the Internal Service Funds;

The sum of Three Hundred seventy eight million seven hundred forty nine thousand six hundred forty four dollars (\$378,749,644) from the Enterprise Funds;

The sum of Five million six hundred thirty three thousand eight hundred ninety two dollars (\$5,633,892) from Trust and Agency Funds;

The sum of Forty four million one hundred forty two thousand forty three dollars (\$44,142,043) from the Debt Service Fund;

And identified as File No. 208-96-A in the aggregate amount for each department as follows:

APPROPRIATION FOR THE YEAR 1996

GENERAL FUND

Legislative Branch		\$3,436,942
Municipal Court		19,384,201
Executive Branch		
Office of the Mayor		1,586,991
Department of Public Safety		226,104,748
Community Relations Board		728,278
Department of Public Service		30,734,641
Department of Parks, Recreation & Properties		33,633,778
Boxing & Wrestling Commission		8,415
Urban Planning & Development		10,044,599
Department of Public Health		10,629,197
Department of Aging		222,903
Support Functions		27,956,652
Transfers to Other Funds		\$24,089,191

TOTAL EXECUTIVE BRANCH		\$365,739,393
TOTAL GENERAL FUND		\$388,560,536

Special Revenue Funds		\$51,572,333
Internal Service Funds		22,883,664
Enterprise Funds		378,749,644
Trust and Agency Funds		5,633,892
Debt Service Funds		44,142,043

TOTAL APPROPRIATIONS FOR 1996		\$891,542,112
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GENERAL GOVERNMENT

LEGISLATIVE BRANCH

COUNCIL AND CLERK OF COUNCIL		\$3,436,942
I. Personnel and Related Expenses	\$2,314,442	
II. Other Expenses	1,122,500	

MUNICIPAL COURT

MUNICIPAL COURT-JUDICIAL DIVISION		\$11,607,841
I. Personnel and Related Expenses	\$10,138,564	
II. Other Expenses	1,469,277	

MUNICIPAL COURT-HOUSING DIVISION		1,417,794
I. Personnel and Related Expenses	1,364,777	
II. Other Expenses	53,017	

MUNICIPAL COURT-CLERK'S DIVISION		6,358,566
I. Personnel and Related Expenses	4,849,313	
II. Other Expenses	1,509,253	

TOTAL MUNICIPAL COURT	\$19,384,201	\$19,384,201
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EXECUTIVE BRANCH

OFFICE OF THE MAYOR		\$1,586,991
I. Personnel and Related Expenses	\$1,361,057	
II. Other Expenses	225,934	

DEPARTMENT OF PUBLIC SAFETY

PUBLIC SAFETY ADMINISTRATION		\$10,591,113
I. Personnel and Related Expenses	\$9,824,815	
II. Other Expenses	766,298	

DIVISION OF POLICE		135,352,198
I. Personnel and Related Expenses	125,937,719	
II. Other Expenses	9,414,479	

DIVISION OF FIRE		64,364,042
I. Personnel and Related Expenses	61,986,353	
II. Other Expenses	2,377,689	

DIVISION OF EMERGENCY MEDICAL SERVICES		11,922,074
I. Personnel and Related Expenses	11,105,871	
II. Other Expenses	816,203	

DIVISION OF TRAFFIC ENGINEERING		3,233,856
I.	Personnel and Related Expenses	2,455,268
II.	Other Expenses	778,588
DIVISION OF DOG POUND		641,465
I.	Personnel and Related Expenses	509,200
II.	Other Expenses	132,265
TOTAL DEPARTMENT OF PUBLIC SAFETY		\$226,104,748
COMMUNITY RELATIONS BOARD		\$728,278
I.	Personnel and Related Expenses	\$669,298
II.	Other Expenses	58,980
DEPARTMENT OF PUBLIC SERVICE		
PUBLIC SERVICE ADMINISTRATION		\$289,217
I.	Personnel and Related Expenses	\$277,549
II.	Other Expenses	11,668
DIVISION OF ARCHITECTURE		607,762
I.	Personnel and Related Expenses	552,194
II.	Other Expenses	55,568
DIVISION OF WASTE COLLECTION & DISPOSAL		25,200,994
I.	Personnel and Related Expenses	15,744,964
II.	Other Expenses	9,456,030
DIVISION OF ENGINEERING AND CONSTRUCTION		4,636,668
I.	Personnel and Related Expenses	4,130,335
II.	Other Expenses	506,333
TOTAL DEPARTMENT OF PUBLIC SERVICE		\$30,734,641
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
PARKS, RECREATION AND PROPERTIES ADMINISTRATION		\$685,856
I.	Personnel and Related Expenses	\$521,287
II.	Other Expenses	164,569
DIVISION OF RESEARCH, PLANNING & DEVELOPMENT		707,611
I.	Personnel and Related Expenses	623,188
II.	Other Expenses	84,423
DIVISION OF RECREATION		8,871,905
I.	Personnel and Related Expenses	6,589,296
II.	Other Expenses	2,282,609
DIVISION OF ON STREET PARKING		1,010,916
I.	Personnel and Related Expenses	975,116
II.	Other Expenses	35,800
DIVISION OF PROPERTY MANAGEMENT		9,726,144
I.	Personnel and Related Expenses	7,571,598
II.	Other Expenses	2,154,546
DIVISION OF PARK MAINTENANCE & PROPERTIES		12,631,346
I.	Personnel and Related Expenses	9,576,735
II.	Other Expenses	3,054,611
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES		\$33,633,778
BOXING AND WRESTLING COMMISSION		8,415
I.	Personnel and Related Expenses	8,265
II.	Other Expenses	150
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
DIVISION OF ADMINISTRATIVE SERVICES		\$82,642
I.	Personnel and Related Expenses	\$82,642
DIVISION OF BUILDING & HOUSING		5,833,350
I.	Personnel and Related Expenses	5,128,853
II.	Other Expenses	704,497

DIRECTOR'S OFFICE		97,604
I. Personnel and Related Expenses	97,604	
DIVISION OF NEIGHBORHOOD DEVELOPMENT		494,409
I. Personnel and Related Expenses	244,409	
II. Other Expenses	250,000	
DIVISION OF NEIGHBORHOOD SERVICES		75,996
I. Personnel and Related Expenses	75,996	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT	\$6,584,001	\$6,584,001
REGULATORY BOARDS & COMMISSIONS		
LANDMARKS COMMISSION		\$89,205
I. Personnel and Related Expenses	\$77,243	
II. Other Expenses	11,962	
BOARD OF BUILDING STANDARDS & APPEALS		110,642
I. Personnel and Related Expenses	96,422	
II. Other Expenses	14,220	
BOARD OF ZONING APPEALS		245,696
I. Personnel and Related Expenses	225,805	
II. Other Expenses	19,891	
BOARD OF EXAMINERS OF PLUMBERS AND ELECTRICIANS		81,486
I. Personnel and Related Expenses	77,921	
II. Other Expenses	3,565	
FAIR CAMPAIGN FINANCE COMMISSION		10,000
II. Other Expenses	10,000	
TOTAL REGULATORY BOARDS	\$537,029	\$537,029
DEPARTMENT OF ECONOMIC DEVELOPMENT		
ECONOMIC DEVELOPMENT ADMINISTRATION		\$1,190,569
I. Personnel and Related Expenses	\$1,151,010	
II. Other Expenses	39,559	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT	\$1,190,569	\$1,190,569
OFFICE OF EQUAL OPPORTUNITY		\$524,082
I. Personnel and Related Expenses	\$436,969	
II. Other Expenses	87,113	
CITY PLANNING COMMISSION		\$1,152,378
I. Personnel and Related Expenses	\$1,091,336	
II. Other Expenses	61,042	
DIVISION OF HARBORS		\$56,540
I. Personnel and Related Expenses	\$56,540	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$10,044,599	\$10,044,599
DEPARTMENT OF PUBLIC HEALTH		
PUBLIC HEALTH AND WELFARE ADMINISTRATION		\$288,789
I. Personnel and Related Expenses	\$167,067	
II. Other Expenses	121,722	
DIVISION OF CORRECTION		5,257,912
I. Personnel and Related Expenses	4,149,930	
II. Other Expenses	1,107,982	
PUBLIC HEALTH		\$2,887,120
I. Personnel and Related Expenses	\$2,300,671	
II. Other Expenses	586,449	
DIVISION OF THE ENVIRONMENT		2,195,376
I. Personnel and Related Expenses	1,962,184	
II. Other Expenses	233,192	
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$10,629,197	\$10,629,197

