

# The City Record

Official Publication of the City of Cleveland

May the Eighth, Nineteen Hundred and Ninety-Six

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

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

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

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

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

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

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

**DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113**  
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner, 5600 Carnegie Avenue.  
Streets - Randall T. Scott, Commissioner, Room 25  
Engineering and Construction - J. Christopher Nielson, Acting Commissioner, Rm. 518  
Motor Vehicle Maintenance, Donald L. Haskins, Commissioner, Harvard Yards  
Architecture - Kenneth 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, Room 230.**  
DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street  
Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue  
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.  
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street  
Emergency Medical Service - Bruce Shade, Commissioner, 2001 Payne Ave.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.; Ben S. Eulinberg, Martin J. Kilbane, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.**

**CLEVELAND LANDMARKS COMMISSION - Room 519, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison, Kenneth 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 ASSIGNMENTS	Courtroom
Judge 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



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WEDNESDAY, MAY 8, 1996

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## CITY COUNCIL

MONDAY, MAY 6, 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 May 6, 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, Robinson, Rokakis, Rybka, Smith, Westbrook, White, Willis, Zone.

Also present were Mayor White and Directors Sobol Jordan, Hyer, Konicek, Cunningham, Guzman, Staib, Spellman, Hamilton, Warren, Willis, Morrison and Acting Directors Holland, Torres and Daniely. Absent: Directors Denihan, Nolan, Thomas and Axelrod.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Wesley I. Reid, Pastor of Lee Memorial A.M.E. Baptist 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. 796-96.

From the Cuyahoga County Board of Elections re: Certificate of Result of Election on Issue 1 held March 19, 1996. Received.

##### File No. 797-96.

From the Department of Finance re: Gateway Parking Garages (Summary). Received.

##### File No. 798-96.

From the Division of Purchases and Supplies re: Bid Specification Provisions. Received.

##### File No. 799-96.

From the Civil Service Commission re: Civil Service Bulletins for

promotional examinations within the Division of Police. Received.

##### File No. 800-96.

From Cuyahoga County Engineer re: Bridge Inspection Reports. Received.

##### File No. 801-96.

From Osborn Engineering Company re: Stadium Evaluation Report. Received.

##### File No. 802-96.

From Webster Engineering Associates, Inc. re: Limited Structural Corrosion Conditions Survey for Cleveland Stadium. Received.

#### FROM THE DEPARTMENT OF LIQUOR CONTROL

##### File No. 803-96.

Re: New Application - 03111240010 - Faddie S. Attallah dba Mickey's Mini Mart, 3501 East 93rd Street. (Ward 3). Received.

##### File No. 804-96.

Re: New Application - 99703440005 - Zulu's Motorcycle Club, Inc., Chapter II dba Zulu's M.C., 1270 East 105th Street. (Ward 8). Received.

##### File No. 805-96.

Re: Transfer of Location Application - 1701026 - Contenders, Inc. dba Dino's II, 15518 St. Clair Avenue. (Ward 11). Received.

##### File No. 806-96.

Re: Transfer of Ownership Application - 3486408 - Hadeel Market, Inc. 3628 Independence Road, first floor and basement. (Ward 12). Received.

##### File No. 807-96.

Re: Transfer of Location Application - 9556205 - Whiskey Island Partners, Ltd., dba Whiskey Island Marina, 2800 Whiskey Island. (Ward 17). Received.

##### File No. 808-96.

Re: Transfer of Ownership Application - 8030924 - George Shamali dba George's Market, 10117 Detroit Avenue, first floor. (Ward 18). Received.

#### PLAT

##### File No. 793-96.

By Councilman Britt. Bicentennial Village. (Ward 6). Subdivision No. 1.

Bearing the Approvals of the Directors of City Planning Commission, Public Service Department and the recommendations of the Committees on Public Service, City Planning.

Without objection, the plat was approved. Yeas 21. Nays 0.

**CONDOLENCE RESOLUTIONS**

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

**Res. No. 821-96.** Paul H. Bishop.

**Res. No. 836-96.** Mrs. Prevove.

**Res. No. 837-96.** Janet Natalie Rose West.

**CONGRATULATORY RESOLUTIONS**

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

**Res. No. 838-96.** Robert Stilwell.

**Res. No. 839-96.** Casimer A. Kozinski.

**Res. No. 840-96.** Cleveland Crunch.  
**Res. No. 841-96.** Rev. Dr. A. L. Owens.

**RESOLUTIONS OF RECOGNITION**

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

**Res. No. 842-96.** Kenneth D. Ferguson.

**Res. No. 843-96.** Cynthia L. Evans.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 809-96.**

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

**An emergency ordinance to appropriate property located at 2316 East 88th Street for the public purpose of widening Shelbourne Court between East 87th and East 88th Streets.**

Whereas, the Council of the City of Cleveland, by Resolution No. \_\_\_\_\_, passed \_\_\_\_\_, declared the necessity and intention of appropriating the fee simple property interests herein described for widening Shelbourne Court between East 87th and East 88th Streets; and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such property; and

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

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

**Section 1.** That for the public purpose of widening Shelbourne Court between East 87th and East 88th Streets, the following described fee simple interest be and the same hereby is appropriated:

2316 East 88th Street  
PPN: 119-32-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Northerly 25.22 feet front and 24.39 feet rear of Sublot No. 46 in W.H. Clemshaw's Subdivision, of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 18 of Cuyahoga County Records, and being 25.22 feet front on the Westerly side of East 88th Street, and extending back 89.99 feet on the Northerly line, about 90.00 feet on the Southerly line, and having a rear line of 24.39 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Law be and hereby is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interest hereinbefore described.

**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 Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 810-96.**  
**By Councilmen Britt, Jackson, Rybka and Rokakis (by departmental request).**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2305-09 East 87th Street and 2292 East 87th Street to Fairfax Bicentennial Village Development, Ltd.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 119-32-111 and 119-32-130, as more fully described in Section 2 below, to Fairfax Bicentennial Village Development, Ltd.

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

P.P. No. 119-32-111

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

Beginning at the Southwest corner of Sublot No. 34 in White and White's Subdivision, as shown by the recorded plat in Volume 11 of Maps, Page 40 of Cuyahoga County Records, which is also the Southeast corner of land conveyed by Gordon Gray and wife, to Benton T. Webber by deed dated September 12, 1887, and recorded in Volume 419, Page 95 of Cuyahoga County Records; thence Westerly along the

Southerly line of land so conveyed to Benton T. Webber about 165 feet to the Easterly line or East 87th Street thence Northerly along said Easterly line, 40 feet to the Southwesterly corner of land conveyed to Marie Pfister, (single) to Fred Hampy by deed dated May 22, 1893, and recorded in Volume 549, Page 139 of Cuyahoga County Records; thence Easterly along the Southerly line of land so conveyed to Fred Hampy about 165 feet to the Westerly line of White and White's Subdivision; thence Southerly along said Westerly line of White and White's Subdivision 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 119-32-130

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

Beginning at a point in the center line of East 87th Street (formerly Vienna Street) 1403 feet Southerly measured along said center line from its intersection with the Southerly line of Cedar Avenue, S.E., thence Westerly at right angles 25 feet to the Westerly line of East 87th Street, and the principal place of beginning; thence Westerly at right angles to the Westerly line of East 87th Street 149.35 feet; thence Southerly parallel with the Westerly line of East 87th Street, 40 feet; thence Easterly and parallel with the first described course 149.35 feet to the Westerly line of East 87th Street; thence Northerly along the Westerly line of East 87th Street 40 feet to the principal place of beginning and being further known as Sublot No. 30 in Whitaker and Herboughs proposed Allotment of part of Original One Hundred Acre Lot No. 408, be the same more or less, but subject to all legal highways.

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

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

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

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

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

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

**Ord. No. 811-96.**

**By Councilmen Coats and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by contract of not to exceed four medium duty ambulances, 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 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 four (4) medium duty ambulances, 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.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 006, Request No. 21045.

**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. 812-96.**

**By Councilmen Coats and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of cold mix material, 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 cold mix material 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 21312)

**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. 813-96.**

**By Councilmen Jackson and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Directors of Community Development and the Community Relations Board to expend Community Development Block Grant funds for fair housing services.**

Whereas, the City of Cleveland has received a Community Development Block Grant, from the United States Government; and

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

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

**Section 1.** That the Director of the Community Relations Board is hereby authorized to expend Community Development Block Grant funds in the amount of \$75,000.00 from Fund No. 14 SF 021 Request No. 22368, for fair housing services in conjunction with the Community Development Block Grant Program

**Section 2.** That said Director and the Director of Community Development are hereby authorized to memorialize said expenditure through a memorandum of understanding.

**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 Community Development, Community Relations Board, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 814-96.**

**By Councilmen Jackson and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Nolasco Housing Corporation, or its designee, to provide financial assistance in the form of a Commu-**

**nity Development Float Loan to partially finance the construction of a new housing development.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into a Community Development Float Loan Agreement with Nolasco Housing Corporation, or its designee, to provide financial assistance in the amount of \$425,000 to partially finance the construction of a new housing development located on West 69th Street and Father Caruso Drive.

**Section 2.** That the terms of said loan shall be determined by the Director of Community Development in accordance with applicable federal regulations, State and local law, and they are hereby authorized to amend said terms, from time to time, as they deem necessary to remain consistent with said laws and regulations.

**Section 3.** That the costs of said contract shall be paid from Fund No. 14 SF 810, Request No. 22367.

**Section 4.** That the Director of Community Development is hereby authorized to accept collateral as he shall deem adequate in order to secure repayment of said loan. Any and all security agreements or other agreements shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 14 SF 810.

**Section 6.** That the Director of Community Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing, and servicing of the loan.

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

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

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

**Ord. No. 815-96.**

**By Councilmen Johnson and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a concession agreement with Innovative Foods, Inc. for the dispensing of food and beverages at various City parks, for the Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That notwithstanding and as an exception to any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is hereby authorized to enter into a concession agreement with Innovative Foods, Inc. for the dispensing of food and beverages at Gordon, Brookside and Morgana Parks for a term of one year, commencing upon the date of execution of the agreement.

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

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

**Ord. No. 816-96.**

**By Councilmen Miller and Rokakis (by departmental request). An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide architectural services to design and inspect cladding for west and south concourses and old tower exteriors at 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 architects, or one or more firms of architects 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 design and inspect cladding for west and south concourse, and old tower exteriors at Cleveland Hopkins International Airport.

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

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106, 60 SF 210, and from any funds or subfunds to which are credited any federal grants or federal PRC 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. 20847.

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

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

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 817-96.**

**By Councilmen Miller and Rokakis (by departmental request). An emergency ordinance determining the method of making the public improvement of renovating tenant facilities at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of renovating tenant facilities at Cleveland Hopkins International Airport, for the Division of Cleveland Hopkins International Airport, Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund Nos. 60 SF 001, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above improvement, Request No. 20848.

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

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 818-96.**

**By Councilmen Miller and Rokakis (by departmental request). An emergency ordinance authorizing and directing the purchase by requirement contract of asphalt concrete and tack coat, including labor costs for delivery, spreading and**

**compacting, 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 asphalt concrete and tack coat, including labor costs for delivery, spreading and compacting 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 20851)

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

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 819-96.**

**By Councilmen Miller and Rokakis (by departmental request). An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to upgrade the automated computer energy system, for the Division of Cleveland Hopkins International Airport, Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to upgrade the automated computer energy system

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

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106 and 60 SF 210, Request No. 20849.

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

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 820-96.**  
By Councilmen Miller and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the purchase by requirement contract of de-icing agents and materials, 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 de-icing agents and materials 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 20855)

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

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

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 822-96.**  
By Councilmen Patton and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the purchase by contract of not to exceed five heavy duty vehicles, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to make a written 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 two (2) catch basin cleaning machines, one (1) backhoe, one (1) heavy duty pick up truck and one (1) pump station or maintenance vehicle, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 22128.

**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. 823-96.**  
By Councilmen Polensek and McGuirk (by departmental request).  
An emergency ordinance to establish No Right Turns at the specific intersections in the City of Cleveland listed herein, and to amend the schedule on file with the Clerk of Council, pursuant to Sections 413.09 and 413.10 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to No Right Turns.

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 4511.13 of the Ohio Revised Code, this Council does hereby prohibit right turns against a steady red signal, between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday at the specific intersection in the City of Cleveland listed herein, which list shall be added to the schedule on file with the Clerk of Council by amending File No. 106-76, established pursuant to Section 413.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976.

