

The City Record

Official Publication of the City of Cleveland

January the Seventeenth, 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	Earle B. Turner
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	Earle E. Turner	3752 East 127th 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. Zome	3323 West 30th 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	14A
Judge C. Ellen Connally	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

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WEDNESDAY, JANUARY 17, 1996

No. 4284

CITY COUNCIL

MONDAY, JANUARY 15, 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; Paulenske, Vice Chairman; Miller, Patton, Robinson, Rybka, Smith.

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

The following Committee is subject to Call of the Chairman:

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

OFFICIAL PROCEEDINGS CITY COUNCIL

The following was inadvertently omitted from the City Record of January 10, 1996.

COMMUNICATIONS

File No. 64-96.

December 19, 1995

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

Dear Council President Westbrook:

I am pleased to recommend Judge Lillian Walker Burke for appointment to the Landmarks Commission. This appointment is for a two year term and will expire on December 31, 1997.

Thank you for your consideration.

Sincerely,
Michael R. White
Mayor

Received.
Referred to Committee on City Planning.

THE CALENDAR

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

NONE

BOARD OF CONTROL

January 10, 1996

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

Present: Mayor White, Acting Director Terry, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 13-96.

By Director Hyer.

Resolved by the Board of Control of the City of Cleveland that all bids received on December 12, 1995 for building materials (Items 22 and 23), for the Various Divisions of City Government, Department of Finance, pursuant to the authority of Ordinance No. 737-93, passed by the Council of the City of Cleveland on April 19, 1993, be and the same are hereby rejected.

Yeas: Mayor White, Directors Terry, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 14-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 752-95, adopted by the Board on October 4, 1995, approving the bid of Arrow Builders Supply Co. as the lowest and best for various sewer maintenance appurtenances (vitrified clay pipe), is amended by including payment term "Net 30 days".

Be it further resolved that all other provisions of said Resolution No. 752-95 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 15-96.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 754-

95, adopted October 4, 1995, approving the bid of American Municipal Supplies A Division of Ashland Municipal Supplies Co. for service fittings, items 27, 30, 44, 44 and 45, for the Division of Water, Department of Public Utilities, is hereby amended by deleting the words "American Municipal Supplies A Division of Ashland Municipal Supplies Co." and substituting therefor the words "American Municipal Supplies A Division of Ashland Municipal Supplies Co."

Be it further resolved that all other provisions of said Resolution No. 754-95 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 16-96.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that all bids received on November 24, 1995 for labor and materials to maintain and repair elevators and escalators, for the Division of Cleveland Hopkins International Airport, Department of Port Control, pursuant to the authority of Ordinance No. 825-95, passed by the Council of the City of Cleveland on June 12, 1995, be and the same are hereby rejected.

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 17-96.

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Standen Contracting Company, Inc., for the public improvement of Phase 2 Residential Sound Insulation Program - Bid Group "C", for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on December 14, 1995, 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 Nine Hundred Ten Thousand Seven Hundred Forty and no/100 (\$910,740.00) 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 Standen Contracting Company, Inc., for the public improvement of Phase 2 Residential Sound Insulation Program - Bid Group "C", for Cleveland Hopkins International Airport, Department of Port Control is hereby approved:

SUBCONTRACTORS SERVICE

Allenbey Construction
Company
2240 St. Clair Ave.
Cleveland, Ohio 44113

Install Prime and
storm door
(MBE - \$18,925.00 2.1%)

Cyngier Systems, Inc.
4656 Warner Rd.
Cleveland, Ohio 44125

HVAC duct
(FBE - \$4,200.00 .46%)

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 18-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of American Merchandising Services, for an estimated quantity of diesel fuel 1 (A) and (B) transport deliveries, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 22nd day of December, 1995, pursuant to the authority of Ordinance No. 605-96, passed November 20, 1995, which on the basis of the estimated quantity would amount to approximately Three Hundred Ninety Six Thousand Five Hundred Ninety-Seven and no/100 Dollars, (\$396,597.00), (Net 20 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. 70494

which shall be certified against such contract in the sum of Eighty Thousand and no/100 Dollars, (\$80,000.00).

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

Resolution No. 19-96.