DEPARTMENT OF AGING		
DEPARTMENT OF AGING		\$222,903
I. Personnel and Related Expenses	\$169,336	
II. Other Expenses	53,567	
TOTAL DEPARTMENT OF AGING	\$222,903	\$222,903
SUPPORT FUNCTIONS		
FINANCIAL AND LEGAL ADMINISTRATION		
DEPARTMENT OF FINANCE		
FINANCE ADMINISTRATION		\$289,820
I. Personnel and Related Expenses	\$238,970	
II. Other Expenses	50,850	
DIVISION OF ACCOUNTS		1,043,513
I. Personnel and Related Expenses	706,678	
II. Other Expenses	336,835	
DIVISION OF ASSESSMENTS & LICENSES		928,013
I. Personnel and Related Expenses	776,308	
II. Other Expenses	151,705	
DIVISION OF TREASURY		414,232
I. Personnel and Related Expenses	346,449	
II. Other Expenses	67,783	
DIVISION OF PURCHASES & SUPPLIES		649,857
I. Personnel and Related Expenses	551,889	
II. Other Expenses	97,968	
BUREAU OF INTERNAL AUDIT		400,107
I. Personnel and Related Expenses	170,117	
II. Other Expenses	229,990	
DIVISION OF FINANCIAL REPORTING AND CONTROL		951,840
I. Personnel and Related Expenses	851,440	
II. Other Expenses	100,400	
TOTAL DEPARTMENT OF FINANCE	\$4,667,382	\$4,667,382
OFFICE OF BUDGET & MANAGEMENT-BUDGET ADMIN.		\$444,632
I. Personnel and Related Expenses	\$422,057	
II. Other Expenses	22,575	
DEPARTMENT OF LAW		\$6,933,992
I. Personnel and Related Expenses	\$4,822,870	
II. Other Expenses	2,111,122	
TOTAL FINANCIAL AND LEGAL ADMINISTRATION	\$12,056,006	\$12,056,006
PERSONNEL ADMINISTRATION		
OFFICE OF PERSONNEL		\$1,260,065
I. Personnel and Related Expenses	\$969,745	
II. Other Expenses	290,320	
CIVIL SERVICE COMMISSION		1,011,340
I. Personnel and Related Expenses	646,006	
II. Other Expenses	365,334	
TOTAL PERSONNEL ADMINISTRATION	\$2,271,405	\$2,271,405
NON DEPARTMENTAL		
COUNTY AUDITOR DEDUCTIONS		\$857,000
II. Other Expenses	\$857,000	
OTHER ADMINISTRATIVE		12,772,241
II. Other Expenses	12,772,241	
TOTAL NON DEPARTMENTAL	\$13,629,241	\$13,629,241
TOTAL SUPPORT FUNCTIONS	\$27,956,652	\$27,956,652

TRANSFERS TO OTHER FUNDS		\$24,089,191	\$24,089,191
II. Other Expenses	\$24,089,191		
TOTAL GENERAL FUND	\$388,560,536		\$388,560,536
SPECIAL REVENUE FUNDS			
RESTRICTED INCOME TAX FUND			\$27,697,867
I. Capital	\$15,897,867		
II. Debt Service	11,800,000		
STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND			23,874,466
I. Personnel and Related Expenses	12,677,057		
II. Other Expenses	11,197,409		
TOTAL SPECIAL REVENUE FUNDS	\$51,572,333		\$51,572,333
INTERNAL SERVICE FUNDS			
INFORMATION SYSTEMS SERVICES-TELEPHONE EXCHANGE			\$4,225,278
I. Personnel and Related Expenses	\$340,994		
II. Other Expenses	3,884,284		
INFORMATION SYSTEMS SERVICES			3,110,587
I. Personnel and Related Expenses	1,559,981		
II. Other Expenses	1,550,606		
DIVISION OF MOTOR VEHICLE MAINTENANCE			13,621,926
I. Personnel and Related Expenses	4,326,864		
II. Other Expenses	9,295,062		
DIVISION OF PRINTING AND REPRODUCTION			823,065
I. Personnel and Related Expenses	524,694		
II. Other Expenses	298,371		
CITY STOREROOM AND CENTRAL WAREHOUSE			1,102,808
I. Personnel and Related Expenses	94,808		
II. Other Expenses	1,008,000		
TOTAL INTERNAL SERVICE FUNDS	\$22,883,664		\$22,883,664
ENTERPRISE FUNDS			
DEPARTMENT OF PUBLIC UTILITIES			
UTILITIES ADMINISTRATION			\$944,619
I. Personnel and Related Expenses	\$736,462		
II. Other Expenses	208,157		
UTILITIES FISCAL CONTROL			1,615,080
I. Personnel and Related Expenses	1,479,011		
II. Other Expenses	136,069		
DIVISION OF WATER			169,465,250
I. Personnel and Related Expenses	62,229,605		
II. Other Expenses	107,235,645		
DIVISION OF WATER POLLUTION CONTROL			17,227,809
I. Personnel and Related Expenses	7,053,890		
II. Other Expenses	10,173,919		
DIVISION OF CLEVELAND PUBLIC POWER			112,949,523
I. Personnel and Related Expenses	22,611,270		
II. Other Expenses	90,338,253		
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$302,202,281		\$302,202,281
DEPARTMENT OF PORT CONTROL			
DIVISIONS OF CLEVELAND HOPKINS & BURKE LAKEFRONT AIRPORTS-OPERATIONS			\$54,624,240
I. Personnel and Related Expenses	\$15,550,812		
II. Other Expenses	39,073,428		
AIRPORT DEVELOPMENT FUND			850,000
II. Other Expenses	850,000		
TOTAL DEPARTMENT OF PORT CONTROL	\$55,474,240		\$55,474,240

DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
DIVISION OF CEMETERIES		
I. Personnel and Related Expenses	\$1,534,211	\$1,870,901
II. Other Expenses	336,690	
GOLF COURSE FUND		
I. Personnel and Related Expenses	905,365	1,799,630
II. Other Expenses	894,265	
DIVISION OF PARKING FACILITIES-OFF STREET PARKING		
I. Personnel and Related Expenses	823,973	10,023,875
II. Other Expenses	9,199,902	
DIVISION OF CONVENTION CENTER & STADIUM-CONVENTION CENTER		
I. Personnel and Related Expenses	2,061,028	6,078,658
II. Other Expenses	4,017,630	
DIVISION OF CONVENTION CENTER & STADIUM-MARKET		
I. Personnel and Related Expenses	378,699	1,115,771
II. Other Expenses	737,072	
DIVISION OF PROPERTY MANAGEMENT-EAST SIDE MARKET		
I. Personnel and Related Expenses	64,792	184,288
II. Other Expenses	119,496	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES		
	\$21,073,123	\$21,073,123
TOTAL ENTERPRISE FUNDS		
	\$378,749,644	\$378,749,644
AGENCY FUND		
CENTRAL COLLECTION AGENCY		
I. Personnel and Related Expenses	\$3,700,952	\$5,633,892
II. Other Expenses	1,932,940	
TOTAL AGENCY FUND		
	\$5,633,892	\$5,633,892
DEBT SERVICE FUND		
SINKING FUND COMMISSION		
I. Personnel and Related Expenses	\$79,968	\$44,142,043
II. Other Expenses	350,950	
III. Debt Service	43,711,125	
TOTAL DEBT SERVICE FUND		
	\$44,142,043	\$44,142,043

Section 2. That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate File No. 208-96-A, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 1995 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 1996 or prior years. The Mayor's Estimate File No. 208-96-A, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 1996 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. - Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

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

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

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

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.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 125-25-011, as more fully described in Section 2 below, to Maurice P. Kittle.