WARD  
10  
INTERSECTION  
E. 146 and St. Clair  
DIRECTION  
Southbound and Westbound

WARD  
19  
INTERSECTION  
Lorain at West Boulevard  
DIRECTION  
Eastbound

**Section 2.** That pursuant to Section 4511.13 of the Ohio Revised Code, this Council does hereby prohibit right turns against a steady red signal at a specific intersection in the City of Cleveland listed herein, which list shall be added to the schedule on file with the Clerk of Council by amending File No. 107-76, established pursuant to Section 413.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976.

WARD  
21  
INTERSECTION  
Riveredge Drive at Lorain  
DIRECTION  
Eastbound  
(Full time)

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

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

**Ord. No. 824-96.**  
By Councilmen Polensek and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice for the 1996-97 Caribbean/Gang Task Force.

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$102,825, from the U.S. Department of Justice, to conduct the 1996-97 Caribbean/Gang Task Force, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 824-96-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide

cash matching funds in the amount of \$34,275.00 payable from Fund No. 01-60-02-0901, 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 Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 825-96.**

**By Councilmen Polensek and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the purchase by contract of one breathing air compressor and appurtenances, for the Division of Fire, Department of Public Safety.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one breathing air compressor and appurtenances, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Fire, Department of Public Safety.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 006, Request No. 20611.

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

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

**Ord. No. 826-96.**

**By Councilmen Polensek and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the lease of hangar space for police aircraft and the purchase of aviation fuel, for the Division of Police, Department of Public Safety, for a period of one year, with a one year option to renew.**

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is hereby authorized to lease aircraft hangar space, which may include the provision of ground handling service, and to purchase aviation fuel from the lessor, for the

purpose of maintaining police aircraft. The selection of the hangar space shall be made by the Board of Control after canvass by the Director of Public Safety and may specify that the hangar space be located at Burke Lakefront Airport.

**Section 2.** That the term of the lease authorized by this ordinance shall be for a period of one year, upon execution of a contract, with one (1) option exercisable by the Director of Public Safety, to renew for an additional one-year term, and cancellable upon thirty days written notice by said director.

**Section 3.** That the hangar space shall be leased at the fair market value as determined by the Board of Control.

**Section 4.** That said lease shall be prepared by the Director of Law and shall contain such additional terms and conditions as are required to protect the interests of the City.

**Section 5.** That the Director of Public Safety, and other appropriate City officials, are hereby authorized and directed to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

**Section 6.** That the cost of the lease authorized by this ordinance shall be paid from Fund No. 01-60-02-0641, Request No. 20094.

**Section 7.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 827-96.**

**By Councilmen Polensek and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety, Division of Emergency Medical Services for the 1996 Ohio EMS Grant.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$24,492, from the Ohio Department of Public Safety, Division of Emergency Medical Services, to conduct the 1996 Ohio EMS Grant, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 827-96-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the amount

of \$12,246.00 payable from Fund No. 01-60-04-0901, 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 Safety, Finance, Law; Committees on Public Safety, Finance.

**Ord. No. 828-96.**

**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 State Childhood Lead Poisoning Prevention 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 a grant in the estimated amount of \$150,000, from the State of Ohio, Department of Health, to conduct the 1996 State Childhood Lead Poisoning Prevention Program.

**Section 2.** That the Director of Public Health is hereby authorized to accept said grant in the estimated amount of \$150,000 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 3.** That the application for said grant, File No. 828-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**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. 829-96.**

**By Councilmen Robinson and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the Director of Public Health to enter into contract with various community-based organizations for implementation of the 1996 Community Lead Exposure Prevention Project for the Division of Environment, Department of Public Health.**

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

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



**Section 1.** That the Director of Public Health is hereby authorized and directed to enter into contract with Glenville Development Corp., Hough Area Partners in Progress, Inc., and Fairfax Renaissance Development Corp. for professional services necessary to implement the 1996 Community Lead Exposure Prevention Project, including promoting lead screening of children, providing outreach education and technical assistance, and conducting limited risk assessments in their respective service areas. Said contracts shall provide for compensation in amounts not to exceed \$19,137, \$14,607, and \$7,300, respectively and shall be payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Ordinance No. 1821-95, passed November 11, 1995, for the Division of Environment, Department of Public Health.

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

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

**Ord. No. 830-96.**

**By Councilman Rokakis.**

**An emergency ordinance authorizing and directing the Director of Finance to enter into a requirement contract or contracts without competitive bidding with Ameritech Ohio for the purchase of Centrex service for the various departments of the City.**

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 service is noncompetitive and cannot be secured from any source other than Ameritech Ohio. Therefore, the Director of Finance is hereby authorized and directed to make a written requirement contract or contracts for the period of up to three years with said company for Centrex service for the various departments of the City of Cleveland to be purchased by the Commissioner of Purchases and Supplies upon a unit basis.

**Section 2.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22748)

**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. 831-96.**

**By Councilman Rokakis (by departmental request).**

**An emergency ordinance to amend Section 1 of Ordinance No. 155-96, passed March 4, 1996, relating to a license agreement without competitive bidding with International Business Machines Corporation for computer software, for the Division of Information Systems Services, Department of Finance.**

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

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

**Section 1.** That Section 1 of Ordinance No. 155-96, passed March 4, 1996, is hereby amended to read as follows:

Section 1. That it is hereby determined that the within products are non-competitive and cannot be obtained from any source other than International Business Machines Corporation. Therefore, the Director of Finance is hereby authorized and directed to enter into a written license agreement with said International Business Machines Corporation on the basis of its January 16, 1996 proposal, for the license of the computer software known as MVS/370, for a one (1) year term commencing **January 1, 1996 and expiring December 31, 1996**, with one (1) option, exercisable by the Director of Finance, to renew for an additional one-year term, and cancellable upon thirty days' written notice by said director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Information Systems Services, Department of Finance.

**Section 2.** That existing Section 1 of Ordinance No. 155-96, passed March 4, 1996, is hereby repealed.

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

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

**Ord. No. 832-96.**

**By Councilmen Rybka, Polensek and McGuirk (by departmental request).**

**An emergency ordinance to repeal Section 457.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2603-91, passed August 19, 1992, and to supplement said Codified Ordinances by enacting new Section 457.04 relating to signs.**

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 457.04 of the Codified Ordinances of Cleve-

land, Ohio, 1976, as amended by Ordinance No. 2603-91, passed August 19, 1992, is hereby repealed.

**Section 2.** That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 457.04 thereof, to read as follows:

**Section 457.04 Signs**

(a) **Purpose.** The regulations of this section are established to ensure that licensed parking facilities are furnished with signs which provide customers with accurate, useful, and legible information regarding rates and other operational matters. Furthermore, these regulations are established to ensure provision of signs which clearly and effectively identify parking available to visitors seeking daily or other short-term parking. The requirement for provision of such visitor-oriented signage is intended to promote economic activity in the City by facilitating easy access to parking which serves the Central Business District and major visitor attractions.

(b) **Display of Rates and Other Information.** The following regulations shall apply to all parking lots and garages subject to licensing regulations.

(1) **Display of Rates.** Each parking facility shall be furnished with signs readable from each vehicular entrance, displaying all parking rates applicable at any given time. When multiple rates are applicable at a given time, the display shall include, at a minimum, the lowest and highest rates. All rates applicable at a given time shall be displayed in numerals which are the same size for each rate. Rates displayed on signs for surface lots or on free-standing signs for garages shall be a minimum height of 5 inches for dollar amounts and 3 inches for display of cents and other rate information. For garages, rates and rate information displayed on or adjacent to booths and ticket dispensers shall have a minimum character height of 2 inches.

(2) **Visibility of Rate Information.** For a surface lot or for a garage which is set back from the street, the sign displaying the required rate information shall be placed so that the rates are visible and readable to the motorist prior to entering the property. For a garage entrance located at the sidewalk edge, such sign shall be placed so that the rates are readable to the motorist prior to passing the ticket dispenser or attendant's booth.

(3) **Required Information.** In addition to the rate information required in division (b)(1) of this section, each parking facility shall display the following items of information: 1) a full listing of all rates applicable at all times, 2) the telephone number for after-hours contact, 3) the name of the operator, and 4) the closing time of the facility if exits are blocked after closing. Such additional information shall be displayed in lettering and numerals a minimum of 2 inches and a maximum of 8 inches in height, placed at all attendant's booths, all payment boxes and/or at all vehicular entrances.

(4) **Destination Information.** The sign(s) identifying the parking facility and/or its rates, as required in division (b)(1) of this section, may also display information identifying businesses or other uses served by the parking facility. Such

information shall be displayed in lettering no more than 5 inches in height and shall be incorporated within the standard-size sign, as permitted in this section.

**(c) Special Event and Other Special Rate Parking.**

Information regarding flat rates for special event parking or other special time-period parking, such as "early bird specials," shall be displayed in accordance with the following regulations.

(1) Such rate information shall be displayed on the permanent free-standing sign or signs which identify the parking facility's regular rates, using changeable panels or electronically-changeable copy, in accordance with design standards adopted by the City Planning Commission.

(2) In the case of a garage which is not served by a free-standing rate sign, the special event or other special time-period parking rate may be displayed on a metal or plastic panel, mounted on a pole which is inserted into a base which is permanently affixed to the ground. Such sign shall be a maximum of six (6) square feet in area and four (4) feet in height above the ground and shall not project into the public right-of-way.

(3) Availability of parking for special events shall be identified by use of the term "Event," accompanied by the applicable rate. Such information may be displayed in characters which are larger than those used for display of other rates.

**(d) Sign Structures and Locations.** The following regulations shall apply to all parking lots and garages subject to licensing regulations.

(1) **Sign Types.** Signs for parking facilities may take the form of a free-standing sign, a sign projecting from or otherwise applied to a building wall, a sign mounted on an attendant's booth, ticket machine or payment box, a sign placed on a canopy or marquee, or a sign mounted above a fence post or pier. Portable signs (i.e., "sandwich boards" and other signs not permanently affixed to the ground or to a permitted structure) shall not be permitted, except as permitted in division (c)(2) of this section.

(2) **Location of Signs.** No free-standing sign, nor any portion of such sign, shall be located within or above the public right-of-way, except as permitted in division (e)(1) of this section for a sign element displaying the international parking symbol. No sign projecting from a building wall shall extend to a point which is within two (2) feet of the outer edge of a street curb nor shall such sign extend more than five (5) feet from the building wall.

(3) **Vertical Clearance.** No portion of a sign located above a sidewalk or other pedestrian walking area shall be located less than eight (8) feet above the surface of such area. No portion of a sign located above a driveway or other vehicular way shall be located less than sixteen (16) feet above the surface of such area.

(4) **Primary and Secondary Signs.** As used in this section, the terms "primary signs" and "secondary signs" shall have the following meanings. "Primary signs" are a parking facility's principal signs identifying the parking facility and/or its rates. A primary sign

may display other permitted information in addition to the identification and rate information. "Secondary signs" are signs which display only directional and instructional messages necessary to guide motorists and pedestrians within the parking facility. Signs which provide detailed rate information, supplementing that provided on the primary signs, shall also be considered secondary signs.

(5) **Size, Number and Height of Signs.** Each parking facility shall be permitted a total of thirty-two (32) square feet of "primary sign" area for each vehicular entrance, except that two vehicular entrances located less than thirty (30) feet apart, as measured along the property line, shall be counted as a single entrance for this purpose. Such primary sign area permitted for each entrance may be displayed on either one or two sign structures. If two sign structures are used, rate information must be readable at each vehicular entrance. No single primary sign shall exceed thirty-two (32) square feet in area nor shall it exceed fifteen (15) feet in height if free-standing. "Secondary signs," if free-standing, shall not exceed four (4) square feet in area nor four (4) feet in height. Secondary signs displayed on building walls or on overhead structures shall be no larger than necessary to display permitted information in a readable manner, as determined by the City Planning Director.

(6) **Measurement of Sign Area.** Only one side of double-sided signs shall be counted in the measurement of sign area if the two sides are in parallel, back-to-back arrangement.

(e) **Signs for Visitor-Oriented Parking Facilities.** In addition to other applicable regulations of this section, the following supplemental regulations shall apply to signs for parking facilities which are available to the general public on a hourly, daily or special event basis (i.e., "visitor-oriented parking facilities"). These supplemental regulations shall not apply to parking facilities which are restricted to use by employees, residents, faculty or students of businesses, institutions or other buildings served by the parking facility nor shall these regulations apply to parking facilities which are restricted exclusively to use on a weekly or monthly basis.