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Action Door Company for an estimated quantity of labor and materials to repair and service various types of overhead doors (All Items) (Labor \$34.00 pr/hr one man for on-site repairs) (Second man on-site to assist \$23.00 pr/hr) for the Division of Property Management, Department of Parks, Recreation and Properties, for the period of two (2) years beginning with the date of execution of a contract received on the 5th day of January, 1995, pursuant to the authority of Ordinance No. 433-94, passed April 18, 1994, which on the basis of the estimated quantity would amount to Fifty Thousand and 00/100ths (\$50,000.00) Dollars, (2% - 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into a requirement contract for such com-

modities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 83320

which shall be certified against such contract in the sum of Twelve Thousand and 00/100ths (\$12,000.00) Dollars.

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

Yeas: Mayor White, Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Denihan, 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**

MONDAY, JANUARY 29, 1996

9:30 A.M.

Calendar No. 95-236: 2143 W. 7 St. Urbanscapes Inc., owner, c/o Murray Davidson, to erect a 20' x 40' three story two family dwelling on a 25' x 100' lot located in a B-Multi-Family District at 2143 W. 7 St.; said lot not being 40' front nor 4800 sq. ft. in area as required for two families on the lot by Section 355.05 and the gross floor area of said proposed dwelling being 2746 square feet contrary to the 1250 square feet maximum of Section 355.04 and said proposed dwelling having interior side-

yards of 1' 6" and 3' 6" for an aggregate of 5' contrary to the 10' and the minimum of 3' as required by Section 357.09 and said proposed dwelling to be located 5' from the dwelling to the north at 2139 W. 7 St. and 5' from the proposed dwelling to the south at 2147 W. 7 St. contrary to the 10' distance requirement of Section 357.09 of the Codified Ordinances.

Calendar No. 95-237: 2147 W. 7 St.
 Urbanscapes Inc., owner, c/o Murray Davidson, to erect a 20' x 40' three story two family dwelling on a 25' x 100' lot located in a B-Multi-Family District at 2147 W. 7 St.; said lot not being 40' front nor 4800 sq. ft. in area as required for two families on the lot by Section 355.05 and the gross floor area of said proposed dwelling being 2746 square feet contrary to the 1250 square feet maximum of Section 355.04 and said proposed dwelling having interior side-yards of 1' 6" and 3' 6" for an aggregate of 5' contrary to the 10' and the minimum of 3' as required by Section 357.09 and said proposed dwelling to be located 5' from the proposed dwelling to the north at 2143 W. 7 St. and 5' from the proposed dwelling to the south at 2153 W. 7 St. contrary to the 10' distance requirement of Section 357.09 of the Codified Ordinances.

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 on the 325' x 693' irregular shaped corner through parcel located in a General Retail District and Two Family District on the southeast corner of Detroit Ave. and W. 84 St. at 8315 Detroit Ave.; a portion of said building being located in the Two Family District and therefore subject to the approvals as set forth in Sections 337.03 and 337.02 of the Codified Ordinances.

ANTHONY COSTANZO,
 Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, JANUARY 16, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, January 8, 1995, the following appeals were heard by the Board, and, on, Tuesday, January 16, 1996 were decided by the Board.

The following appeal was **Granted**:

Calendar No. 95-2131: 3701 E. 118th Street
 Emma Thomas, owner, to enclose the one story open front porch.

The following appeal was **Postponed**:

Calendar No. 95-220: 13948 Lorain Ave. to March 11, 1996.

ANTHONY COSTANZO,
 Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of January 10, 1996

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

* * *

Docket A-167-95.

RE: Appeal of GMS Management, Inc., Owner of the Property located on the premises known as 2720 Van Aken Boulevard from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated June 30, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action; Docket A-167-95 will be rescheduled for January 24, 1996.

* * *

Docket A-171-95.

RE: Continuance of Appeal of Harbor Heritage Society, Owner of the Property located on the premises known as 1001 East Ninth Street Pier from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated September 25, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to DENY the variance request and to REMAND the property at 1001 East Ninth Street Pier to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Birch.

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

* * *

Docket A-177-95.

RE: Appeal of Marvin Rudd, Owner of the Residential Property located on the premises known as 6901 Quimby Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated October 31, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-177-95 has been WITHDRAWN at the request of the Appellant, noting that the property has been sold.

* * *

Docket A-178-95.

RE: Appeal of John W. Martin, Owner of the Residential Property located on the premises known as 1940 East 90th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated November 10, 1995, requiring compliance with the Codified Ordinances of the City of

Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to obtain permits and three months (3 mos.) in which to abate the violations, the property is to remain boarded and secured and the grounds debris free and groomed during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at this time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by July 24, 1996. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Birch.