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

P.P. No. 125-25-011

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 155 in Caleb and Mary D. Morgan's Allotment of part of Original Lot Nos. 320, 321, 324 and 325 in said City. Said Sublot No. 155 has a front of 40 feet on East 55th Street and is 150 feet deep, as per plat of said Allotment recorded in Volume 12 of Maps, Page 20 of Cuyahoga County Records.

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

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

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

Section 6. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

Ord. No. 210-96.

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

An emergency ordinance approving certain amendments to the West 25th-Lorain Community Development Plan for the Bridge/Carroll Plan Area and for the Bridge/Carroll Action Area therein.

Whereas, the Council of the City of Cleveland by Ordinance No. 1037-93, passed June 14, 1993, approved the West 25th-Lorain Community Development Plan dated May, 1993 (the "Plan") for the Plan Area designated and described in the Plan, and which Community Development Plan included an area designated therein as the Bridge/Carroll Action Area (the "Action Area"), and which Plan contemplated certain activities and treatment for the elimination of conditions of blight and deterioration and for the recurrence thereof with the Plan Area; and

Whereas, amendments to such Plan have been prepared including those which alter the use of certain properties within the Action Area, the reflection of a proposal to develop a supermarket and accessory parking for the rehabilitation of the Merrell Building for apartments, and the City Planning Commission has approved such Plan Amendments; and

Whereas, the proposed Plan Amendments contemplate specific measures to eliminate conditions of blight and deterioration from the Action Area by providing for the redevelopment of structures and property in the Action Area pursuant to Community Development Plan standards; and

Whereas, for the foregoing reasons, Council has determined that the Community Development Plan for the Action Area, and the implementation of the measures therein set forth will be in the best interests of the citizens of the City, will best fulfill the public purposes of the Plan and will provide for the general health, safety and welfare of the City; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public property, health, and safety in that approval of the amendments to the Plan are necessary in order that steps can be immediately undertaken to eliminate conditions of blight and deterioration of the Plan Area and to prevent the recurrence of blight; now, therefore,

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

Section 1. That this Council hereby finds that the public actions and policies proposed and contemplated by the amendments to the West 25th-Lorain Community Development Plan (the "Plan") are necessary and appropriate in order to eliminate the conditions of blight and deterioration, and prevent the recurrence thereof in the Plan Area; and it is hereby found and determined that the Plan, as amended as set forth herein, File No. 1037-93-A, conforms to and is in compliance

with the applicable provisions of the Codified Ordinances of the City of Cleveland.

Section 2. That it is hereby found and determined that the Plan will afford maximum opportunity consistent with the sound needs of the City as a whole for the redevelopment of the Plan Area and the Action Area by private enterprise; that the Plan gives due consideration to the provision of adequate open space, park and recreational areas appropriate to the area and that the Plan is in conformity with the general Plan of the City and the workable program for community improvements of the City.

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 211-96.

By Councilmen Paulenske and Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the American Diabetes Association to stretch banners across the Cleveland State University Walkway on E. 22nd Street north of Euclid and on the Cleveland Clinic Walkway on Carnegie Avenue near E. 90th Street for the period from March 25, 1996 to April 22, 1996, inclusive, publicizing the Society Bank Swim for Diabetes.

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 American Diabetes Association to install, maintain and remove banners across the Cleveland State University Walkway on E. 22nd Street north of Euclid and on the Cleveland Clinic Walkway on Carnegie Avenue near E. 90th Street for the period from March 25, 1996 to April 22, 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.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 212-96.

By Councilman Willis.

An emergency resolution objecting to the transfer of ownership and location of a C1 and C2 Liquor Permit to 10509 Ashbury Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C1 and C2 Liquor Permit from Permit No. 17092950005, Convenience Plus Mart, Inc., dba Convenience Plus Mart, 16505 Miles Avenue, Cleveland, Ohio 44128, to Permit No. 1709295-00055, Convenience Plus Mart, Inc., & 10509 Ashbury, Inc., A Joint Venture, dba First Choice Beverage, 10509 Ashbury Avenue, Cleveland, Ohio 44106; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a C1 and C2 Liquor Permit from Permit No. 17092950005, Convenience Plus Mart, Inc., dba Convenience Plus Mart, 16505 Miles Avenue, Cleveland, Ohio 44128, to Permit No. 1709295-00055, Convenience Plus

Mart, Inc., & 10509 Ashbury, Inc., A Joint Venture, dba First Choice Beverage, 10509 Ashbury Avenue, Cleveland, Ohio 44106, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 213-96.

By Councilman Westbrook.

An emergency resolution confirming the term of leases for photocopy machines entered into pursuant to Ordinance No. 2320-90, passed January 14, 1991.

Whereas, pursuant to Ordinance No. 2320-90, passed January 14, 1991, this Council authorized the Director of Finance to enter into a written requirement contract for a period of five (5) years for the lease with option to purchase of photocopying machines, including maintenance; and

Whereas, the length of the term of a lease entered into pursuant to the written requirement contract was not specified in the authorizing legislation; 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 hereby confirms its intention that Ordinance No. 2320-90, passed January 14, 1991, authorizes the Director of Finance to acquire the City's requirements for photocopying machines by means of a lease with option to purchase for a period of five (5) years commencing at any time during the five (5) year term of the written requirement contract entered into pursuant to said Ordinance No. 2320-90.

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 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. 2280-95.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair packer bodies, excluding cylinders, for the Division of Waste Collection and Disposal, Department of Public Service.

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

Ord. No. 2281-95.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair compactors, tire shredders and push pits at the Ridge Road Transfer Station, for the Division of Waste Collection and Disposal, Department of Public Service.

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

Ord. No. 29-96.

By Councilmen Johnson and Rokakis (by departmental request).

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

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

Ord. No. 31-96.

By Councilmen Johnson and Rokakis (by departmental request).

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

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

Ord. No. 32-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of shirts for full-time and seasonal recreation employees, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

Ord. No. 33-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 1996 Summer Food Program; authorizing and directing the purchase by requirement contract of breakfasts and lunches for said Program and for food to be served at Camp

George L. Forbes as part of said Program and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with ten non-profit organizations for the implementation of said Program.

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

1. In Section 7, line 9, after "at" insert "**Camp**".

Amendment agreed to.

Ord. No. 154-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance approving the collective bargaining agreement with Cleveland Association of Rescue Employees.

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committee on Finance.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 2244-95.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Chemical Solvents, Inc. to encroach into the public right-of-way of Jennings Road and Denison Avenue to install communications cables aerially, to be attached to utility poles (by separate permit).

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

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

Ord. No. 137-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Service to cause payment of the City of Cleveland's share to the State of Ohio for the cost of rehabilitating or reconstructing the West 44th Street Bridge over Conrail and Train Avenue, City Bridge No. 1:053.

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

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

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 2101-95.

By Councilmen Brady and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the procurement by requirement contract of the lease of not to exceed eight trucks, for the Division of Water, Department of Public Utilities.

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

Ord. No. 2188-95.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the 1995-96 ADAP Training Program and authorizing the Director of Public Safety to employ certified instructors to provide ADAP training for Police personnel.

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

Ord. No. 2189-95.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the 1995-96 DUI Sobriety Roadblocks Program.

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

Ord. No. 2190-95.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the 1995-96 55 MPH Speed Enforcement Program.

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

Ord. No. 2191-95.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic paint, thermoplastic and reflective glass beads, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

Ord. No. 2192-95.

By Councilmen Polensek and Rokakis (by departmental request).

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

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

Ord. No. 39-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to make additional appropriation of Two million seven hundred twenty seven thousand eight hundred thirty one dollars (\$2,727,831) of the General Fund, and Six hundred sixty one thousand one hundred dollars (\$661,100) of the Internal Service Fund.

Read third time. Passed. Yeas 19. Nays 1.

Those voting yea were Councilmen: Britt, Coats, Jackson, Johnson, Lewis, McGuirk, Melena, Miller, O'Malley, Patmon, Patton, Paulenske, Rokakis, Rybka, Smith, Westbrook, White, Willis, Zone.