(1) **Use of the International Parking Symbol.** All visitor-oriented parking facilities shall be furnished with a sign or signs, visible from each vehicular entrance, displaying the international parking symbol, displayed as a white letter "P" at least 14 inches in height, placed on a purple (PMS #2685) circular background, a minimum of 22 inches in diameter. The design shall be in accordance with design standards adopted by the City Planning Commission. In the case of a free-standing sign, the parking symbol may project over a public sidewalk, extending no more than thirty (30) inches beyond the property line and maintaining a minimum vertical clearance of eight (8) feet. No other element of such sign may project over the public sidewalk.

(2) **Design Standards.** The City Planning Commission shall adopt and disseminate design standards which, through use of narrative materials and illustrations, describe and depict signs which conform to the requirements of this section

applicable to signs for visitor-oriented parking facilities. The standards shall also provide supplemental information on such design elements as color, materials, illumination, methods of attachment, border areas, positioning of information items, etc.

(3) **Approval Process.** The Director of the City Planning Commission shall determine whether a proposed sign for a visitor-oriented parking facility meets the requirements of this section and the adopted design standards, and shall approve or disapprove each application on that basis. In the case of a proposed sign which does not meet the requirements of this section, the City Planning Commission may approve the sign if it determines that such sign meets the standards of division (e)(7) of this section.

(4) **Comprehensive Sign Systems for Large-Scale Facilities.** In the case of a large-scale complex of facilities served by a network of parking lots or garages under common management, the City Planning Commission may approve signs which differ from the standards established in this section as necessary to create a uniform series of signs which identify parking facilities serving such complex.

(5) **Replacement of Nonconforming Signs.** For parking signs installed prior to the initial effective date of this ordinance, any such signs which do not conform to the applicable regulations of this section shall be replaced by conforming signs in accordance with the following schedule, except as provided in division (e)(6) of this section.

A. For parking facilities located within the Downtown Core and Downtown Lakefront Parking Districts, as established in Section 457.035, and for parking facilities located in the area directly north of the Downtown Lakefront Parking District, all nonconforming signs shall be replaced or removed by August 1, 1997.

B. For parking facilities located within the Gateway, Warehouse, Erieview, and Flats Parking Districts, as established in Section 457.035, all nonconforming signs shall be replaced or removed by August 1, 1998.

C. For parking facilities located within the remainder of the City, all nonconforming signs shall be replaced or removed by August 1, 1999.

(6) **Retention of Nonconforming Signs.** With respect to signs whose replacement is required under the provisions of division (e)(5), any owner wishing to retain such sign shall submit a written request to the City Planning Commission no later than six (6) months prior to the date on which replacement is required. Such application shall include the address of the parking place, a sketch showing the sign's dimensions and its approximate location on the property, and color photographs of the sign. The City Planning Commission shall, within two (2) months of receipt, approve retention of the sign if it determines that such sign meets the standards of division (e)(7) of this section.

(7) **Standards for Approval of Nonconforming Signs.** With respect to an application for the installation or retention of a sign which does not conform to the regulations of this section, the City Planning Commission shall approve such application if it determines that the sign,

either alone or in combination with other signs, provides information which is sufficient to fulfill the stated purposes of this section, and that the sign meets the following standards, as applicable:

A. the sign is attached to the wall of a building and is better suited to the design of such building than a conforming sign would be, or

B. the sign meets a higher standard of design quality than would result from minimal conformance to the standards of this section, or

C. the sign has been designed so that it is more appropriate to its environs or the uses which it serves than a conforming sign would be, or

D. the sign is part of a comprehensive signage system for a large-scale complex of facilities, and such system meets the standards of division (e)(4), and

E. in the case of a new sign, the deviation from the otherwise applicable regulations of this section is the minimum necessary to meet one or more of the special standards established for approval of nonconforming signs.

**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, Public Safety, Finance, Law; Committees on City Planning, Public Safety, Legislation, Finance.

**Ord. No. 833-96.**

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

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for the development of new housing at East 120th Street and Moulton Avenue, for the Division of Neighborhood Development, Department of Community Development.**

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

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

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

1409 EAST 120TH STREET  
and  
12204 MOULTON AVENUE  
PPN: 120-11-001

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of Original One Hundred Acre Lot No. 388, and bounded and described as follows: Beginning on the Easterly line of East 120th Street (formerly Oakland Street) at a point 347-7/100 feet Northerly from its point of intersection with the southerly line of land conveyed by Henry L. Aumick and others, to Lyman B. Beers by deed dated September 7, 1875, and recorded in Volume 251,

Page 184 of Cuyahoga County Records;

Thence North 89° 50' East 130 feet;

Thence Northerly parallel with said Easterly line of East 120th Street, 45 feet to the southerly line of Moulton Avenue, N.E., (formerly Moulton Street);

Thence Westerly along the Southerly line of Moulton Avenue, N.E., 130 feet to the Easterly line of East 120th Street;

Thence Southerly along said Easterly line of East 120th Street to the place of beginning, and being further known as Sublot No. 25 in Lyman B. Beers' proposed Subdivision of part of Original One Hundred Acre Lot No. 388, be the same more or less, but subject to all legal highways.

1415-17 EAST 120TH STREET  
PPN: 120-11-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 388, and bounded and described as follows:

Beginning at a point on the Easterly line of East 120th Street (formerly Oakland Avenue), which is 40 feet in width and the Easterly line of said street is 168 feet East of the Westerly line of land in said lot owned by Lyman B. Beers and which beginning point is 267.07 feet North of the South line of said Lyman B. Beers land;

Thence North 89 degrees 59 minutes East of 130 feet;

Thence North parallel with the Easterly line of said East 120th Street, 40 feet

Thence Westerly parallel with the Southerly line of land hereby conveyed 130 feet to the Easterly line of East 120th Street;

Thence South along the Easterly line of said street, 40 feet to the place of beginning and is further described as being Sublot No. 27 in said Lyman B. Beer's proposed allotment of part of said Original Lot No. 388 as per survey made by Jay P. Brown, County Surveyor, be the same more or less, but subject to all legal highways.

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

**Section 3.** That the consideration to be paid for such property shall not exceed its fair market value.

**Section 4.** That all costs of acquisition of land shall be paid from Fund No. 14 SF 021, Request No. 22361.

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

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

**FIRST READING EMERGENCY RESOLUTIONS REFERRED**

**Res. No. 834-96.**

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

**An emergency resolution declaring the necessity and intention to appropriate property located at 2316 East 88th Street for public use for the municipal purpose of widening Shelbourne Court between East 87th and East 88th Streets.**

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

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

**Section 1.** That for the municipal purpose of widening Shelbourne Court between East 87th and East 89th Streets, it is necessary to appropriate in fee simple interest and this Council hereby declares its intent to appropriate the fee simple interest in and to the following described property:

2316 East 88th Street  
PPN: 119-32-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Northerly 25.22 feet front and 24.39 feet rear of Sublot No. 46 in W.H. Clemishaw's Subdivision, of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 18 of Cuyahoga County Records, and being 25.22 feet front on the Westerly side of East 88th Street, and extending back 89.99 feet on the Northerly line, about 90.00 feet on the Southerly line, and having a rear line of 24.39 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Finance be and she is hereby authorized and directed to cause written notice of the adoption of this resolution to be given to the owners, persons in possession or having an interest of record in the above-mentioned premises, and such notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

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

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

**Res. No. 835-96.**

**By Councilman Zone (by request). An emergency resolution declaring the intention to vacate a portion of West 121st Street**

Whereas, this Council is satisfied that there is good cause for vacating a portion of West 121st Street, as hereinafter described, and

Whereas, this resolution constitutes an emergency measure providing for the usual daily operation

of a municipal department; now, therefore,

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

**Section 1.** That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being all that portion of: **WEST 121ST STREET** (50.00 feet wide), extending Southerly from the Southerly line of Elmwood Avenue N.W. (Width Varies), to the Northerly Limited Access Line of I-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 immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

## SECOND READING EMERGENCY ORDINANCES

### Ord. No. 1084-95.

By Councilman McGuirk (by departmental request).

An emergency ordinance to amend Section 473.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2723-89, passed June 18, 1990 relating to riding on sidewalks; and to enact Section 401.501 thereof relating to definition of rollerskates.

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

### Ord. No. 251-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to lease a document management system for a period of three years, at a cost of \$1.00 per year, for the Division of Police, Department of Public Safety.

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

### Ord. No. 315-96.

By Councilmen Patton and Rokakis (by departmental request).

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

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

### Ord. No. 317-96.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for a Humphrey Park Facility expansion project at 15900 Lake Shore Boulevard and 16013 Damon Avenue, for the Division of Proper-

ty Management, Department of Parks, Recreation and Properties.

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

### Ord. No. 318-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Safety to enter into a requirement contract without competitive bidding with Maltese Fire Equipment for the purchase of replacement parts and labor for L.T.I. apparatus in order for such equipment to remain under warranty, for the Divisions of Fire and Emergency Medical Services, Department of Public Safety, for a two year period.

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

### Ord. No. 319-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Safety to enter into a requirement contract without competitive bidding with Simon Duplex for the purchase of replacement parts and labor for duplex chassis in order for such equipment to remain under warranty, for the Divisions of Fire and Emergency Medical Services, Department of Public Safety, for a two year period.

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

### Ord. No. 321-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2407 W. 40 Street and 2413 W. 40 Street.

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

1. In Section 1, line 4, strike "Johnny L" and insert in lieu thereof "Johnny F".

Amendment agreed to.

### Ord. No. 369-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2088 West 10 Street to Patricia A. Kowalski.

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

### Ord. No. 371-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Public Utilities Commission of Ohio for the 1995-96 HAZMAT Training Grant.

Approved by Directors of Public

Safety, Finance, Law; Recommended by Committees on Public Safety, Finance.

### Ord. No. 373-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12907 Kadel Avenue to Sebastian J. Kanamthanam.

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

### Ord. No. 535-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of repairing the Fulton Road Bridge; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into contract with Osborn Engineering Company; authorizing said director to enter into any agreements relative thereto; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.

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

### Ord. No. 636-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of standard wire, for the various divisions of City Government, for a period not to exceed two years.

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

### Ord. No. 637-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one collator with attachments, for the Division of Printing and Reproduction, Department of Finance.

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

### Ord. No. 638-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the procurement by requirement contract of the rental and laundry service of work clothing, for the various divisions of City Government, for a period of two years.

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

### Ord. No. 639-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of janitorial supplies, for the various divisions of

City government, for a period not to exceed two years.  
 Approved by Directors of Finance, Law; Recommended by Committee on Finance.

**Ord. No. 640-96.**

By Councilman Rokakis (by departmental request).  
 An emergency ordinance authorizing and directing the purchase by requirement contract of lumber, for the various divisions of City government, for a period not to exceed two years.  
 Approved by Directors of Finance, Law; Recommended by Committee on Finance.

**Ord. No. 641-96.**

By Councilman Rokakis (by departmental request).  
 An emergency ordinance authorizing and directing the purchase by requirement contract of typewriter maintenance and repair service, for the various divisions of City government, for a period not to exceed two years.  
 Approved by Directors of Finance, Law; Recommended by Committee on Finance.

**Ord. No. 642-96.**

By Councilman Rokakis (by departmental request).  
 An emergency ordinance authorizing and directing the purchase by requirement contract of paint and paint materials, for the various divisions of City government, for a period not to exceed two years.  
 Approved by Directors of Finance, Law; Recommended by Committee on Finance.

**Ord. No. 643-96.**

By Councilman Rokakis (by departmental request).  
 An emergency ordinance authorizing and directing the purchase by requirement contract of Jacobson mower parts, for the various divisions of City government, for a period not to exceed two years.  
 Approved by Directors of Finance, Law; Recommended by Committee on Finance.

**Ord. No. 644-96.**

By Councilman Rokakis (by departmental request).  
 An emergency ordinance authorizing and directing the purchase by requirement contract of commercial gases, for the various divisions of City government, for a period not to exceed two years.  
 Approved by Directors of Finance, Law; Committee on Finance.