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

* * *

Docket A-181-95.

RE: Appeal of Theatrical Grill, Inc., Owner of the Property located on the premises known as 711-15 Vincent Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated October 31, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-181-95 has been POSTPONED; to be rescheduled for a later date.

* * *

Docket A-184-95.

RE: Appeal of Phillip J. & Kathleen L. Benco, Owners of the Property located on the premises known as 7217-22 Lorain Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated November 7, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action; Docket A-184-95 will be rescheduled for January 24, 1996.

* * *

Docket A-190-95.

RE: Appeal of Greater Cleveland R.T.A., Owner of the Property located on the premises known as 1230 West 6th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated December 4, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the following items in the ADJUDICATION ORDER dated December 4, 1995:

Section 3203.6:

To permit the door on West 6th Street to project beyond the Code required 12", noting that there is a canopy over that entrance further indicating the projection possibility.

OBBC 1603.6 & OBBC 1612.1.1:

To not require any earthquake data, noting that the new construction enhances the structural stability of the existing structure in the opinion of the Board. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-1-96.

RE: Appeal of Mohammed Salisu Shoaga, Owner of the Residential Property located on the premises known as 6103 Francis Avenue from a NOTICE OF VIOLATION of the Commissioner of the Division of Building and Housing dated October 31, 1995, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 6103 Francis Avenue to the Division of Building and Housing for supervision and further action; with the understanding that the Appellant is to vacate the premises and maintain the premises vacated and to grant the Appellant until July 31, 1996 in which to abate the violations under the conditions that no one shall occupy the property. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

* * *

Docket A-2-96.

RE: Appeal of S & Z Tool and Die, Owner of the Property located on the premises known as 3180 Berea Road from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated January 3, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action; Docket A-2-96 will be rescheduled for January 24, 1996.

* * *

APPROVAL OF RESOLUTIONS:

A separate motion was entered by Mr. Sullivan and seconded by Mr. Williams for Approval and Adoption of the Resolution as presented by the Secretary for the following Docket, subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

A-175-95—Chase Manhattan Bank of Connecticut

Yeas: Messrs. Denk, Birch, Williams, Sullivan. Nays: None. Not Voting: Mr. Bowes.

* * *

APPROVAL OF MINUTES:

Separate motions were entered by

Mr. Sullivan and seconded by Mr. Williams for Approval of the Minutes as presented by the Secretary respectively, subject to the Codified Ordinances of the City of Cleveland:

December 13, 1995

Yeas: Messrs. Denk, Birch, Williams, Sullivan, Nays: None, Not Voting: Mr. Bowes.

INFORMAL HEARINGS:

C.M.H.A — Carver Park

Huntington National Bank Building, 925 Euclid Avenue — 12th Floor Renovation.

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

The following are in violation of C.O. 623.14:

Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS**For All Departments**

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, 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, JANUARY 25, 1996

Repair and Maintain Escalators and Elevators, for the Various Divisions of Port Control, as authorized by Ordinance No. 825-95, passed by the Council of the City of Cleveland, June 12, 1995.

January 10 and January 17, 1996

FRIDAY, FEBRUARY 2, 1996

De-Icer, for the Divisions of Parks, Maintenance and Properties, as authorized by Ordinance No. 2123-94, passed by the Council of the City of Cleveland, February 6, 1995.

January 10 and January 17, 1996

FRIDAY, FEBRUARY 9, 1996

Two (2) Sewer Cleaning Machines, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1882-95, passed by the Council of the City of Cleveland, December 18, 1995.

Fire Extinguishing Agents, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 2181-95, passed by the Council of the City of Cleveland.

January 10 and January 17, 1996

WEDNESDAY, FEBRUARY 21, 1996

Unarmed, Uniformed Security Guard Service, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 2243-95, passed by the Council of the City of Cleveland.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 8, 1996 AT 1:00 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

January 10 and January 17, 1996

FRIDAY, FEBRUARY 2, 1996

Anti-Freeze, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1749-95, passed by the Council of the City of Cleveland, November 27, 1995.

January 17 and January 24, 1996

THURSDAY, FEBRUARY 8, 1996

Catch Basin Cleaning Machine Body Replacements, for the Division of Water Pollution Control, Depart-

ment of Public Utilities, as authorized by Ordinance No. 1818-95, passed by the Council of the City of Cleveland, December 18, 1995.