Those voting nay: Councilman Polensek.

Absent: Councilman Robinson.

Ord. No. 40-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance to transfer the sum of Seven million one hundred forty one thousand four hundred fourteen dollars (\$7,141,414) within the various divi-

sions of the General Fund, Two hundred forty thousand dollars (\$240,000) within the Internal Service Funds, and Three hundred ninety two thousand dollars (\$392,000) within the Enterprise Funds.

Read third time. Passed. Yeas 19. Nays 1.

Those voting yea were Councilmen: Britt, Coats, Jackson, Johnson, Lewis, McGuirk, Melena, Miller, O'Malley, Patmon, Patton, Paulenske, Rokakis, Rybka, Smith, Westbrook, White, Willis, Zone.

Those voting nay: Councilman Polensek.

Absent: Councilman Robinson.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried, that the absence of Councilwoman Odellia Robinson be and is hereby authorized.

The Council adjourned at 8:00 p.m. to meet on Monday, February 12, 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. 2280-95.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair packer bodies, excluding cylinders, for the Division of Waste Collection and Disposal, Department of Public Service.

Ord. No. 2281-95.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair compactors, tire shredders and push pits at the Ridge Road Transfer Station, for the Division of Waste Collection and Disposal, Department of Public Service.

Ord. No. 29-96.

By Councilmen Johnson and Rokakis (by departmental request).

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

Ord. No. 31-96.

By Councilmen Johnson and Rokakis (by departmental request).

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

Ord. No. 32-96.

By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of shirts for full-time and seasonal recreation employees, for the Division of Recreation, Department of Parks, Recreation and Properties.

Ord. No. 33-96.

By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 1996 Summer Food Program; authorizing and directing the purchase by requirement contract of breakfasts and lunches for said Program and for food to be served at Camp George L. Forbes as part of said Program and for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing said Director to contract with ten non-profit organizations for the implementation of said 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 Parks, Recreation and Properties is hereby authorized and directed to apply for and accept a grant in the amount of \$175,000.00, from the Ohio Department of Education, to conduct the 1996 Summer Food Program for the purposes set forth in the application and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant, and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 33-96-A, made a part hereof as if fully rewritten herein is hereby approved in all respects.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three months (June, July and August, 1996) for the breakfast and lunch program to be served at not to exceed seventeen City recreation centers and ten non-profit agencies, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 4. 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 21389)

Section 5. That provided the agencies meet the eligibility requirements of the Ohio Department of Education, the Director of the Department of Parks, Recreation and Properties is hereby authorized to make written contracts with the following agencies for implementation of the 1996 Summer Food Program:

Cleveland United Methodist
East Glenville Methodist Church
East Side Community Center
Flats Rowing Association
Greater Love Baptist Church
Longwood Community Center
Second Calvary
St. Paul A.M.E.
Union Tabernacle
West Technical High School

Section 6. That the cost of said contract hereby authorized shall be paid from the hereinabove accepted grant, Request No. 21389.

Section 7. 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 various natural foods, food products, beverages, condiments and paper products as set forth in detail on file in the Office of the Division of Purchases and Supplies and attached to Request No. 21388, to be served as part of the meal program at Camp George L. Forbes, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 8. 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 21388)

Section 9. That, notwithstanding the provisions of Section 181.24 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, bidders for the contracts authorized by Section 3 and 8 of this ordinance shall be required to submit a bid bond in the amount of five percent of the amount of the bid, as required by United States Treasury Circular 570.

Section 10. 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.

Ord. No. 154-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance approving the collective bargaining agreement with Cleveland Association of Rescue Employees.

BOARD OF CONTROL

January 31, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 31, 1996, at 10:30 a.m., with Director Sobol Jordan presiding.

Present: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Absent: Mayor White.

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

On motion, the following resolutions were adopted.

Resolution No. 50-96.

By Director Hyer.

Resolved, by the Board of Control of the City of Cleveland that the bid of Bostwick-Braun Company for an estimated quantity of hand tools and hand held power tools, (Item #1 Discount offered from list price: 56.2% Catalog #950525 dated 7/1/95) (Item #6 Discount offered from list price: Catalog #G19501PL) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 20th day of October, 1995, pursuant to the authority of Ordinance No. 199-95, passed March 6, 1995 which on the basis of the estimated quantity would amount to Twenty-Two Thousand and 00/100 Dollars, (\$22,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 78209 which shall be certified against such contract in the sum of Five Thousand and 00/100 Dollars, (\$5,000.00).

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

Yeas: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 51-96.

By Director Hyer.

Resolved, by the Board of Control of the City of Cleveland that the bid of Woodhill Supply, Inc., for an estimated quantity of hand tools and hand held power tools, (Item #2 Discount offered from list price: 47.5%, price list #UPL44) (Item #4 Discount offered from list price: (various)) (Item #7 Discount offered from list price: 45.5%, price list

August, 1995) (Item #8 Discount offered from list price: 50%, list price list 1995) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 20th day of October, 1995, pursuant to the authority of Ordinance No. 199-95, passed March 6, 1995 which on the basis of the estimated quantity would amount to Sixty-Five Thousand and 00/100, Dollars, (\$65,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 78208 which shall be certified against such contract in the sum of Five Thousand and 00/100 Dollars, (\$5,000.00).

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

Yeas: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.
Nays: None.
Absent:None.

Resolution No. 52-96.

By Director Hyer.

Resolved, by the Board of Control of the City of Cleveland that the bid of DoAll Cleveland Corporation for an estimated quantity of hand tools and hand held power tools, (Item #3 Discount offered from list price: 54%, price list #89074-62, January 1, 1995) (Item #5 Discount offered from list price: 63%, price list schedule August 7, 1995) for the Various Divisions of City Government, Department of Finance, for the period of one (1) year beginning with the date of execution of a contract received on the 20th day of October, 1995, pursuant to the authority of Ordinance No. 199-95, passed March 6, 1995 which on the basis of the estimated quantity would amount to Thirty-Three Thousand and 00/100, Dollars, (\$33,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 78210 which shall be certified against such contract in the sum of Five Thousand and 00/100 Dollars, (\$5,000.00).

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

Yeas: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.
Nays: None.
Absent:None.

man, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.
Nays: None.
Absent:None.

Resolution No. 53-96.

By Director Konicek

Be it resolved, by the Board of Control of the City of Cleveland that, pursuant to the authority of Ordinance No. 1071-93, passed by the Council of the City of Cleveland on June 7, 1993, ACRT, INC., is hereby selected upon the nomination of the Director of Public Utilities from a list of qualified consultants, determined after a full and complete canvass by said Director, as the firm to be employed by contract for the purpose supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide management services for the Cleveland Public Power System Expansion Reforestation Program for the Division of Cleveland Public Power, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is hereby requested to enter into a written contract with ACRT, INC., based upon its proposal, dated October 16, 1995, which contract shall be prepared by the Director of Law, and shall provide that the compensation to be paid shall not exceed \$84,915.00

Yeas: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.
Nays: None.
Absent:None.

Resolution No. 54-96.

By Director Konicek.

Resolved by the Board of Control of the City of Cleveland that all bids received on December 7, 1995 for streetlighting lamps, group "A" (Items 1 & 2) for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, be and the same are hereby rejected.

Yeas: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.
Nays: None.
Absent:None.

Resolution No. 55-96.

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Gyorky Plumbing & Heating Co. for the public improvement of replacing moat level sanitary sewer pump for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on December 28, 1995, pursuant to the authority of Ordinance No. 392-95, passed May 8, 1995, upon a unit basis, for the improvement in the aggregate amount of Twenty-One Thousand and no/100 (\$21,000.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.
Nays: None.
Absent:None.

Directors Spellman, Hamilton, Nolan, Warren, Axelrod.
Nays: None.
Absent:None.

Resolution No. 56-96.