**SECOND READING ORDINANCES**

**Ord. No. 95-96.**

By Councilman Lewis.  
 An ordinance to change the Use District of lands at the northwest corner of E. 84 Street and Hough Avenue, N.E. and to establish a specific 5' Building Setback on E. 84 Street within Zoning change. (Map Change No. 1897, Sheets Nos. 4 & 5)  
 Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

**Ord. No. 165-96.**

By Councilman Coats.  
 An ordinance to change the Use District of lands on the northwesterly side of St. Clair Avenue, N.E. and the northeasterly side of Casper Road, N.E. (Map Change No. 1898, Sheets Nos. 7 & 8)

Approved by Directors of City Planning Commission, Law; Recommended by Committee on City Planning.

**SECOND READING EMERGENCY RESOLUTIONS**

**Res. No. 2156-95.**

By Councilman Rybka (by request).  
 An emergency resolution declaring the intention to vacate a portion of East 77th Place.  
 Approved by Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning, Finance.

**Res. No. 263-96.**

By Councilman Johnson (by request).  
 An emergency resolution declaring the intention to vacate a portion of East 92nd Place.  
 Approved by Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning, Finance.

**Res. No. 322-96.**

By Councilman Paulenske (by request).  
 An emergency resolution declaring the intention to vacate a portion of Hazard Court, N.E.  
 Approved by Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning, Finance.

**Res. No. 376-96.**

By Councilmen Paulenske, Johnson, Rybka and Rokakis (by departmental request).  
 An emergency resolution declaring it necessary to provide for the control of blight and disease of shade trees by planting, trimming, creating or excavating cutouts for shade trees, and other related activities in and along the streets of portions of the City of Cleveland; establishing a district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code; providing for the assessment of the cost and expense of such work upon benefited property in said district; and declaring an emergency.  
 Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Recreation and Properties, City Planning, Finance.

**Res. No. 561-96.**

By Councilmen Patmon, Jackson, Rybka and Rokakis (by departmental request).  
 An emergency resolution declaring the necessity and intention to appropriate property for redevelopment and/or rehabilitation of the blighted premises located at 10700 Helena Avenue, Cleveland, Ohio.  
 Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

**Res. No. 580-96.**

By Councilmen Smith, Jackson, Rybka and Rokakis (by departmental request).  
 An emergency resolution declaring the necessity and intention to appropriate property for redevelopment and/or rehabilitation of the blighted premises located at 1846 West 50th Street, Cleveland, Ohio.  
 Approved by Directors of Community Development, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, City Planning, Finance.

mended by Committees on Community and Economic Development, City Planning, Finance.

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 136-96.**

By Councilmen Coats and Rokakis (by departmental request).  
 An emergency ordinance authorizing and directing the purchase by requirement contract of gasoline, for the Division of Motor Vehicle Maintenance, Department of Public Service.  
 Approved by Directors of Public Service, Finance, Law; Recommended by Committees on Public Service, Finance.  
 The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 427-96.**

By Councilmen Polensek and Rokakis (by departmental request).  
 An emergency ordinance authorizing the Director of Public Safety to accept a 1996 LDI GMC truck-mounted paint striper from Linear Dynamics, Inc., in exchange for a 1992 LDI Ford truck-mounted striper, for the Division of Traffic Engineering and Parking, Department of Public Safety.  
 Approved by Directors of Public Safety, Finance, Law; Recommended by Committees on Public Safety, Finance.  
 The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 488-96.**

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 6728 Gertrude Avenue to Broadway Area Housing Coalition.  
 Approved by Directors of Community Development, City Planning, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Recommended by Committee on Finance.  
 The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 651-96.**

By Councilman Paulenske (by request).  
 An emergency ordinance authorizing the Director of Public Service to issue a permit to 720 Euclid Limited Liability Company to encroach into the public right-of-way of Prospect Avenue.  
 Approved by Directors of Public Service, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Recommended by Committees on Public Service, Finance.  
 The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**THIRD READING EMERGENCY ORDINANCES PASSED**

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

By Councilmen Rybka, Pianka, Patton and Rokakis (by departmental request).  
 An emergency ordinance to enact Sections 338.01, 338.02, 338.03, 338.04

and 338.05 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to establishing a manufactured housing park district.

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 2278-95.**

By Councilmen Brady and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 36-96.**

By Councilmen Patton and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 247-96.**

By Councilmen Patton and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 248-96.**

By Councilmen Patton and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 249-96.**

By Councilmen Patton and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 313-96.**

By Councilmen Patton and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 314-96.**

By Councilmen Patton and Rokakis (by departmental request).

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

Water, Department of Public Utilities.

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 362-96.**

By Councilmen Patton and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 421-96.**

By Councilmen Johnson and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 424-96.**

By Councilmen Patton and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 425-96.**

By Councilmen Patton and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 482-96.**

By Councilmen Miller and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 483-96.**

By Councilmen Miller and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 485-96.**

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 129.28 thereof, relating to the purchase by competitively bid contract or professional services contract of laboratory testing and

analytical services, laboratory testing equipment, and related items by the Director of Public Utilities.

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 490-96.**

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

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 526-96.**

By Councilmen Coats and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 543-96.**

By Councilmen Miller and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**Ord. No. 545-96.**

By Councilmen Miller and Rokakis (by departmental request).

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

Read third time. Passed. Yeas 21. Nays 0.

**LAI D ON THE TABLE**

**Ord. No. 377-92.**

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

An emergency ordinance declaring the property located at the northeast corner of East 93rd Street and Quincy Avenue blighted premises pursuant to Section 324.01 through 324.16 of the Codified Ordinances of Cleveland, Ohio, 1976; and authorizing the Director of Community Development to acquire the blighted premises and sell said premises to New Cleveland Six Development Corporation.

Without objection, Ordinance No. 377-92 was Laid on the Table pursuant to the Rules of Council.

**Ord. No. 44-93.**

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

An emergency ordinance to amend Section 345.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, relating to Semi-Industry Districts.

Without objection, Ordinance No.

44-93 was Laid on the Table pursuant to the Rules of Council.

**Ord. No. 1511-93.**


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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire real property located at 9612 Meech Avenue, for the Department of Economic Development, and further authorizing the Commissioner of Purchases and Supplies to dispose of the site for the purpose of redevelopment, public use and elimination of blight.

Without objection, Ordinance No. 1511-93 was Laid on the Table pursuant to the Rules of Council.

**MOTION**

The Council adjourned at 8:15 p.m. to meet on Monday, May 13, 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. 1084-95.**

By Councilman McGuirk (by departmental request).

An emergency ordinance to amend Section 473.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2723-89, passed June 18, 1990 relating to riding on sidewalks; and to enact Section 401.501 thereof relating to definition of rollerskates.

**Ord. No. 251-96.**

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to lease a document management system for a period of three years, at a cost of \$1.00 per year, for the Division of Police, Department of Public Safety.

**Ord. No. 315-96.**

By Councilmen Patton and Rokakis (by departmental request).

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

**Ord. No. 317-96.**

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for a Humphrey Park Facility expansion project at 15900 Lake Shore Boulevard and 16013 Damon Avenue, for the Division of Property Management, Department of Parks, Recreation and Properties.

**Ord. No. 318-96.**

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Safety to enter into a requirement contract without competitive bidding with Maltese Fire Equipment for the purchase of replacement parts and labor for L.T.I. apparatus in order for such equipment to remain under warranty, for the Divisions of Fire and Emergency Medical Services, Department of Public Safety, for a two year period.

**Ord. No. 319-96.**

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Safety to enter into a requirement contract without competitive bidding with Simon Duplex for the purchase of replacement parts and labor for duplex chassis in order for such equipment to remain under warranty, for the Divisions of Fire and Emergency Medical Services, Department of Public Safety, for a two year period.

**Ord. No. 321-96.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 2407 W. 40 Street and 2413 W. 40 Street.

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 007-04-037 and 007-04-038, as more fully described in Section 2 below, to **Johnny F. and Joann Belt.**

**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. 007-04-037

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 16 in J.P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, and being 30 feet front on the Easterly side of West 40th Street, (formerly Freas Avenue), and extending back of equal width 100 feet, as appears by

said plat, be the same more or less, but subject to all legal highways.

P. P. No. 007-04-038

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 17 in J. P. Hill's Allotment of part of Original Brooklyn Township Lot No. 53, as shown by the recorded plat in Volume 8 of Maps, Page 16 of Cuyahoga County Records, and bounded and described as follows: Beginning at the Southeasterly corner of land conveyed to George and Margaret Webber, by deed dated May 15, 1943, and recorded in Volume 5610, Page 668 of Cuyahoga County Records; thence Westerly along the Southerly line of land so conveyed to George and Margaret Webber to its intersection with the Southeasterly corner of land conveyed to the City of Cleveland, by deeds dated February 17, 1969 and March 27, 1969 and recorded in Volume 12508, Pages 475 and 477 of Cuyahoga County Records; thence Northwesterly along the Northeasterly line of land so conveyed to the City of Cleveland, to its intersection with the Northerly line of land conveyed to George and Margaret Webber, as aforesaid; thence Easterly along said Northerly line to the Northeasterly corner of land so conveyed to George and Margaret Webber; thence Southerly along said Easterly line to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

**Ord. No. 369-96.**

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

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

gram and located at 2088 West 10 Street to Patricia A. Kowalski.

**Ord. No. 371-96.**

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Public Utilities Commission of Ohio for the 1995-96 HAZMAT Training Grant.

**Ord. No. 373-96.**

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12907 Kadel Avenue to Sebastian J. Kanmantham.

**Ord. No. 535-96.**

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of repairing the Fulton Road Bridge; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing said director to enter into contract with Osborn Engineering Company; authorizing said director to enter into any agreements relative thereto; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.

**Ord. No. 636-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of standard wire, for the various divisions of City Government, for a period not to exceed two years.

**Ord. No. 637-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one collator with attachments, for the Division of Printing and Reproduction, Department of Finance.

**Ord. No. 638-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the procurement by requirement contract of the rental and laundry service of work clothing, for the various divisions of City Government, for a period of two years.

**Ord. No. 639-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of janitorial supplies, for the various divisions of City government, for a period not to exceed two years.

**Ord. No. 640-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of lumber, for

the various divisions of City government, for a period not to exceed two years.

**Ord. No. 641-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of typewriter maintenance and repair service, for the various divisions of City government, for a period not to exceed two years.

**Ord. No. 642-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of paint and paint materials, for the various divisions of City government, for a period not to exceed two years.

**Ord. No. 643-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of Jacobson mower parts, for the various divisions of City government, for a period not to exceed two years.

**Ord. No. 644-96.**

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of commercial gases, for the various divisions of City government, for a period not to exceed two years.

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

**RESOLUTIONS**

**Res. No. 2156-95.**

By Councilman Rybka (by request).

An emergency resolution declaring the intention to vacate a portion of East 77th Place.

**Res. No. 263-96.**

By Councilman Johnson (by request).

An emergency resolution declaring the intention to vacate a portion of East 92nd Place.

**Res. No. 322-96.**

By Councilman Paulenske (by request).

An emergency resolution declaring the intention to vacate a portion of Hazard Court, N.E.

**Res. No. 376-96.**

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

An emergency resolution declaring it necessary to provide for the control of blight and disease of shade trees by planting, trimming, creating or excavating cutouts for shade trees, and other related activities in and along the streets of portions of the City of Cleveland; establishing a district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code; providing for the assessment of the cost and expense of such work upon benefited property in said district; and declaring an emergency.

**Res. No. 561-96.**

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

An emergency resolution declaring the necessity and intention to appropriate property for redevelopment and/or rehabilitation of the

blighted premises located at 10700 Helena Avenue, Cleveland, Ohio.

**Res. No. 580-96.**

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

An emergency resolution declaring the necessity and intention to appropriate property for redevelopment and/or rehabilitation of the blighted premises located at 1846 West 50th Street, Cleveland, Ohio.

**BOARD OF CONTROL**

May 1, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 1, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Director Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Absent: Directors Sobol Jordan, Axelrod.

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

On motion, the following resolutions were adopted.

**Resolution No. 274-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Beacon Metal Fabricators, Inc. for an estimated quantity of metering equipment, all items for the Division of Cleveland Public Power, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 7th day of March, 1996, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976 which on the basis of the estimated quantity would amount to Twenty-Nine Thousand Seven Hundred Seventy-Five and no/cents Dollars, (\$29,775.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 85077 which shall be certified against such contract in the sum of One Thousand Five Hundred and no/cents Dollars, (\$1,500.00).

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.

Absent:None.

**Resolution No. 275-96.**

By Director Konicek.