Police Car Special Equipment Accessories, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2014-95.

Purchase and Repair Electrical Motors and Various Pumps, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1237-95, passed by the Council of the City of Cleveland, November 20, 1995.

Paper Stock (Items 117 and 187), for the Division of Printing and Reproduction, Department of Finance, as authorized by Ordinance No. 1764-95, passed by the Council of the City of Cleveland, November 20, 1995.

January 17 and January 24, 1996

**Certified MBEs and FBEs
Fourth Quarter, 1995**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland, Ohio, listed below are the firms that have been certified as Minority Business Enterprise (MBE) and Female Business Enterprise (FBE) by the Mayor's Office of Equal Opportunity during the Fourth Quarter of 1995.

**MBEs/FBEs DELETED FROM OEO'S DATABASE
Fourth Quarter, 1995**

The attached firms, that were previously certified as a MBE and/or FBE have been dropped from the MBE/FBE database. The firms listed were sent at least two (2) letters and elected not to re-certify for various reasons, including going out of business and changes in geographic location.

**DENIALS OF CERTIFICATION
Fourth Quarter, 1995**

Pursuant to Chapter 187 of the Codified Ordinances of the City of Cleveland and its amendment, Ordinance No. 1186-92, which passed by City Council on Monday, June 15, 1992, attached is a listing of firms that have applied for certification and were denied. These firms are not prohibited from doing business as prime contractors with the City of Cleveland. In actuality, the purported owners could not clearly define that they were bona fide minority and/or female owned and controlled firms or they applied for certification and were out of the geographic location that met the requirements of the MBE/FBE Ordinances and the regulations that govern the MBE/FBE certification status.

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 44-96.

By Councilman Johnson.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 11600 Buckeye Road, and repealing Res. No. 1712-95, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 11600 Buckeye Road by Res. No. 1712-95, adopted September 25, 1995; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 11600 Buckeye Road be and the same is hereby withdrawn and Res. No. 1712-95, 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 8, 1996.

Effective January 13, 1996.

Res. No. 45-96.

By Councilman Lewis.

An emergency resolution withdrawing objection to the renewal of a C1, C2 and D6 Liquor Permit to 1762 East 55th Street, first floor and basement, and repealing Res. No. 1530-95, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1, C2 and D6 Liquor Permit to 1762 East 55th Street, first floor and basement, by Res. No. 1530-95, adopted August 23, 1995; and

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

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

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

Section 1. That objection to the renewal of a C1, C2 and D6 Liquor Permit to 1762 East 55th Street, first floor and basement, be and the same

is hereby withdrawn and Res. No. 1530-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 8, 1996.

Effective January 13, 1996.

Res. No. 46-96.

By Councilman Paulenske.

An emergency resolution opposing the decision of Leece Neville, a subsidiary of Prestolite Inc., to close its plant at 3831 Kelly Avenue and urging its corporate officers to reconsider their decision and to work with the Department of Economic Development to remain in the City of Cleveland.

Whereas, Leece Neville, a subsidiary of Prestolite Inc., has announced that it is closing its plant at 3831 Kelly Avenue and relocating its operation to Arcade, New York; and

Whereas, after Prestolite Inc. filed for bankruptcy in 1990, the City, in a cooperative effort with Senator Metzenbaum, Congressman Stokes and the State of Ohio, developed a plan to preserve the financial integrity of the company within the City of Cleveland; and

Whereas, this plan included expediting payments to Prestolite from its existing contracts with the U.S. Department of Defense; 60% tax abatement for 10 years on improvements to its facility and increased inventory and \$150,000 low interest financing from the City; and \$1.25 million low interest financing from the State of Ohio, and

Whereas, in 1993, Prestolite decided not to accept any of these approved public subsidies; and

Whereas, Prestolite's decision to relocate its plant does not make sense in light of the obvious efforts of the City to assist the company in maintaining its plant on Kelly Avenue; and

Whereas, this Council urges Prestolite to reconsider its decision and to meet with representatives of the Department of Economic Development to discuss financial opportunities available to Prestolite if it remains in the City of Cleveland; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, or safety in that all necessary steps must be taken to urge Prestolite to reconsider its corporate decision; now, therefore,

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

Section 1. That this Council opposes the decision of Leece Neville, a subsidiary of Prestolite Inc., to close its plant at 3831 Kelly Avenue and urges its corporate officers to reconsider their decision and to work with representatives of the Department of Economic Development to keep its business operation within the City of Cleveland.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to the corporate officers of Leece Neville and Prestolite Inc.