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Interstate Design and Construction, Inc., for the public improvement of Phase 2 Residential Sound Insulation Program (Bid Group "A & B") for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on January 4, 1996, pursuant to the authority of Ordinance No. 930-95, passed June 19, 1995, upon a unit basis, for the improvement in the aggregate amount of One Million Three Hundred Seventy-Six Thousand Seven Hundred Ninety-Eight and no/100 (\$1,376,798.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control 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 by Interstate Design & Construction, Inc. for Phase II of Residential Sound Insulation Program (Bid Group "A & B") for the Division of Cleveland Hopkins International Airport, Department of Port Control is hereby approved:

SUBCONTRACTORS SERVICE

Hogan Electric Co.
1192 East 40th St.
Cleveland, Ohio 44114
Electrical Work
(MBE - \$69,500.00 - 5%)

Map International, Inc.
10604 Shale Ave.
Cleveland, Ohio 44104
Furnish & install
prime windows
(MBE - \$360,000 - 26%)

Map International, Inc.
10604 Shale Ave.
Cleveland, Ohio 44104
Furnish & install
prime doors
(MBE - \$32,000 - 2%)

Yeas: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.
Nays: None.
Absent:None.

Resolution No. 57-96.

By Director Spellman.

Whereas, pursuant to the authority of Ordinance Nos. 2735-90 and 2740-90, both passed by the Council of the City of Cleveland on December 17, 1990, and Resolutions Nos. 267-91, 369-91, 765-91 and 31-96 adopted by this Board on December 17, 1990, May 22, 1991, September 25, 1991 and January 17, 1996 respectively, the City, through its Director of Parks, Recreation and Properties authorized City Contract No. 44351 and First and Second Modifications thereto, with Bucchieri Architects ("Architect") to provide professional services necessary for constructing new structures at the Joseph Stamps Service Center, Humphrey Park, Woodland Cemetery and Alger Cemetery; and

Whereas, in Resolution No. 31-96

paragraph four (4) the City Contract No. was incorrectly stated; and Whereas, the City desires to amend Resolution No. 31-96 to reflect the correct City Contract No., now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 31-96 authorizing a Second Modification to City Contract No. 44351 with Bucchieri Architects, is hereby amended by changing the City Contract No. in paragraph four (4) to 44351.

Be it further resolved, that all other terms and provisions of City Contract No. 44351 not expressly modified herein shall remain unchanged and in full force and effect.

Yeas: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 58-96.

By Director Spellman.

Be it resolved, by the Board of Control of the City of Cleveland that Resolution No. 612-95, adopted by this Board of Control on August 9, 1995, authorizing the Director of Parks, Recreation and Properties to enter into a concession agreement with AVIFoodsystems, Inc., for the operation of soft drink and snack vending machines throughout City parks and various City owned buildings, except City recreation centers and the Humphrey Sports Complex, is hereby rescinded.

Be it further resolved that all bids received on July 12, 1995 for said vending services, for the Division of Property Management, Department of Parks, Recreation and Properties, are hereby rejected.

Yeas: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 59-96.

By Director Warren.

Whereas, pursuant to the authority of Ordinance No. 97-96 passed January 22, 1996 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies was authorized, for and on behalf of the City of Cleveland, to sell certain City-owned property described therein, no longer needed for public use, to Whiskey Island Partners Limited Partnership; and

Whereas, said Ordinance No. 97-96 provided that the consideration to be paid for the property shall be at a price determined by this Board to be the fair market value of the property;

Whereas, at present the City-owned property is inaccessible and undeveloped;

Whereas, conveyance of this City-owned property to Whiskey Island Partners Limited Partnership shall enable Whiskey Island Partners limited to build a roadway extension that will link Whiskey Island to the Flats Entertainment District and will provide public access to the lakefront; now therefore,

Be it resolved, by the Board of Control of the City of Cleveland that the consideration for the property described in Ordinance No. 97-96, passed by the Council of the City of Cleveland on January 22, 1996, is

hereby fixed at One Dollar (\$1.00), which amount is determined to be the fair market value of the property taking into account the current accessibility of the property, and the condition subsequent and reservation of right of re-entry and reversion should the property no longer be needed or used for roadway purposes, and the covenant that the purchaser not erect or permit the erection of any advertising signs or billboards except permitted identification signs.

Be it further resolved that the Board of Control directs that said property be conveyed by Official Quit Claim Deed executed by the Mayor on behalf of the City of Cleveland.

Yeas: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 60-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Hy-Grade Corporation for an estimated quantity of cold mix material (All Items) 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 26th day of January, 1996, pursuant to the authority of Ordinance No. 144-95, passed March 20, 1995, which on the basis of the estimated quantity would amount to approximately One Hundred Seventy-Five Thousand and no/100 Dollars, (\$175,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a 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. 75695

which shall be certified against such contract in the sum of Seventeen Thousand Five Hundred and no/100 Dollars, (\$17,500.00).

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: Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

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**

TUESDAY, FEBRUARY 20, 1996

9:30 A.M.

Calendar No. 96-3: 6115 Broadway, S.E.

Michael Ferek, owner, and Broadway Video, tenant, to use as adult book store and adult mini motion picture theater the northwesterly first floor storeroom of the 50' x 110' one and three story masonry stores and suites building on a 50' x 120' corner lot located in a General Retail District on the northwesterly corner of Broadway and Morton Ave. at 6115 Broadway; said use being contrary to the distance and location requirements of Section 347.07 and there being insufficient accessory off-street parking contrary to the off-street parking requirements of Section 349.04 of the Codified Ordinances.

Calendar No. 96-4: 3770 W. 133 St.

Peter Z. Pinter, owner, to erect 12' x 9' one story addition to the front of the 24' x 34' two story frame one family dwelling by enclosing the north half of the 24' x 9' one story open front porch of said dwelling on the 40' x 150' lot located in Two Family District at 3770 W. 133 St.; said addition to be contrary to the front setback encroachment provisions of Section 357.04 of the Codified Ordinances.

Calendar No. 96-5: 10950 Lorain Ave.

SB Investments, owner, c/o Samuels & Associates, and First National Supermarkets, Inc., tenant, c/o Jeff Olson, to place a 2' x 25' single faced sign on the south face of the supermarket building of the stores complex on an acreage parcel located in a Shopping Center District on the northeast corner of W. 110 St. and Lorain Ave. at 10950 Lorain Ave.; said sign plus other existing signs on the building to exceed the size limitations of Section 350.14 of the Codified Ordinances.

Calendar No. 96-6: 5802 Madison Ave., N.W.

Leonard Strimpel, owner, to erect

152' of 4' high chain link fence to partially enclose the 49' x 106' irregular shaped corner lot located in a Two Family District on the north-west corner of W. 58 St. and Madison Ave. at 5802 Madison Ave.; a portion of said fence to be in excess of the 30" maximum permitted at the corner by Section 357.13(b)3 of the Codified Ordinances.

Calendar No. 96-7: 15100 Lorain Ave. Robert Labuda, owner, to convert to an auto repair garage and warehouse the one story 48.5' x 152' building on the rear of a 50' x 235' (average) irregular shaped lot located in a General Retail District with a 35' x 24.5' one story brick office building on the front at 15100 Lorain Ave.; said use being contrary to the retail use limitations of Section 343.11 and said use being located immediately adjacent to instead of 100' from a Residence District to the north as required by Section 345.03 and there being insufficient off-street parking contrary to Sections 349.03 and 349.04 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, FEBRUARY 5, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, January 29, 1996, the following appeals were heard by the Board, and, on, Monday, February 5, 1996 were decided by the Board.

The following appeal was **Granted**:

Calendar No. 95-243: 8315 Detroit Ave., N.W.

West Side Community Mental Health Center, owner, c/o Ralph Fee, to erect a 84' x 116' irregular shaped one story mental health care residence facility with 15 beds. (Conditional Grant)

The following appeals were **Postponed**:

Calendar No. 95-236: 2143 W. 7th St. to February 26, 1996

Calendar No. 95-237: 2147 W. 7th St. to February 26, 1996.