Resolved by the Board of Control of the City of Cleveland that all bids received on February 8, 1996 for two (2) catch basin cleaning machine body replacements for the



Division of Water Pollution Control, Department of Public Utilities, pursuant to the authority of Ordinance No. 1818-95, passed by the Council of the City of Cleveland on December 18, 1995, be and the same are hereby rejected.

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent: None.

**Resolution No. 276-96.**

By Director Cunningham.  
Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 389-95, passed by the Cleveland City Council on May 1, 1995, - Solar Testing Laboratories, Inc. ("Consultant") is hereby selected upon the nomination of the Director of Port Control to provide materials testing and construction inspection services for use on construction projects at Cleveland Hopkins International Airport and Burke Lakefront Airport for the Department of Port Control.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a written contract with Solar Testing Laboratories, Inc. based on its proposal dated February 9, 1996. The fee for such services shall be an amount not to exceed two hundred twenty thousand and no/100 dollars (\$220,000.00).

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Solar Testing Laboratories, Inc. ("Consultant") is hereby approved:

**SUBCONTRACTORS SERVICE**

Ralph C. Tyler, P.E., (MBE)	Construction Inspection (\$55,000.00 - 25%) Alpha-Omega
Environmental(MBE)	Environmental Lab Analysis (\$11,000.00 - 5%)
Office Pro, Inc. (FBE)	Administrative Services (\$ 26,400.00 - 12%)

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent:None.

**Resolution No. 277-96.**

By Director Cunningham.  
Whereas, pursuant to Ordinance No. 2264-87, passed by the Cleveland City Council on October 19, 1987, and Board of Control Resolution Nos. 415-90 and 537-90, adopted June 6, 1990, and August 1, 1990, respectively, the City of Cleveland ("City") entered into contract with Landrum & Brown, Inc. ("Consultant") to provide consulting services for Master Plan Updates for Cleveland Hopkins International Airport and Burke Lakefront Airport for the Department of Port Control, Contract No. 42805; and

Whereas, pursuant to Board of Control Resolution No. 575-91, adopted July 17, 1991, the City entered into the first amendment to Contract No. 42805 increasing the contract

from an amount not to exceed six hundred sixty-six thousand six hundred sixty-seven and no/100 dollars (\$666,667.00) to an amount not to exceed one million six hundred sixty-six thousand six hundred sixty-seven and no/100 dollars (\$1,666,667.00); and

Whereas, pursuant to Board of Control Resolution No. 788-93, adopted September 14, 1993, the City entered into the second amendment to Contract No. 42805 increasing the contract from an amount not to exceed one million six hundred sixty-six thousand six hundred sixty-seven and no/100 (\$1,666,667.00) to an amount not to exceed one million nine hundred sixteen thousand six hundred sixty-seven and no/100 dollars (\$1,916,667.00); and

Whereas, it is necessary to make an addition to the scope of work previously approved to include development concepts, supporting airport layout plans package drawings, and supplemental analyses; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into the third amendment to Contract No. 41805 between the City and Landrum & Brown, Inc. ("Consultant"), for an addition to the scope of work based on the Consultant's letters dated November 20, 1995, and February 16, 1996. The amount to be paid for all consulting shall be increased from an amount not to exceed one million nine hundred sixteen thousand six hundred sixty-seven and no/100 (\$ 1,916,667.00) to an amount not to exceed two million two hundred fourteen thousand and forty-one and no/100 dollars (\$2,214,041.00).

Be it further resolved, that the Director of Port Control is hereby authorized to complete and execute any documents necessary and appropriate to effect the amendment hereby authorized.

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent:None.

**Resolution No. 278-96.**

By Director Cunningham.  
Whereas, pursuant to Ordinance No. 2264-87, passed by the Cleveland City Council on October 19, 1987, and Board of Control Resolution No. 267-94, adopted April 26, 1994, the City entered into an agreement with Aviation Planning Associates, Inc. ("Consultant") for the preparation and coordination of the Environmental Assessment of Master Plan/Airport Layout Plan for Cleveland Hopkins International Airport for the Department of Port Control, Contract No. 47223; and

Whereas, it is necessary to make additions to the scope of work for the Environment Assessment of the Airport Layout Plan/Master Plan; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into the first amendment to the agreement between the City of Cleveland and Aviation Planning Associates, Inc. (now also d.b.a. PB - AvPlan, Inc.) ("Consultant"), Contract No. 47223, based on the Consultant's letter dated February 12, 1996. The total

amount of this contract shall be increased from an amount not to exceed nine hundred thirteen thousand two hundred seventy-seven and no/100 dollars (\$ 913,277.00) to an amount not to exceed one million one hundred thirteen thousand three hundred one and no/100 dollars (\$1,313,301.00).

Be it further resolved that the employment of the following subcontractors to the Consultant is hereby approved:

**SUBCONTRACTORS SERVICE**

John E. Foster & Associates	Energy assessment and engineering support (MBE - \$64,741)
Vivian Llambi & Associates	Noise impact and land compatibility uses (DBE - \$ 65,695)

Christine Davis  
Consultants  
Archaeological survey  
(DBE - \$ 7,627)

Be it further resolved, that the Director of Port Control is hereby authorized to complete and execute any documents necessary and appropriate to effect the amendment hereby authorized.

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent:None.

**Resolution No. 279-96.**

By Director Cunningham.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Leader Electric Supply Company (FBE) for an estimated quantity of labor and materials to calibrate and/or replace electric meters (Item Nos. 2, 3, 4, and 5 (including 29% discount off the Schlumberger catalog)) for the Various Divisions of the Department of Port Control, for the period of two (2) years commencing with the execution of contract received on the 28th day of March, 1996, pursuant to the authority of Ordinance No. 245-96, passed April 1, 1996, which on the basis of the estimated quantity would amount to Eighteen Thousand Two Hundred and no/100 (\$18,200.00) Dollars, is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81380 which shall be certified against such contract in the sum of Three Thousand Six Hundred and no/100 (\$3,600.00) 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 Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

man, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.

Absent: None.

**Resolution No. 280-96.**

By Directors Guzman, Hamilton and Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of East West Construction and Fabrizi Trucking & Paving Joint Venture, P.O. Box 605030, 7109 Harvard Avenue, Cleveland, Ohio 44105-0030 for the public improvement of Bicentennial Village Phase II for the Division of Engineering and Construction, Department of Public Service, received on April 11, 1996, pursuant to the authority of Ordinance Nos. 947-95 and 806-94, passed June 19, 1995 and June 13, 1994, upon a unit basis, for the improvement in the aggregate amount of Two Hundred Sixty-Nine Thousand Six Hundred Five 00/100 (\$269,605.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Service, Public Utilities, Community Development, is hereby authorized to enter into contract for said improvement with said bidder.

Be it resolved that the employment of the following subcontractors of East West Construction and Fabrizi Trucking & Paving Co., Inc. for the aforementioned Public Improvement hereby is approved:

Sircle Construction, Inc.  
750 East 117th Street  
Cleveland, Ohio 44108  
M.B.E. 32%

Diamond Trucking &  
Contracting  
3573 East 135th Street  
Cleveland, Ohio 44120  
F.B.E. 0%

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.

Absent: None.

**Resolution No. 281-96.**

By Director Denihan.

Whereas, pursuant to Ordinance No. 222-B-85, passed by the Council of the City of Cleveland on February 13, 1989, and Resolutions Nos. 141-91, 881-93 and 347-94 adopted by this Board of Control on March 6, 1991, October 6, 1993 and May 18, 1994, respectively, the City, through its Director of Public Safety, entered into City Contract No. 44437 with the firm of Tandem Computers, Inc. and a first and second modification thereto for the lease for a period of five (5) years, with option to purchase, of hardware, the customizing and licensing of software, the purchase of peripherals, and for an extended warranty, hardware and software maintenance, freight and installation, and project management and training, all the foregoing for the design, development, implementation and support of an integrated Computer Aided Dispatch (CAD) system; and

Whereas, Resolution No. 123-96, adopted by this Board on February 27, 1996, authorizing the City to enter into a third modification to Contract No. 44437 incorrectly stated the term of the lease, Tandem's proposal date for said third modifica-

tion, and the cost for the hardware, software and services to be obtained under said third modification; now, therefore.

Be it resolved by the Board of Control of the City of Cleveland that said Resolution No. 123-96, adopted February 27, 1996, is hereby amended by changing the reference to the lease term to five (5) years, changing Tandem's proposal date, where appearing, to September 22, 1995, and decreasing the cost of the third modification to the amount of \$78,100.00.

Be it further resolved, that all other terms and provisions of City Contract No. 44437 not expressly modified hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.

Absent: None.

**Resolution No. 282-96.**

By Director Denihan.

Whereas by Resolution No. 226-96, adopted April 3, 1996, pursuant to the authority of Ordinance No. 1445-95, passed November 20, 1995, this Board of Control approved the bid of Laube Photo as the lowest and best for the purchase of Photographic Supplies, Group I, Items 1 thru 8 inclusive and Group II, Items 9 thru 20 inclusive, for the Division of Police, Department of Public Safety; and

Whereas, it was subsequently determined that Laube Photo was also lowest and best bidder for Group III, Items 21 thru 34, that such items should be included in the contract authorized by said Resolution No. 226-96, and that the amount of the base requisition was insufficient; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 226-96, adopted April 3, 1996, affirming and approving the bid of Laube Photo as the lowest and best for the purchase of photographic supplies, hereby is amended by adding Group III, Items 21 thru 34 inclusive, increasing the contract award amount to one hundred twenty-one thousand, five hundred twenty-nine and 34/100 dollars (\$121,529.34) and changing the base requisition contents by adding 6 cases of Item No. 27, and increasing the amount to six thousand ninety-seven and no/100 dollars (\$6,097.00).

Be it further resolved that all other provisions of said Resolution No. 226-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.

Absent: None.

**Resolution No. 283-96.**

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Dodd Camera Corp. for an estimated quantity of Photographic Supplies Group IV, Items 35 thru 66 inclusive, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a con-

tract, received on January 11, 1996, pursuant to the authority of Ordinance No. 1445-95, which was passed by City Council on November 20, 1995, which on the basis of the estimated quantity would amount to Thirty four thousand, nine hundred thirty seven and no/100 Dollars (\$34,937.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 75055**

3 boxes of Item #45 - RA-4 Control Strips, as specified  
3 boxes of Item #52 - Print Lamps (400W), as specified.  
10 cases of Item #60 - Flexicolor RA Developer Replenisher  
3 cases of Item #64 - Flexicolor Bleach III Kodak Replenisher Part-B

which shall be certified against such contract in the sum of One thousand eight hundred ninety four and 11/100 Dollars (\$1,894.11).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirement 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 Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.

Absent: None.

**Resolution No. 284-96.**

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Trafftech, Inc. for an estimated quantity of Marking Center and Lane Lines (All items), for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on March 21, 1996, pursuant to the authority of Ordinance No. 2192-95, which was passed by City Council on February 5, 1996, which on the basis of the estimated quantity would amount to Sixty two thousand, three hundred eighty-five and no/100 Dollars (\$62,385.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety 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. 86694**

600,000 Lin. Ft. Item #1 Double Yellow Center Lines  
which shall be certified against such contract in the sum of Thirty six thousand and no/100 Dollars (\$36,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the

City's requirement 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 Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent:None.

**Resolution No. 285-96.**

By Director Spellman.

Whereas, pursuant to the authority of Ordinance Nos. 1835-83, 1302-84, 2270-85 and 342-86, passed by the Council of the City of Cleveland on June 27, 1983, June 11, 1984, October 21, 1985 and February 10, 1986 respectively, and Resolution No. 892-95 adopted by this Board on December 6, 1995, the City, through its Director of Parks, Recreation and Properties entered into City Contract No. 49456 with The Osborn Engineering Company ("Engineer") to provide the professional services necessary to perform an engineering study of the structural distress of the parapet stone facade at the Convention Center

Whereas, the City has determined that in addition to the engineering study originally contemplated, it desires to perform the necessary professional services to rehabilitate the cracked east wall of the Convention Center's Little Theater, and to clean the stone facade of the Convention Center.