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 8, 1996.

Effective January 13, 1996.

Res. No. 47-96.

By Councilman Paulenske.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 5474 Broadway Avenue, first floor and basement, and repealing Res. No. 2070-95, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 5474 Broadway Avenue, first floor and basement, by Res. No. 2070-95, adopted November 13, 1995; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 5474 Broadway Avenue, first floor and basement, be and the same is hereby withdrawn and Res. No. 2070-95, 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 8, 1996.

Effective January 13, 1996.

Res. No. 48-96.**By Councilman Polensek.****An emergency resolution objecting to the issuance of a C1 Liquor Permit to 17502 St. Clair Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 5173055, James Emmett Lewis, dba Lewis Food Market, 17502 St. Clair Avenue, Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 5173055, James Emmett Lewis, dba Lewis Food Market, 17502 St. Clair Avenue, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 8, 1996.
Effective January 13, 1996.

Res. No. 49-96.**By Councilman Polensek.****An emergency resolution urging the Administration to develop and implement a program to educate the public concerning prevention of carbon monoxide poisoning and urging the Department of Public Safety to investigate the feasibility of instituting a carbon monoxide detector program to provide detectors to residents that cannot afford them.**

Whereas, the recent deaths in the Cleveland area caused by carbon monoxide poisoning has raised the public's awareness and concern about this silent killer; and

Whereas, the age of Cleveland's housing stock and the heating systems within residences, when combined with efforts by many citizens to better insulate their homes, has significantly increased the risk of carbon monoxide poisoning; and

Whereas, while the public is concerned, the public needs to be educated about the causes of carbon monoxide in the home and the ways to prevent carbon monoxide poisoning; and

Whereas, the use of carbon monoxide detectors is one way to alert residents when carbon monoxide has reached unsafe levels within a home and, thus, save lives; and

Whereas, the cost of carbon monoxide detectors will prevent many Cleveland residents from acquiring and using this important safety device; and

Whereas, the City of Cleveland should develop and implement an education program concerning carbon monoxide poisoning, including distribution of pamphlets explaining the risks and remedies; and

Whereas, the Department of Public Safety should investigate the feasibility of implementing a carbon monoxide detector program similar to the smoke detector program implemented by the Fire Department in 1993; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, or safety in that the City should quickly take action to protect its citizens from the risk of carbon monoxide poisoning; now, therefore,

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

Section 1. That this Council urges the Directors of Public Health and Public Safety and the Commissioner of Building and Housing to develop and implement a program to educate the citizens of Cleveland concerning the risks of carbon monoxide poisoning and the ways to combat this silent killer.

Section 2. That this Council urges the Department of Public Safety to investigate the feasibility of implementing a program to provide carbon monoxide detectors free of charge to residents of the City of Cleveland that are unable to afford them.

Section 3. That the Administration is further urged to solicit gifts and grants from the business community in Cleveland to assist in the implementation of these programs.

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

from and after the earliest period allowed by law.

Adopted January 8, 1996.
Effective January 13, 1996.

Res. No. 50-96.**By Councilman Willis.****An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 11108 Primrose Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 9155405, Union Fish & Beverage Store, Inc., & Robert Zakaib, dba Dagwood Food Mart, 11108 Primrose Avenue, Cleveland, Ohio 44108, to Permit No. 0004631, A.L. Corp., 11108 Primrose Avenue, Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 9155405, Union Fish & Beverage Store, Inc., & Robert Zakaib, dba Dagwood Food Mart, 11108 Primrose Avenue, Cleveland, Ohio 44108, to Permit No. 0004631, A.L. Corp., 11108 Primrose Avenue, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is

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

Adopted January 8, 1996.
Effective January 13, 1996.

Ord. No. 398-95.
By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of telephone call accounting and reporting services, including data processing services, lease and/or purchase of hardware and software, for the Division of Information System Services, Department of Finance; authorizing the Director of Finance to employ consultants to provide professional services necessary for the development, implementation and operation of the telephone call accounting and reporting services.

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

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

Section 1. That the Director of Finance 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: telephone call accounting and reporting services, including data processing services, the lease and/or purchase of all necessary hardware and software, for a period not to exceed three years, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Information System Services, Department of Finance.