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

Notice of Public Hearing On Proposed Amendment to the WEST 25th - LORAIN COMMUNITY DEVELOPMENT PLAN

Notice is hereby given in accordance with Chapter 319 of the Codified Ordinances of the City of Cleveland that the Cleveland City Planning Commission will hold a Public Hearing on **Friday, February 16, 1996 at 9:00 A.M. in Room 514 City Hall, 601 Lakeside Avenue, Cleveland, Ohio** for the purpose of considering the approval of a proposed amendment to the West 25th-Lorain Community Development Plan (the Plan). The Plan amendment proposes certain land acquisition and clearance activities for the eventual redevelopment of Action Areas designated within. Further, the Plan proposes general treatment measures to eliminate conditions of blight and deterioration found to exist in the Plan Area and prevent the recurrence of blight.

WEST 25TH-LORAIN COMMUNITY DEVELOPMENT PLAN AREA BOUNDARIES

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot Numbers 69 and 70 and more fully described as follows:

Beginning on the centerline of Bridge Avenue N.W. (66 feet wide) at its intersection with the centerline of West 28th Street (66 feet wide); thence Southeasterly along the centerline of said West 28th Street to the centerline of Lorain Avenue (66 feet wide); thence Northeasterly along the centerline of said Lorain Avenue to the centerline of West 25th Street (82.5 feet wide); thence Northwesterly along the centerline of said West 25th Street to the centerline of Bridge Avenue N.W. as aforesaid; thence Southwesterly along the centerline of said Bridge Avenue N.W. to the place of Beginning.

The proposed Action Area to be amended, referred to as the Bridge/Carroll Action Area is generally bounded as follows:

BRIDGE/CARROLL ACTION AREA BOUNDARIES

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot Numbers 69 and 70 and more fully described as follows:

Beginning on the Southeasterly line of Bridge Avenue N.W. (66 feet wide) at its intersection with the Northeasterly line of West 28th Street (66 feet wide); thence Northeasterly along the Southeasterly line of said Bridge Avenue N.W. to its intersection with the Northeasterly line of West 26th Place (16 feet wide); thence Southeasterly along the Northeasterly line of said West 26th Place to its intersection with the Northwesterly line of Carroll Avenue N.W. (50 feet wide); thence Southwesterly along the Northwesterly line of said Carroll Avenue N.W. to its intersection with the Northeasterly line of West 28th Street as aforesaid; thence Northwesterly along the Northeasterly line of said West 28th Street to the place of beginning.

The purpose of the hearing is to

enable the City Planning Commission to publicly present the aforementioned elements of the proposed Plan amendment and solicit reaction to the proposed Plan amendment from any interested party. Documents that constitute the Plan, including support documents, are on file for public inspection during business hours (8:00 A.M. to 5:00 P.M., Monday through Friday) at the City Planning Commission office, Room 501 City Hall, 601 Lakeside Avenue, Cleveland, Ohio.

Any person or organization desiring to be heard at said public hearing will be afforded an opportunity to be heard.

Hunter Morrison
Director
Cleveland City
Planning Commission

January 31 and February 7, 1996

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee on City Planning

In the Council Chambers
of City Hall,
Cleveland, Ohio
On Wednesday, February 21st, 1996
12:30 A.M.

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing on the Second Floor in Council Chambers of City Hall, Cleveland, Ohio, on Wednesday, February 21st, 1996, at 12:30 P.M., to consider the following ordinances now pending in the Council:

Ord. No. 1838-95.

By Councilman Paulenske.

An ordinance to change the Use District of lands approximately 148' northwest of Superior Avenue, N.E. and approximately 330' southeast of St. Clair Avenue, N.E. between E. 24 and E. 25 Street. (Map Change No. 1888, Sheets Nos. 4 & 5).

Ord. No. 2052-95.

By Councilman Smith.

An ordinance to change Use, Area, and Height Districts of lands on both sides of Lorain Avenue between W. 44 Street and Fulton Road. (Map Change No. 1885, Sheet No. 1)

Ord. No. 2053-95.

By Councilman Smith.

An ordinance to change the Use District of lands on both sides of Lorain Avenue between West 52 Street and West 44 Street. (Map Change No. 1884, Sheet No. 1)

Ord. No. 2119-95.

By Councilman Smith.

An ordinance to change the Use District of lands on the northerly side of Trent Avenue, S.W. and the easterly side of W. 40 Street. (Map Change No. 1892, Sheets Nos. 1 & 2)

Ord. No. 2247-95.

By Councilman McGuirk.

An ordinance establishing the Kamm's Corners Business Revitalization District. (Map Change No. 1889, Sheet No. 12)

Ord. No. 2287-95.

By Councilman Brady.
An ordinance to change the Use, Area, and Height Districts of lands north of Rusk Court, N.W. between West 106 Street and West 105 Street. (Map Change No. 1895, Sheet No. 2)

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

Edward W. Rybka,
Chairman
Committee on City Planning

February 7 and February 14, 1996

CITY OF CLEVELAND BIDS**For All Departments**

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Clubroom B, Convention Center, in accordance with the appended schedule, and will be opened and read in Clubroom B, Convention Center, immediately thereafter.

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, FEBRUARY 15, 1996

Bid Package "B" New North Parking Lot - Third District Police Station, for the Department of Public Safety, as authorized by Ordinance No. 2033-91, 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. A PRE-BID MEETING

WILL BE HELD ON TUESDAY, FEBRUARY 6, 1996 AT 10:30 A.M. AT THE THIRD DISTRICT POLICE STATION, 2001 PAYNE AVENUE, IN THE MAIN LOBBY.

Police Headquarters Justice Center Elevator Renovation Bid Package "A", for the Department of Public Safety, as authorized by Ordinance Nos. 1733-88 and 1578-90, passed by the Council of the City of Cleveland, September 19, 1988 and February 24, 1992, respectively.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, FEBRUARY 7, 1996 AT 10:30 A.M. IN THE MAIN LOBBY OF THE POLICE HEADQUARTERS, 1300 ONTARIO AVENUE.

Renovations and Improvements for Fairfax Recreation Center, for the Division of Architecture, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1455-94, passed by the Council of the City of Cleveland, November 21, 1994.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON MONDAY, FEBRUARY 5, 1996 10:30 AT A.M. IN THE MAIN LOBBY OF THE FAIRFAX RECREATION CENTER, 2335 EAST 82ND ST., CLEVELAND, OHIO.

January 24, January 31 and February 7, 1996

FRIDAY, FEBRUARY 16, 1996

Rebuilt Transmissions, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1747-95, passed by the Council of the City of Cleveland, November 27, 1995.

January 31 and February 7, 1996

WEDNESDAY, FEBRUARY 21, 1996

System Expansion, Residential Reforestation, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

A MANDATORY PRE-BID MEETING WILL BE HELD ON MONDAY, FEBRUARY 12, 1996 AT 10:00 A.M. IN THE AUDITORIUM OF THE PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVE.

Small Equipment, Four (4) Gasoline Powered Sprayers, for the Division of Parks Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 427-95, passed by

the Council of the City of Cleveland, March 20, 1995.

January 31 and February 7, 1996

FRIDAY, FEBRUARY 23, 1996

Mower Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1744-95, passed by the Council of the City of Cleveland, November 27, 1995.

January 31 and February 7, 1996

FRIDAY, FEBRUARY 23, 1996

Frame Repair, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1751-95, passed by the Council of the City of Cleveland, November 27, 1995.

February 7 and February 14, 1996

THURSDAY, FEBRUARY 29, 1996

Metering Equipment, 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.

Metering Service Entrance Equipment, 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.

Pool Filtration System, for the Division of Property Management, Department of Parks, Recreation and Properties as authorized by Ordinance No. 1229-95, passed by the Council of the City of Cleveland, November 20, 1995.

February 7 and February 14, 1996

FRIDAY, MARCH 1, 1996

Crane Carrier Cab and Chassis Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1748-95, passed by the Council of the City of Cleveland, November 27, 1995.

Galion Equipment Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1752-95, passed by the Council of the City of Cleveland, November 27, 1995.

February 7 and February 14, 1996

FRIDAY, MARCH 8, 1996

Ford Truck Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1746-95, passed by the Council of the City of Cleveland, November 27, 1995.