Whereas, Engineer has proposed by its letters dated December 8, 1995 and March 18, 1996, to perform the additional professional services necessary for this additional work; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Parks, Recreation and Properties is hereby authorized to enter into a first Modification to City Contract No. 49456 with The Osborn Engineering Company on the basis of Engineer's letters dated December 8, 1995 and March 18, 1996, to add the professional services necessary for the rehabilitation of the cracked east wall of the Convention Center's Little Theater, and to clean the stone facade of the Convention Center, and increasing the fees for such services by Seventy-Three Thousand Nine Hundred Fifty and No/100 Dollars (\$73,950.00) to One Hundred Thousand Nine Hundred Fifty and No/100 Dollars (\$100,950.00) and increasing the reimbursable expenses by One Hundred Seventy-Four Thousand Five Hundred and No/100 (\$174,500.00) to Two Hundred Eleven Thousand and No/100 Dollars (\$211,000.00), for a total contract cost not to exceed Three Hundred Eleven Thousand Nine Hundred Fifty and No/100 Dollars (\$311,950.00).

Be it further resolved, that all other terms and provisions of City Contract No. 49456 not expressly modified herein shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent: None.

**Resolution No. 286-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-28-071, easterly half, located at 1982 West 58 Street in Ward 17; and

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

Whereas, Leonard E. and Eileen L. Strimpel, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Leonard E. and Eileen L. Strimpel for the sale and development of Permanent Parcel No. 002-28-071, easterly half, located at 1982 West 58 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent:None.

**Resolution No. 287-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 015-09-016, westerly half, located at 3320 Woodbridge Avenue in Ward 14; and

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

of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Luz Veronica Bazan, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Luz Veronica Bazan for the sale and development of Permanent Parcel No. 015-09-016, westerly half, located at 3320 Woodbridge Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent:None.

**Resolution No. 288-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 106-09-097, northerly half, under said Land Reutilization Program; and

Whereas, Ordinance No. 2025-95 passed February 12, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than Fair Market Value; and

Whereas, James and Deloris Holt, Jr. have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2025-95 passed February 12, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 106-09-097, northerly half, as further described in said Ordinance to James and Deloris Holt, Jr., for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent: None.

**Resolution No. 289-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 131-23-083, westerly half, located at 4929 Hamm Avenue in Ward 13; and

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

Whereas, Roberto and Aida Santiago, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Roberto and Aida Santiago for the sale and development of Permanent Parcel No. 131-23-083, westerly half, located at 4929 Hamm Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent: None.

**Resolution No. 290-96.**

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76, passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") in

accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under said Program, the City has acquired Permanent Parcel No. 131-23-083, easterly half, located at 4929 Hamm Avenue in Ward 13; and

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

Whereas, Juan and Maria Ocasio, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Juan and Maria Ocasio for the sale and development of Permanent Parcel No. 131-23-083, easterly half, located at 4929 Hamm Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent: None.

**Resolution No. 291-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 013-27-169, easterly half, located at the rear of 4407 West 52 Street in Ward 16; and

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

Whereas, Anthony Flors and Janet L. Berry, abutting/adjacent landowners, have proposed to the

City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 16 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Anthony Flors and Janet L. Berry for the sale and development of Permanent Parcel No. 013-27-169, easterly half, located at the rear of 4407 West 52 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

Nays: None.  
Absent: None.

**Resolution No. 292-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 013-27-169, westerly half, located at the rear of 4407 West 52 Street in Ward 16; and

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

Whereas, Joseph A. and Cynthia L. Greene, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 16 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio

1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Joseph A. and Cynthia L. Greene for the sale and development of Permanent Parcel No. 013-27-169, westerly half, located at the rear of 4407 West 52 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.  
Nays: None.  
Absent: None.

**Resolution No. 293-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-28-071, westerly half, located at 1982 West 58 Street in Ward 17; and

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

Whereas, Cleveland Housing Network, Led., Part X, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Cleveland Housing Network, Led., Part X for the sale and development of Permanent Parcel No. 002-28-071, westerly half, located at 1982 West 58 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.  
Nays: None.  
Absent: None.

**Resolution No. 294-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 015-09-106, easterly half, located at 3320 Woodbridge Avenue in Ward 14; and

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

Whereas, Jerome L. and Carol M. Barle, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Jerome L. and Carol M. Barle for the sale and development of Permanent Parcel No. 015-09-106, easterly half, located at 3320 Woodbridge Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.  
Nays: None.  
Absent: None.

**Resolution No. 295-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 002-32-126 located at 5301 Bridge Avenue in Ward 17; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Sup-

plies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Detroit Shoreway Community Development Organization, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 17 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Detroit Shoreway Community Development Organization for the sale and development of Permanent Parcel No. 002-32-126 located at 5301 Bridge Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Directors Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.  
Nays: None.  
Absent: None.

**Resolution No. 296-96.**

By Director Hamilton.

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

Whereas, City has acquired the northwesterly one-half of Church Court, N.W., 16 feet (now vacated), under said Land Reutilization Program; and

Whereas, Franklin Green Limited Partnership has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1836-95 passed December 18, 1995 by the Cleveland City Council, the Mayor is hereby requested to execute an official deed for and on behalf of the City of Cleveland to transfer and sell the northwesterly one-half of Church Court, N.W., 16 feet (now vacated), as further described in said Ordinance, to Franklin Green Limited Partnership, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Directors

Hyer, Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Directors Resseger, Patterson, Balraj.

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 stated in the examination announcement.

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

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

FREDDIE J. FENDERSON,  
President

## SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 20, 1996

9:30 A.M.

Calendar No. 96-55: 14700 Miles Ave., S.E.

Michael Sudman, owner, to erect a 40' x 100' and a 50' x 100' one story storage buildings on the 596' x 209' (average) irregular shaped corner parcel located in a Semi-Industry District, and used as a nonconforming auto wrecking yard on the southeast corner of E. 146 St. and Miles Ave. and known as 14700 Miles Ave.; said use as an auto wrecking yard being contrary to the use limitations of Section 345.03 and the construction of said storage buildings being subject to the expansion provisions of Section 359.01 of the Codified Ordinances.

Calendar No. 96-57: 12612 Miles Ave. S.E.

Dorothy Williams, owner, to convert to an adult care facility for 9 the 30' x 41' two story frame child care facility on the 45' x 160' lot located in a General Retail District at 12612 Miles Ave.; the east sideyard being 3' wide instead of 8' as required by Section 357.09 and subject to the substitution provisions of Section 359.01 of the Codified Ordinances.

Calendar No. 96-58: 12502 Kinsman Rd., S.E.

Sam Salem, owner, to use for display and rental of two trucks a por-

tion of the 151' x 196' irregular shaped corner lot located in a Local Retail District and a Two-Family District on the southeast corner of E. 125 St. and Kinsman Rd., and occupied by a nonconforming service station/grocery at 12502 Kinsman Rd.; said use being contrary to the local retail use limitations of Section 343.01 and the residence use limitations of Section 337.03 and being contrary to the service station parking restrictions of Section 343.20 the Codified Ordinances.

Calendar No. 96-59: 1143 E. 98th St. William Sims, owner, to erect 12' x 30' carport to the south side of the 32' x 30' two story frame one family dwelling house on a 50' x 90' lot located in a Limited One Family District at 1143 E. 98th St.; said carport to reduce the south sideyard to 0' instead of 5' wide and the aggregate sideyards to 6' instead of 20' as required by Section 357.09 of the Codified Ordinances.

ANTHONY COSTANZO,  
Secretary

## REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 6, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, April 29, 1996, the following appeals were heard by the Board, and decided on Monday, May 6, 1996.

The following appeal was **Granted:**

Calendar No. 96-48: 1702 Clark Ave., S.W.

Maria Feliciano, owner, to erect approximately 177' of 4' high chain link fence and gates.

The following appeals were **Refused:**

Calendar No. 96-43: 4089 E. 131 St.

Howard Murray, owner, and Deshawn and Daphane Copeland, tenants, to convert to an auto wash the rear 40' x 60' of the 40' x 110' one story laundromat building.

Calendar No. 96-46: 4667 Rocky River Dr., S.W.

Mahmoud Nily, owner, and Fate Williams, tenant, to use for truck rental the 70' x 199' irregular shaped lot.

The following appeals were **Dismissed:**

Calendar No. 96-24: 2177 W. 7th St.  
Calendar No. 96-25: 2185 W. 7th St.

ANTHONY COSTANZO,  
Secretary

## REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of  
May 1, 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-27-96.

RE: Appeal of Charles Pearson, Owner of the Property located on the premises known as 1415 East 45th Street from a NOTICE OF VIOLATION - EXT. MAINT. of the Commissioner of the Division of Building and Housing dated January 9, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-27-96 has been POSTPONED; to be rescheduled for May 15, 1996.

\* \* \*

### Docket A-29-96.

RE: Appeal of GMS Management Co., Inc., Owner of the Property located on the premises known as 11118 Clifton Boulevard from a NOTICE OF VIOLATION - NEC of the Commissioner of the Division of Building and Housing dated February 2, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-29-96 has been POSTPONED; to be rescheduled for May 29, 1996.

\* \* \*

### Docket A-37-96.

RE: Appeal of MVB Mortgage Corporation, Mortgagee of the Residential Property located on the premises known as 13004 Parkhill Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated February 28, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at 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 November 15, 1996. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

\* \* \*

### Docket A-39-96.

RE: Appeal of Josephine Walker, Owner of the Residential Property located on the premises known as 5910 Hawthorne Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated February 12, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the

Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to obtain permits and abate the violations, noting that the Appellant must be the homeowner of record to obtain a Home Owners Permit; the property is to remain boarded and secured and the grounds debris free during that period of time; and to permit the property to be occupied at the discretion of the Building Department. 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 November 15, 1996. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Birch.

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

\* \* \*

**Docket A-40-96.**

RE: Appeal of Thelma Herrell, Owner of the Residential Property located on the premises known as 6839 Berwick Road from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated February 26, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the Board's Structural Engineer will visit the property to see the condition of the garage in question.

\* \* \*

**Docket A-58-96.**

RE: Appeal of Grace Lin, Owner of the Property located on the premises known as 12222 Lorain Road from a NOTICE OF VIOLATION - ILLEGAL USE and 7 DAY VACATE ORDER of the Commissioner of the Division of Building and Housing dated April 9, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLED, a motion is in order at this time to find that the structure as it exist at this time is under an unauthorized occupancy and that the occupancy is limited to five (5) people in each dwelling unit, and that dwelling units are not to be connected and the people are to reside on the first floor and above. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-60-96.**

RE: Appeal of Jerelene Johnson, Owner of the Property located on

the premises known as 4319 Denison Avenue from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated April 18, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action.

\* \* \*

**Docket A-62-96.**

RE: Appeal of A & D Realty Company, Owner of the Property located on the premises known as 2039 East 4th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated April 22, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time permit the space to be converted from retail business use, with the provision that the occupancy be limited to twenty-five (25) persons, and that the fire load be minimized or eliminated in all areas as much as possible, and to provide an adequate fire extinguisher; the variance is granted for the use of only one exit, noting that a second exit is not possible in this construction. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

\* \* \*

**APPROVAL OF RESOLUTIONS:**

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

- A-47-96—C.M.H.A./Springbrook Apartments.
- A-50-96—C.M.H.A./Addison Square Apartments.
- A-57-96—Nolasco Housing Corp.

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

A separate motion was entered by Mr. Williams and seconded by Mr. Bowes 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-42-96—Isabella Basile/Panini, Inc.

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

\* \* \*

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

- A-46-96—Neil J. Kirchner.
- A-48-96—Rhonda LeFort.

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

\* \* \*

A separate motion was entered by Mr. Birch and seconded by Mr. Bowes 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-49-96—C.M.H.A./Wade Park Apartments.

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

\* \* \*

A separate motion was entered by Mr. Williams and seconded by Mr. Birch 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-53-96—Williams Jackson.

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

\* \* \*

**APPROVAL OF MINUTES:**

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

- April 17, 1996

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

\* \* \*

JOSEPH F. DENK,  
CHAIRMAN

**PUBLIC NOTICE**

The following are in violation of C.O. 623.14:  
Richard Alt, last known address, 1742 West 29th Street, Cleveland, Ohio 44113.

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

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

**Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will**

be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

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

**WEDNESDAY, MAY 15, 1996**

**Rehabilitation of Cardinal Minzenty Plaza**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 1254-92 and 2096-92, passed by the Council of the City of Cleveland, June 15, 1992 and December 14, 1992, respectively.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON THURSDAY, MAY 9, 1996 10:00 A.M. AT THE PUBLIC UTILITIES BUILDING, AUDITORIUM A, 1201 LAKESIDE AVE.