Section 2. That the Director of Finance is hereby authorized and directed to employ by contract one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for the development, implementation and operation of the telephone call accounting and reporting services.

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

Section 3. That the cost of said contract hereby authorized shall be paid from Fund No. 70 SF 101, Request No. 20439.

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 8, 1996.
Effective January 13, 1996.

Ord. No. 1667-95.
By Councilmen Polensek, Patton and Rokakis (by departmental request).

An emergency ordinance to amend Section 611.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 394-87, passed April 20, 1987, relating to public gaming.

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 611.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 394-87, passed April 20, 1987, is hereby amended to read as follows:

Section 611.04 Public Gaming

(a) No person, while at a hotel, restaurant, tavern, store, arena, hall or other place of public accommodation, business, amusement or resort shall make a bet or play any game of chance.

(b) No person, being the owner or lessee, or having custody, control or supervision of a hotel, restaurant, tavern, store, arena, hall or other place of public accommodation, business, amusement or resort shall recklessly permit such premises to be used or occupied in violation of division (a) of this section.

(c) No person, while on any sidewalk, street, court or alleyway, or at any park, playground, or school property, shall make a bet or play any game of chance.

(d) This section does not prohibit conduct in connection with gambling expressly permitted by law.

(e) Whoever violates this section is guilty of public gaming a misdemeanor of the first degree.

(f) Premises used or occupied in violation of division (b) of this section constitute a nuisance subject to abatement pursuant to RC Chapter 3767. (RC 2915.04)

Section 2. That existing Section 611.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 394-87, passed April 20, 1987, 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 8, 1996.
Effective January 13, 1996.

Ord. No. 1826-95.
By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the northeast corner on North Park Drive and Bellfield Avenue to Dr. Lolette Kuby.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located at the northeast corner of North Park Drive, and Bellfield Avenue, PPN 685-27-023; and

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

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

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

NORTHEAST CORNER OF
NORTH PARK DR. &
BELLFIELD AVENUE

PPN: 685-27-023

Situated in the City of Cleveland Heights, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 181 and 182 in the Walton Brothers' Cedar Heights Allotments recorded in Volume 19, Page 22 of Cuyahoga County Map Records and further bounded and described as follows:

Beginning at a point in the Northwesterly corner of Sublot No 181 on the Easterly line of Bellfield Avenue, 60 feet wide;

Thence North 89° 42' 45" East, along the Northerly line of Sublot No 181, 138.00 feet to the Northeastly corner thereof;

Thence South 0° 17' 15" East, along the Easterly line of Sublots Nos. 181 and 182, 72.89 feet to a point in the Northerly line of North Park Drive, 50 feet wide;

Thence Northwesterly along a curve to the right, being also the Northerly line of North Park Drive, an arc distance of 144.81 feet, with a radius of 429.57 feet, and a chord which bears North 73° 31' 12" West, a point on the Easterly line of Bellfield Avenues 60 feet wide;

Thence North 0° 17' 15" West, along the Easterly line of Bellfield Avenue, 31.31 feet to a point in the Northwesterly corner of Sublot No. 181, and the Point of Beginning and containing 7,775 square feet of land according to a survey by Ronald V. Garnett; Registered Surveyor No. 5828, be the same more or less, but subject to all legal highways.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Dr. Lolette Kuby for new housing at a price not less than fair market value as determined by the Board of Control.

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

Section 4. That 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 8, 1996.

Effective January 13, 1996.

Ord. No. 2014-95.
By Councilmen Coats and Rokakis
(by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of marked and unmarked police vehicles, and related police accessories and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21031)

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 8, 1996.

Effective January 13, 1996.

Ord. No. 2146-95.
By Councilmen Coats and Rokakis
(by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of E.Z. Pack

packer parts, including labor, if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21030)

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 8, 1996.

Effective January 13, 1996.

Ord. No. 2187-95.
By Councilman Pianka.
An emergency ordinance designating the Laisy Building as a Cleveland landmark.

Whereas, the Cleveland Landmarks Commission (the "Commission") pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, has proposed the designation of the Laisy Building as a landmark; and

Whereas, a public hearing pursuant to Chapter No. 161.04(b)(2) was held on November 21, 1995 to discuss the proposed designation of the Laisy Building as a landmark; and

Whereas, the Commission has recommended designation of the Laisy Building as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preserva-

tion of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now therefore

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

Section 1. That the Laisy Building, whose street address in the City of Cleveland is 7921-23 Lorain Avenue, S.W., also known as Cuyahoga County Auditor's permanent parcel number 006-06-077 and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, be and it hereby is designated a landmark pursuant to Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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 8, 1996.