February 7 and February 14, 1996

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 171-96.

By Councilman Melena.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 3459 West 54th Street, first floor and basement, and repealing Res. No. 1776-95, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 3459 West 54th Street, first floor and basement, by Res. No. 1776-95, adopted October 9, 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 Liquor Permit to 3459 West 54th Street, first floor and basement, be and the same is hereby withdrawn and Res. No. 1776-95, 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.

Adopted January 29, 1996.

Effective February 6, 1996.

Res. No. 172-96.

By Councilman Paulenske.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 1071 Front Street, rear and patio, and repealing Res. No. 1549-94, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 1071 Front Street, rear and patio, by Res. No. 1549-94, adopted August 23, 1994; 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, D3A and D6 Liquor Permit to 1071 Front Street, rear and patio, be and the same is hereby withdrawn and Res. No. 1549-94, 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 January 29, 1996.

Effective February 6, 1996.

Res. No. 173-96.

By Councilmen Westbrook and Coats.

An emergency resolution encouraging parents to visit schools on Parent Pledge/Proficiency Day on February 14, 1996, and urging parents to take the Parent Pledge of Responsibility and follow through on setting up a positive learning environment at home, and urging all employers to support compensatory time so parents can visit their children's schools.

Whereas, parents play a crucial role in the education of their children; and

Whereas, recognizing that "it takes a whole village to raise a child", the Black Elected Democrats of Cleveland Ohio has initiated the Parent Pledge of Responsibility and has gathered support of community leaders, parents, teachers and principals, and public officials; and

Whereas, parents of children in secondary schools have the most challenging responsibility for their child's academic success; and

Whereas, the Parent Pledge of Responsibility calls for Cleveland Public Schools parents to actively participate in school life, and to set up a positive learning environment at home, such as turning off televisions and setting up a two hour study time at home; and

Whereas, February 14, 1996, has been declared Parent Pledge/Parent Proficiency Day; when parents whose children attend middle and high schools will pick up their child's report card, learn about the upcoming Proficiency Tests, and take the Parent Pledge of Responsibility; now, therefore,

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

Section 1. To encourage all parents to visit their children's secondary school on Parent Pledge/Parent Proficiency Day, and to take the Parent Pledge of Responsibility, and to follow through on setting up a positive learning environment at home.

Section 2. Urging all employers of parents of children in Cleveland Public Secondary Schools to support compensatory time for parents to participate in Parent Pledge/Parent Proficiency Day.

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 January 29, 1996.

Effective February 6, 1996.

Ord. No. 1228-95.

By Councilmen Brady and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed sixty-four pieces of motorized vehicles, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed three (3) utility vehicles, not to exceed six (6) vans, not to exceed nineteen (19) automobiles and station wagons, not to exceed seven (7) heavy duty trucks, not to exceed twenty-two (22) pick-up trucks, and not to exceed seven (7) USV trucks, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20909.

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 January 29, 1996.

Effective February 6, 1996.

Ord. No. 1524-95.

By Councilman Miller.

An emergency ordinance to amend Section 535.051 of the Codified Ordinances of Cleveland, Ohio 1976, as enacted by Ordinance No. 2642-91, passed January 27, 1992, relating to increasing the total annual income for eligibility for the special homestead rates.

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 535.051 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2642-91, passed January 27, 1992, is hereby amended to read as follows:

Section 535.051 Additional Eligibility for Special Homestead Rates

(a) In addition to those homesteads eligible for the special homestead rates prescribed by division (e) of Section 535.04 and divisions (e)(1), (e)(2), and (e)(3) of Section 535.05, homesteads owned by a person sixty-five years of age or older or permanently and totally disabled whose total annual income does not exceed Twenty Thousand Eight Hundred Dollars (\$20,800.00) may be eligible for the special homestead rate established for the service district in which the homestead is located pursuant to Sections 535.04 and 535.05 of these codified ordinances.

(b) The Director of Public Utilities shall prescribe the application form for the homestead rate and have final approval of all applications.

Section 2. That existing Section 535.051 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by

Ordinance No. 2642-91, passed January 27, 1992, 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 January 29, 1996.
Effective February 6, 1996.

Ord. No. 2112-95.
By Councilmen Pianka and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Community Development to enter into contract with Cleveland Action to Support Housing, Inc. for new housing construction-related services for two homes on Bader Avenue.

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

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

Section 1. That the Director of Community Development is hereby authorized to enter into contract with Cleveland Action to Support Housing, Inc. to provide new housing construction-related services for two homes on Bader Avenue.

Section 2. That the cost of said contract shall be in an amount not to exceed \$60,200 and shall be paid from Fund No. 01-80-05-0380, Request No. 21672.

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 January 29, 1996.
Effective February 6, 1996.

Ord. No. 2181-95.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of fire extinguishing agents, for the various divisions of the Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written 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 fire extinguishing agents in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made

for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 20815)

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 January 29, 1996.
Effective February 6, 1996.

Ord. No. 2182-95.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary for painting roadways, runways and other paved areas, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

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

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

of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20819)

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 January 29, 1996.
Effective February 6, 1996.

Ord. No. 2183-95.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to remove rubber and paint from paved surfaces, for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20820)

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 January 29, 1996.
Effective February 6, 1996.

**Ord. No. 2184-95.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to develop inspection, removal and restoration plans for asbestos and asbestos containing materials for Cleveland Hopkins International Airport.**

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to develop inspection, removal and restoration plans for asbestos and asbestos containing materials.

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

awarded no later than December 31, 1997.

Section 2. That the costs for such services herein contemplated shall be paid from Fund Nos. 60 SF 106, 60 SF 101, 60 SF 102, 60 SF 103, 60 SF 104, 60 SF 105, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project, Request No. 20821.

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 January 29, 1996.
Effective February 6, 1996.

**Ord. No. 2185-95.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance to amend the title and Section 1 of Ordinance No. 470-95, passed May 17, 1995, relating to a Lease Agreement with T & G Flying Club, Inc. for space at Burke Lakefront Airport.**

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

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

Section 1. That the title and Section 1 of Ordinance No. 470-95, passed May 17, 1995, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with T & G Flying Club, Inc. for office and storage space at Burke Lakefront Airport.

Section 1. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is hereby authorized to enter into a Lease Agreement ("Lease") with T & G Flying Club, Inc. ("Lessee") for use and occupancy of approximately 452.50 square feet of office/operations space and approximately 88.163 square feet of storage space on the first floor of the terminal building at Burke Lakefront Airport ("Leased Premises"). The annual rent shall be \$4,375.03 which shall be paid in monthly installments of \$364.60. The term shall commence on July 1, 1993 and unless sooner terminated, shall expire on April 30, 1998, subject to termination by either party upon thirty (30) days written notice. Leased Premises shall be used solely for the conduct of Lessee's flying club and air taxi service business.

Section 2. That the existing title and Section 1 of Ordinance No. 470-95, passed May 17, 1995, are hereby repealed.

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

Passed January 29, 1996.
Effective February 6, 1996.