May 1 and May 8, 1996

**THURSDAY, MAY 16, 1996**

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

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

May 1 and May 8, 1996

**THURSDAY, MAY 23, 1996**

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

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

May 1 and May 8, 1996

**FRIDAY, MAY 24, 1996**

**One (1) 4x4 Ton Pick-up Truck**, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 764-95, passed by the Council of the City of Cleveland, June 12, 1995.

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

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

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

May 1 and May 8, 1996

**WEDNESDAY, MAY 29, 1996**

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

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

May 1 and May 8, 1996

**THURSDAY, MAY 30, 1996**

**Labor and Materials to Inspect, Test and Repair Bucket and Derrick Trucks**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 365-96, passed by the Council of the City of Cleveland, April 1, 1996.

**FRE Duct Fittings**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

**Interior and Exterior Body Repair**, for the Division of Cleveland Public Power, Department of Public

Utilities, as authorized by Ordinance No. 364-96, passed by the Council of the City of Cleveland, April 1, 1996.

May 8 and May 15, 1996

**WEDNESDAY, JUNE 5, 1996**

**Crown Water Works Expansion - Rehabilitation and Expansion, Phase III**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 965-93, passed by the Council of the City of Cleveland, July 14, 1993.

A NON-REFUNDABLE DEPOSIT OF THREE HUNDRED DOLLARS (\$300.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, MAY 15, 1996 AT 10:00 A.M. AT THE PUBLIC UTILITIES BUILDING, AUDITORIUM A, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO.

May 8 and May 15, 1996

### ADOPTED RESOLUTIONS AND ORDINANCES

**Res. No. 1709-95.**  
**By Councilman Rokakis (by request).**

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

Whereas, this Council is satisfied that there is good cause for vacating a portion of Park Drive S.W., as hereinafter described, and

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

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

**Section 1.** That it hereby declares its intention to vacate:

The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as being all that portion of: PARK DRIVE S.W., (40.00 feet wide)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a portion of Park Drive S.W., in the Memphis Ridge Subdivision of part of Original Brooklyn Township Lot Number 44 as shown by the recorded plat in Volume 56 of Maps, Page 24 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of West 56th Street, 50.00 feet wide, being the Westerly line of Sublot Number 109 of the Memphis Ridge Subdivision at a point distant North 0°-24'-15" West, 92.31 feet from the Southwesterly corner thereof; thence Northeasterly, along a curve to the right, an arc distance of 19.90 feet, said curve having a radius of 15.00 feet and a chord which bears North 37°-36'-10" East, 18.47 feet to a point of reverse curvature; thence continuing Northeasterly, along the Northerly line of Sublot Number 109, 110 and 111 on a curve to the left, an arc distance of 114.73 feet, said curve having a radius of 2,400.00 feet and a chord which bears North 74°-14'-25" East, 114.72 feet to a point of tangency; thence North 72°-52'-15" East, 1.56 feet to a point in



the Northeasterly corner of Sublot Number 111; thence South 89°-35'-45" West, parallel to the Southerly line of Sublot Numbers 109, 110 and 111, 123.49 feet to a point; thence South 0°-24'-15" East, 45.38 feet to the point of beginning and containing 2175 square feet of land, be the same more or less, but subject to all legal highways.

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

Adopted April 29, 1996.  
Effective May 7, 1996.

**Res. No. 96-96.**  
**By Councilman Lewis (by request).**

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

Whereas, this Council is satisfied that there is good cause for vacate a portion of East 72nd Place as hereinafter described, and

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

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

**Section 1.** That it hereby declares its intention to vacate: The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as;

Being all that portion of **EAST 72ND PLACE** (40.00 feet wide), extending from the Northerly line of Chester Avenue N.E. (width varies), Northerly, to its Northerly terminus, as shown by the Miller, Simpson & Waite Allotment in Volume 6 of Maps, Page 22 of Cuyahoga County Records.

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

Adopted April 29, 1996.  
Effective May 7, 1996.

**Res. No. 166-96.**  
**By Councilman Miller (by request).**

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

Whereas, this Council is satisfied that there is good cause for vacate portions of Westport Avenue S.W., West 180th Street, West 181 Street, and Sally Avenue S.W. as hereinafter described, and

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

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

**Section 1.** That it hereby declares its intention to vacate: The following described real property, located

in Cleveland, Cuyahoga County, Ohio, and known as;

Being all that portion of **WESTPORT AVENUE, S.W.** (54.00 feet wide), extending Easterly from the Southerly prolongation of the Westerly line of Sublot Number 2 in the Kroehle Company's Westport Subdivision as shown by the recorded plat in Volume 111, Page 39 of Cuyahoga County Records to its Easterly terminus at its intersection with the Westerly line of Harwel Road S.W. (80.00 feet wide); and, Being all that portion of **WEST 180TH STREET** (50.00 feet wide), extending Northerly from the Northerly line of Westport Avenue S.W. (54.00 feet wide) to the Northerly line of the Kroehle Company's Westport Subdivision as shown by the Recorded Plat in Volume 111, Page 39 of Cuyahoga County Records; and, Being all that portion of **WEST 181ST STREET** (50.00 feet wide), and its Easterly and Westerly turnouts extending Northerly from the Northerly line of Sally Avenue S.W. (50.00 feet wide) to the Southerly line of Westport Avenue S.W. (54.00 feet wide); and, Being all that portion of **SALLY AVENUE S.W.** (50.00 feet wide), extending Easterly from the Northerly prolongation of the Easterly line of Sublot Number 5 in the Westport Subdivision Number 2 as recorded in Volume 161, Page 25 of Cuyahoga County Records to its Easterly terminus.

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

Adopted April 29, 1996.  
Effective May 7, 1996.

**Res. No. 167-96.**  
**By Councilman Miller (by request).**

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

Whereas, this Council is satisfied that there is good cause for vacating portions of West 204th Street, West 205th Street, Bacon Avenue, Hillside Road, and Grayhill Road, as hereinafter described, and

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

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

**Section 1.** That it hereby declares its intention to vacate:

The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as;

Being all that portion of **WEST 204TH STREET** (50.00 feet wide), extending Northerly from the Northerly right-of-way line of Hillside Road S.W., (60.00 feet wide), to the Southerly right-of-way of Grayhill Road S.W., (50.00 feet wide).  
**AND**

Being all that portion of **WEST 205TH STREET** (50.00 feet wide), extending Northerly from the Northerly right-of-way line of Hill-

side Road S.W. (60.00 feet wide), to its intersection with Grayhill Road S.W. (50.00 feet wide). **AND**

Being all that portion of **BACON AVENUE S.W.** (50.00 feet wide) extending Westerly from the Westerly right-of-way line of West 205th Street (50.00 feet wide), to its Westerly terminus, said point also being the Westerly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records. **AND**

Being all that portion of **HILLSIDE ROAD S.W.** (60.00 feet wide), extending Westerly from the Easterly line of the Hillside Subdivision as recorded in Volume 195 of, Page 56 of Cuyahoga County Records to its Westerly terminus, said point also being the Westerly line of the aforesaid Hillside Subdivision. **AND**

Being all that portion of **GRAYHILL ROAD S.W.** (50.00 feet wide), extending Westerly from the Easterly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records to its intersection with West 205th Street (50.00 feet wide).

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

Adopted April 29, 1996.  
Effective May 7, 1996.

**Res. No. 776-96.**  
**By Councilman Johnson.**  
**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 8928 Buckeye Road.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 7685051, Salima Inc., 8928 Buckeye Road, Cleveland, Ohio 44104, to Permit No. 5381115, M & S Groceries Inc., dba Buckeye Discount Grocery, 8928 Buckeye Road, Cleveland, Ohio 44104; and

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

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

Whereas, the place for which the permit is sought 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. 7685051, Salima Inc., 8928 Buckeye Road, Cleveland, Ohio 44104, to Permit No. 5381115, M & S Groceries Inc., dba Buckeye Discount Grocery, 8928 Buckeye Road, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 29, 1996.  
Effective May 7, 1996.

**Res. No. 777-96.**

**By Councilman Johnson.**

**An emergency resolution supporting House Bill 385 to raise the age limit for consensual sexual relations from 13 years to 17 years, and urging the House to amend the law to include mandatory life in prison sentencing with no possibility for parole for anyone convicted of raping a child under 17 years of age.**

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

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

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

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

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

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

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

Whereas, if an underage victim is compelled by force or the threat of

force, the penalty is life in prison; and

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

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

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

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

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

Adopted April 29, 1996.  
Effective May 7, 1996.

**Res. No. 778-96.**

**By Councilman O'Malley.**

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

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

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

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

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

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

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

Adopted April 29, 1996.  
Effective May 7, 1996.

**Res. No. 779-96.**

**By Councilman Patmon.**

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

Whereas, this Council objected to

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

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

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

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

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

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

Adopted April 29, 1996.  
Effective May 7, 1996.

**Res. No. 780-96.**

**By Councilman Polensek.**

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

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

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

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

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

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

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

Adopted April 29, 1996.  
Effective May 7, 1996.

**Res. No. 781-96.**

**By Councilman White.**

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

Whereas, this Council objected to the transfer of ownership of a C2

and C2X Liquor Permit to 9305 Miles Road by Res. No. 2254-95, adopted December 11, 1995; and  
 Whereas, this Council wishes to withdraw its objection to the above transfer of ownership and consents to said transfer of ownership; and  
 Whereas, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it resolved by the Council of the City of Cleveland:  
**Section 1.** That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 9305 Miles Road be and the same is hereby withdrawn and Res. No. 2254-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.  
**Section 2.** That this resolution is

hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.  
 Adopted April 29, 1996.  
 Effective May 7, 1996.

**Ord. No. 2283-95.**

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

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

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

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

**Section 1.** That Sections 1 and 3 of Ordinance No. 1352-90, passed July 23, 1990 are hereby amended to read, respectively, as follows:

Section 1. That it is hereby found and determined that four areas of the City in the following locations: Permanent Parcel Nos. 025-19-050 at Granton Avenue; Permanent Parcel Nos. 117-17-002, 117-17-003 and 117-17-004 at 17500 Euclid Avenue; Permanent Parcel No. 001-05-012 at 10500 Edgewater Drive; and Permanent Parcel No. 002-16-034 at 6314 Franklin Boulevard are blighted and deteriorated areas in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraging.

Section 3. That the construction of new structures and the remodeling of existing structures at Permanent Parcel Nos. 025-19-050 at Granton Avenue; Permanent Parcel No. 001-05-012 at 10500 Edgewater Drive; and Permanent Parcel No. 002-16-034 at 6314 Franklin Boulevard are hereby declared to be a public purpose for exemption from real property taxation in the dollar amount by which the new construction or remodeling increased the market value of the property may be granted for the following periods:

- (A) For every dwelling containing not more than two (2) family units upon which the cost of remodeling is at least Two Thousand Five Hundred Dollars (\$2,500.00) . . . . .seven (7) years for the residential dwelling units only.
- (B) For every dwelling containing more than two (2) units, upon which the cost of remodeling is at least Five Thousand Dollars (\$5,000.00) . . . . .seven (7) years for the residential dwelling units only.
- (C) For every newly constructed dwelling . . . . .seven (7) years for the residential dwelling units only.
- (D) For every remodeled or newly constructed structure . . . . .no exemption granted for any commercial or industrial space therein.

**Section 2.** That existing Sections 1 and 3 of Ordinance No. 1352-90, passed July 23, 1990 are hereby repealed.

**Section 3.** That Ordinance No. 1352-90, passed July 23, 1990 is hereby supplemented by adding new Section 4 to read as follows:

Section 4. That the construction of new structures and the remodeling of existing structures at Permanent Parcel Nos. 117-17-002, 117-17-003 and 117-17-004 at 17500 Euclid Avenue is hereby declared to be a public purpose for exemption from real property taxation in the dollar amount by which the new construction or remodeling increased the market value of the property may be granted for the following periods:

- (A) For every dwelling containing not more than two (2) family units upon which the cost of remodeling is at least Two Thousand Five Hundred Dollars (\$2,500.00) . . . . .twelve (12) years for the residential dwelling units only.
- (B) For every dwelling containing more than two (2) units, upon which the cost of remodeling is at least Five Thousand Dollars (\$5,000.00) . . . . .twelve (12) years for the residential dwelling units only.

- (C) For every newly constructed dwelling . . . . . twelve (12) years for the residential dwelling units only.
- (D) For every remodeled or newly constructed structure . . . . . no exemption granted for any commercial or industrial space therein.