Effective January 13, 1996.

Ord. No. 2194-95.
By Councilmen Patmon and Rokakis (by departmental request).
An emergency ordinance approving the collective bargaining agreement with Ohio Patrolman Benevolent 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, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves the collective bargaining agreement with Ohio Patrolman Benevolent Association, set forth in File No. 2194-95-A, for the period from April 1, 1995, through March 31, 1998, which provides, among other things, for a percentage increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

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

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

Passed January 8, 1996.

Effective January 13, 1996.

**Ord. No. 43-96.
By Councilmen Westbrook and Coats.**

An emergency ordinance authorizing and directing the submission to the electors of the City of Cleveland of a proposal to amend Section 108 of the Charter of the City of Cleveland, relating to the authorization of contracts.

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that it must be certified to the election authorities immediately in order for the question to appear at the special election to be held on March 19, 1996, and 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 hereby authorizes and directs the submission to the electors of the City of Cleveland at the special election to be held at the usual places of voting of said City on Tuesday, March 19, 1996, of a proposal to amend Section 108 of the Charter of the City of Cleveland to read as follows:

§ 108 Authorization of Contracts

(a) All contracts involving any expenditure in excess of ten thousand dollars (\$10,000.00) shall first be authorized and directed by ordinance of Council. When so authorized and directed, the director of the department involved shall make a written contract with the lowest and best bidder, after advertisement once a week for two consecutive weeks in the City Record and after competitive bidding.

(b) When authorized by ordinance passed by the Council and in accordance with the general laws of the State of Ohio, competitive bidding and advertisement are not required for the City to participate in contracts of the State of Ohio or any of its political subdivisions for the purchase of supplies, services, materials and equipment.

(c) There shall be no splitting of orders to avoid the effect of this section, and any contract made con-

trary to or in evasion of the provisions of this section shall be illegal and void.

Section 2. That the foregoing proposed amendment, upon receiving at least a majority of the votes cast thereon at the March 19, 1996, special election, shall become effective immediately upon its adoption.

Section 3. That the Clerk of this Council is hereby authorized and directed promptly to forward a certified copy of this ordinance to the Board of Elections of Cuyahoga County.

Section 4. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be duly given of the election to be held on March 19, 1996, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 5. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper published in the City of Cleveland, with the first publication to be made at least fifteen days prior to the special election to be held on March 19, 1996, as provided in Article XVIII, Section 9, of the Constitution of the State of Ohio, Section 731.211 of the Ohio Revised Code, and Section 200 of the Charter of the City of Cleveland.

Section 6. That the ballot submitting the question of the adoption of the aforesaid amendment shall read as follows:

**PROPOSED CHARTER
AMENDMENT
CITY OF CLEVELAND**

A majority affirmative vote is necessary for passage.

Shall Section 108 of the Charter of the City of Cleveland be amended to provide that, with City Council authorization, the City of Cleveland may participate in contracts for the purchase of supplies, services, materials and equipment which have been competitively bid by the State of Ohio or any of its political sub-

divisions for the purpose of selecting the lowest and best bidder without the necessity of following the City's bidding procedures?

Section 7. That, for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance shall take effect and be in force immediately upon its passage by the affirmative vote of two-thirds of all the members elected to Council.

Passed January 8, 1996.
Effective January 8, 1996.

**COUNCIL COMMITTEE
MEETINGS**

Tuesday, January 16, 1996

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

Legislation Committee (Joint with Public Utilities Committee): 1:30 P.M. — Present: Patton, Britt, Rybka, Willis. Excused: Johnson, Rokakis.

Public Utilities Committee (Joint with Legislation Committee): 1:30 P.M. — Present: Patton, V-Chrm.; Coats, Lewis, McGuirk, O'Malley, Polensek, Willis. Excused: Patmon.

Wednesday, January 17, 1996

Aviation and Transportation Committee: 10:00 A.M. — Present: Miller, Chrm.; McGuirk, Paulenske, Rokakis, Willis. Excused: Turner, Patmon.

Mayor's Appointment to the Landmarks Commission: 1:00 P.M. — Present: Rybka, Chrm.; Lewis, Paulenske, Zone, Willis, O'Malley, Rokakis.

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

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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