**Ord. No. 2242-95.
By Councilmen Miller and Rokakis (by departmental request).**

An emergency ordinance authorizing and directing the Director of Port Control to make alterations and modifications in Contract No. 47183, for the Naval Reserve streetscape improvement, with R. DiLillo & Co., for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make the following alterations and modifications in Contract No. 47183 with R. DiLillo & Co. for the Naval Reserve streetscape improvement, for the Department of Port Control:

ADDITIONS:

Item No.	Description	Amount
14	<u>6" Concrete Ramps</u> From: 200 S.F. @ \$ 6.00 = \$ 1,200.00 To: 900 S.F. @ \$ 6.00 = \$ 5,400.00	\$ + 4,200.00
	Reason: Extra work requested by Burke Lakefront Airport Commissioner to meet ADA requirements.	
15	<u>Brick Pavers</u> From: 4,680 S.F. @ \$ 5.25 = \$ 24,570.00 To: 4,711 S.F. @ \$ 5.25 = \$ 24,732.75	\$ + 162.75
	Reason: Extra work requested by Burke Lakefront Airport Commissioner.	
ADDITIONS SUBTOTAL		\$ + 4,362.75

CREDITS:

11	<u>6" Concrete Paving</u>	\$-	1,446.00
	From: 1,875 S.F. @ \$ 3.00 = \$ 5,625.00		
	To: 1,393 S.F. @ \$ 3.00 = \$ 4,179.00		
	Reason: Unforeseen field conditions		
12	<u>18" Inverted Intergral Curb</u>	\$-	414.00
	From: 700 L.F. @ \$ 9.00 = \$ 6,300.00		
	To: 654 L.F. @ \$ 9.00 = \$ 5,886.00		
	Reason: Unforeseen field conditions		
13	<u>6" x 12" Concrete Band</u>	\$-	676.00
	From: 725 L.F. @ \$ 13.00 = \$ 9,425.00		
	To: 673 L.F. @ \$ 13.00 = \$ 8,749.00		
	Reason: Unforeseen field conditions		
	CREDIT SUBTOTAL	\$ -	2,536.00
	Original Contract Amount	\$	79,309.25
	Original Contingency	\$	+ 3,965.46
	Total Original Amount Certified	\$	83,274.71
	Additions this Subsidiary	\$	4,362.75
	Credits this Subsidiary	\$	- 2,536.00
	Total Subsidiary Additions	\$	1,826.75
	Contingency	\$	3,965.46
	Total Subsidiary Additions	\$	- 1,826.75
	Total Additions this Subsidiary	\$	2,138.71
	Total Original Amount Certified	\$	83,274.71
	Total Additions this Subsidiary	\$	- 2,138.71
	REVISED CONTRACT AMOUNT	\$	81,136.00

which alteration has been recommended in writing by the said Director of Port Control, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Port Control and the Contractor. This alteration will cause a decrease in the amount of the original contract in the sum of \$2,138.71.

Section 2. That the Director of Finance is hereby directed to disencumber the sum of \$2,138.71 from Fund No. 60 SF 104 for the reason that the actual cost of Contract No. 47183 is \$2,138.71 less than the estimated contract price certified by said Director prior to the City's entering into said contract.

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 January 29, 1996.

Effective February 6, 1996.

Ord. No. 2284-95.

By Councilman Paulenske (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Lakeside 425 Limited Partnership to erect two (2) entranceway canopy awnings to encroach into the public right-of-way of West Lakeside Avenue N.W. and West 6th Street and said awnings are to be affixed to their building located at 425 West Lakeside Avenue N.W.

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 hereby is authorized to issue a permit, revocable at the will of Council, and assignable by

the Permittee with consent of the Director of Public Service, to Lakeside 425 Limited Partnership whose address is 1231 Main Avenue; Cleveland, Ohio 44113; its successors and assigns, for the construction, use and maintenance of two (2) entranceway canopy awnings, to be affixed to the building whose address is 425 West Lakeside Avenue N.W., and to be constructed of steel framing covered with canvas material, and which awnings will encroach into the public right-of-way of West Lakeside Avenue N.W. and West 6th Street at the locations more fully described as follows:

**ENCROACHMENT AREA "A"/
LAKESIDE 425 LIMITED
PARTNERSHIP**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original Two Acre Lot Numbers 29

and 30 and bounded and described as follows:

Beginning at the intersection of the Southeasterly line of Lakeside Avenue N.W. (formerly Lake Street), 99 feet wide, and the Northeasterly line of West 6th Street (formerly Bank Street), 99 feet wide; thence Southeasterly along the Northeasterly line of West 6th Street, 22.75 feet to a point and the principal place of beginning; thence continuing Southeasterly along the Northeasterly line of West 6th Street, 21.00 feet to a point; thence Southwesterly and at right angles to the last described course, 11.00 feet to a point; thence Northwesterly and at right angles to the last described course, 21.00 feet to a point; thence Northeasterly and at right angles to the last described course, 11.00 feet to the principal place of beginning and containing 0.0053 acres of land, being the same more or less, but subject to all legal highways.

**ENCROACHMENT AREA "B"/
LAKESIDE 425 LIMITED
PARTNERSHIP**

Situated in the City of Cleveland County of Cuyahoga, and State of Ohio, and known as being a part of Original Two Acre Lot Numbers 29 and 30 and bounded and described and follows:

Beginning at the intersection of the Southeasterly line of Lakeside Avenue N.W. (formerly Lake Street), 99 feet wide, and the Northeastly line of West 6th Street (formerly Bank Street), 99 feet wide; thence Northeastly along the Southeasterly line of Lakeside Avenue N.W., 75.50 feet to a point and the principal place of beginning; thence continuing Northeastly along the Southeasterly line of Lakeside Avenue N.W., 11.00 feet to a point; thence Northwestly and at right angles to the last described course, 11.00 feet to a point; thence Southwesterly and at right angles to the last described course, 11.00 feet to a point; thence Southeastly and at right angles to the last described course, 11.00 feet to the principal place of beginning and containing 0.0028 acres of land, being the same more or less, but subject to all legal highways.

Section 2. That said two (2) entranceway canopy awnings shall be placed in the public right-of-way at the locations as aforesaid in Section 1, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

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

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

Passed January 29, 1996.
Effective February 6, 1996.

Ord. No. 168-96.

By Councilman Jackson.
An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Sara J. Jaffal — Cedar Avenue and East 28th Street).

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 5; and

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

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

Section 1. That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5, at the locations specified: Sara J. Jaffal at Cedar Avenue and East 28th Street.

Section 2. That all of the require-

ments of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

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

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

Passed January 29, 1996.
Effective February 6, 1996, without the signature of the Mayor.

Ord. No. 169-96.

By Councilman Paulenske.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the American Red Cross to stretch banners on E. 9th Street near the Memorial Shoreway and on Superior Avenue west of W. Roadway for the period from May 15, 1996 to May 22, 1996, inclusive, publicizing its National Convention.

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 American Red Cross to install, maintain and remove banners on E. 9th Street near the Memorial Shoreway (pole numbers B45-13 and B45-14) and on Superior Avenue west of W. Roadway (pole numbers B15-1 and B13-6) for the period from May 15, 1996 to May 22, 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.

Passed January 29, 1996.
Effective February 6, 1996.

Ord. No. 170-96.

By Councilman Paulenske.
An emergency ordinance consenting and approving the issuance of a permit for a Walktoberfest on October 5, 1996, sponsored by the American Diabetes Association.

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 Ord-

nances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Walktoberfest, sponsored by the American Diabetes Association, on October 5, 1996, beginning at the Nautica Stage, west on Main Ave. to Center St., east on Center St. to Columbus Rd., east on Columbus Rd. to Merwin Ave., north on Merwin Ave. to W. Superior Ave., east on W. Superior Ave. to Public Square, south on Public Square to Ontario St., south on Ontario St. to Huron Rd., east on Huron Rd. to Prospect Ave., east on Prospect Ave. to E. 18th St., north on E. 18th St. to Superior Ave., west on Superior Ave. to E. 9th St., north on E. 9th St. to Erieside Ave., west on Erieside Ave. to W. 3rd St., south on W. 3rd St. to Lakeside Ave., west on Lakeside Ave. to W. 9th St., north on W. 9th St. to Front Ave., west on Front Ave. to Old River Rd., south on Old River Rd. to Merwin Ave., south on Merwin Ave. to Columbus Rd., west on Columbus Rd. to Center St., west on Center St. to Main Ave., east on Main Ave. to the boardwalk, east on the boardwalk and back to the Nautica Stage where walkers will disperse, 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 January 29, 1996.
Effective February 6, 1996.

**COUNCIL COMMITTEE
MEETINGS**

Monday, February 5, 1996

Public Health Committee: 9:30 A.M. — Present: Robinson Chrm.; Miller, V-Chrm.; Britt, Jackson, Melena, O'Malley, Zone.

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

Tuesday, February 6, 1996

Legislation Committee: 1:30 P.M. — Present: McGuirk, Chrm.; Willis, V-Chrm.; Britt, Rokakis, Rybka. Excused: Johnson, Patmon.

Wednesday, February 7, 1996

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

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

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