**Section 4.** That existing Sections 4 and 5 of Ordinance No. 1352-90, passed July 23, 1990 are hereby renumbered, respectively, to new "Section 5" and "Section 6"

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 83-96.**  
**By Councilmen Jackson, Rybka and Rokakis (by departmental request).**

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

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 be and he hereby is authorized to sell Permanent Parcel Nos. 103-31-098, 103-31-099, 103-31-100, southerly 10 feet, more fully described in Section 2 below, to Estelle Robinson.

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

P. P. No. 103-31-098

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Southerly 30 feet of Sublot No. 286 in Leonard Case's Subdivision of part of Original Ten Acre Lots 44, 45, 46 and 47, as shown by the recorded plat of said Subdivision in Volume 8 of Maps, Page 36 of Cuyahoga County Records. Said part of Sublot No. 286 has a frontage of 30 feet on the Easterly side of East 39th Street (formerly Osborne Avenue), and extends back 124 feet 10 inches on the Southerly line, about 124 feet 9-3/4 inches on the Northerly line, and has a rear line of 30 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P. P. No. 103-31-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 285 and 286 in Leonard Case's Subdivision of part of Original Ten Acre Lots Nos. 45, 46, and 47, as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows: Beginning on the Easterly line of East 39th Street, (formerly Osborn Street) 20 feet Southerly, measured along said Easterly line of East 39th Street, from the Northwesterly corner of said Sublot No. 286, said beginning point being also the North Westerly corner of land conveyed to James O'Gorman by deed dated September 21, 1885 and recorded in Volume 388, Page 252 of Cuyahoga County Records. Thence Northerly along said Easterly line of East 39th Street, 34 feet; thence Easterly on a line parallel to the Southerly line of said Sublot No. 285, about 124 feet 9-1/4 inches to the Easterly line of said Sublot No. 285; thence Southerly along the Easterly line of said Sublots Nos. 285 and 286, about 34 feet to the North Easterly corner of land conveyed to James O'Gorman, as aforesaid; thence Westerly along the Northerly line of land so conveyed to James O'Gorman, about 124 feet 9-3/4 inches to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 103-31-100

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 285 in Leonard Case's Subdivision of part of Original Ten Acre Lots Nos. 44, 45, 46 and 47 as shown by the recorded plat in Volume 8 of Maps, Page 36 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of East 39th Street (formerly Osborn Street) at a point 14 feet Northerly, measured along said Easterly line, from the Southwesterly corner of said Sublot No. 285; thence Northerly along said Easterly line of East 39th Street 34 feet; thence Easterly parallel with the Southerly line of said Sublot No. 285, 124-9/12 feet to the Easterly line of said Sublot No. 285, 34 feet; thence Westerly 124-9/12 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

**Section 4.** That the consideration for each subject parcels 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 prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 84-96.**  
**By Councilmen Jackson, Rybka and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Giancarlo Calicchia, or his designee, to provide economic development assistance to partially finance the acquisition of two commercial buildings located at 3855 and 3865 Carnegie Avenue, Cleveland, Ohio, 44106.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with Giancarlo Calicchia, or his designee, to provide economic devel-

opment assistance to partially finance the acquisition of real property consisting of land and two commercial buildings located at 3855 and 3865 Carnegie Avenue, Cleveland, Ohio 44106, and the renovation of said buildings.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 84-96-A.

**Section 3.** That the costs of said contract shall not exceed Three Hundred Sixty-Eight Thousand One Hundred Dollars (\$368,100.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22394.

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

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

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

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

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 93-96.**  
**By Councilmen Westbrook, Jackson, Rybka and Rokakis (by departmental request).**

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

Whereas, Section 3735.65 et seq. of the Ohio Revised Code authorizes municipalities to designate Community Reinvestment Areas where certain criteria have been met; and

Whereas, the area located at 1412-16 West 110th Street is an area in which housing facilities or structures of historical significance are located and the prospects of new housing construction and repair of existing facilities or structures are discouraged; and

Whereas, the City desires to encourage new housing construction and the repair of existing housing

facilities to eliminate blight and prevent the recurrence of blight by granting tax exemptions; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of public property, health, and safety, in that creating said Community Reinvestment Area will encourage development in the area located at 1412-16 West 110th Street and will, furthermore, eliminate blight and prevent the recurrence thereof in the Area; now, therefore, Be it ordained by the Council of the City of Cleveland:

**Section 1.** That based upon information and data presented to this Council and the information contained in Council File No. 1776-A-90-A, it is hereby found and determined that the area located at 1412-16 West 110th Street (Permanent Parcel No. 001-25-094) is a blighted and deteriorated area in which housing facilities or structures of historical significance are located and the prospects of new construction and repair of existing facilities or structures are discouraged.

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

**Section 3.** That the rehabilitation of a seventeen (17) unit apartment complex located at 1412-16 West 110th Street in the Community Reinvestment Area set forth in Section 1 is hereby declared to be a public purpose for which exemption from real property taxation shall be granted in the following manner:

The owner of such real property in the Community Reinvestment Area described hereinabove may file an application for exemption from real property taxation with the Commissioner of Redevelopment for the City of Cleveland for a period of ten (10) years for 100% of the assessed taxes for the rehabilitation activities described above.

**Section 4.** That the Commissioner of Redevelopment for the City of Cleveland shall serve as the Housing Officer, as defined by Section 3735.65 et seq. of the Ohio Revised Code, for the Community Reinvestment Area described hereinabove and shall administer all activities carried out pursuant to Section 3735.65 et seq. of the Ohio Revised Code and this ordinance.

**Section 5.** That to the extent that the findings and the exemptions from real property taxation set forth hereinabove conflict with any provisions of ordinances passed by this Council prior to the passage of this ordinance, the provisions of this ordinance shall prevail commencing upon the effective date of this ordinance.

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 139-96.**  
**By Councilmen Jackson, Rybka and Rokakis (by departmental request).**

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

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 118-33-006 and 118-33-008, as more fully described in Section 2 below, to Stanley Jackson.

**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. 118-33-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 69 in M. B. Sterling Allotment of part of Original 100 Acre Lot No. 336 as shown by the recorded plat in Volume 3 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Southerly line of Central Avenue, S.E. and extending back 148.04 feet on the Easterly line, 147 feet on the Westerly line and being 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 118-33-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 67 in M.B. Sterling's Allotment of part of Original 100 Acre Lot No. 336 as shown by the recorded plat in Volume 3 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Southerly side of Central Avenue S.E. and extends back 150 feet 1-1/2 inches on the Easterly line, 149 feet 1 inch on the Westerly line and has a rear line of 40 feet as appears by said plat, be the same more or less, but subject to all legal highways.

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

**Section 4.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market

Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

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

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 140-96.**  
**By Councilman Jackson, Rybka and Rokakis (by departmental request).**

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

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. 118-28-029, as more fully described in Section 2 below, to Syretha McConnell.

**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. 118-28-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 233 in W. S. Chamberlain Allotment of a part of Original One Hundred Acre Lot No. 334, as shown by the recorded plat of said Allotment in Volume 6 of Maps, Page 14 of Cuyahoga County Records and being 50 feet front on the Westerly side of East 59th Street (formerly First Avenue) and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning ordinances, if any.

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

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

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

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

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 141-96.**  
**By Councilmen Jackson, Rybka and Rokakis (by departmental request).**

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

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. 118-25-007, as more fully described in Section 2 below, to Pernel Jones Funeral Home.

**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. 118-25-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 70 in H. C. Sterling's Allotment of

part of Original 100 Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 71st Street, and extending back between parallel lines 160 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 142-96.**  
**By Councilmen Jackson, Rybka and Rokakis (by departmental request).**

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

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. 118-25-003, as

more fully described in Section 2 below, to Annie Delores Wooden and Demella Y. Wooden.

**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. 118-25-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 66 in H. C. Starling's Allotment of part of Original 100 Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 71st Street and extending back between parallel lines 160 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions and easements contained in deed recorded in Volume 550, Page 262, Cuyahoga County Records.

Also subject to zoning ordinances, if any.

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

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

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

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 143-96.**  
**By Councilmen Jackson, Rybka and Rokakis (by departmental request).**

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

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, adminis-

tered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 124-28-069 and 124-28-071, as more fully described in Section 2 below, to Diane G. Vaughn.

**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. 124-28-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot 45, J. H. Hardy's Subdivision, Plat Book 4, Page 4, Cuyahoga County Records, 52.15 feet on the southerly side of Rawlings Avenue, 150 feet on the westerly line, 150 feet on the easterly line, 51.51 feet rear, be the same more or less, but subject to all legal highways.

P. P. No. 124-28-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Westerly 25 feet of Sublot No. 46 in J. H. Hardy's Subdivision of part of Original 100 Acre Lot No. 330 as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and being 25 feet front on the Southerly side of Rawlings Avenue, S.E. and extending back of equal width 150 feet, as appears by said plat, be the same more or less, but, subject to all legal highways.

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

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

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

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

from and after the earliest period allowed by law.

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 145-96.**  
**By Councilman Miller (by request).**

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

Whereas, those portions of West 204th Street (50.00 feet wide), West 205th Street (50.00 feet wide), Bacon Avenue S.W. (50.00 feet wide), Hillside Road S.W. (60.00 feet wide), and Grayhill Road S.W. (50.00 feet wide), are now open and used as public streets, and it is necessary for the general public's access to the Hillside Subdivision; and

Whereas, the aforementioned streets must be dedicated and accepted to public use by the City of Cleveland; and

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

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

**Section 1.** That the dedication of WEST 204TH STREET (50.00 feet wide), extending Northerly from the Northerly right-of-way line of Hillside Road, S.W. (60.00 feet wide), to the Southerly right-of-way line of Grayhill Road S.W. (50.00 feet wide); and,

WEST 205TH STREET (50.00 feet wide), extending Northerly from the Northerly right-of-way line of Hillside Road S.W. (60.00 feet wide), to its intersection with Grayhill Road S.W. (50.00 feet wide); and, BACON AVE. S.W. (50.00 feet wide), extending Westerly from the Westerly right-of-way line of West 205th Street (50.00 feet wide), to its Westerly terminus, said point also being the Westerly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records; and, HILLSIDE ROAD S.W. (60.00 feet wide), extending Westerly from the Easterly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records to its Westerly terminus, said point also being the Westerly line of the aforesaid Hillside Subdivision; and, GRAYHILL ROAD S.W. (50.00 feet wide), extending Westerly from the Easterly line of the Hillside Subdivision as recorded in Volume 195, Page 56 of Cuyahoga County Records to its intersection with West 205th Street (50.00 feet wide), be and the same are hereby accepted as dedicated streets for public use in the City of Cleveland.

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 147-96.**  
**By Councilmen Patmon, Jackson, Rybka and Rokakis (by departmental request).**

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

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. 108-08-053, as more fully described in Section 2 below, to Eleanor Walker.

**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. 108-08-053

Situated in the city of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 66 in the Scharsinger and Tremaine Subdivision of part of Original East Cleveland Lot No. 361 as shown by the recorded plat in Volume 18, Page 7 of Cuyahoga County Map Records, and further described as being 40.00 feet front on the Westerly side of East 101st Street and extending back of equal width 120 feet according to a survey by Robert H. Krauss, Registered Ohio Surveyor No. 2885 in January, 1953, be the same more or less, but subject to all legal highways. The above parcel is subject to the following described 10 foot wall and driveway easement taken off the Southerly side thereof for the purpose of ingress or egress to and from the premises adjoining Westerly thereto known as 562 and 572 East 101st Street and more fully described as follows: Beginning in the Southeasterly corner of said Sublot No. 66; thence Westerly 120.00 feet to the Southwesterly corner of said Sublot No. 66; thence Northerly 10.00 feet along the Westerly line of said Sublot No. 66 to a point therein; thence Easterly 120.00 feet parallel with said Southerly line of Sublot No. 66 to a point in said Westerly line of East 101st Street; Thence Southerly 10.00 feet along said Westerly line of East 101st Street to the place of beginning, be the same more or less but subject to all legal highways.

Also subject to zoning ordinances, if any.

**Section 3.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordi-

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

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

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

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

Passed April 29, 1996.

Effective May 7, 1996.

**Ord. No. 148-96.**  
**By Councilmen Patmon, Jackson, Rybka and Rokakis (by departmental request).**

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

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. 108-08-100, as more fully described in Section 2 below, to Susie E. and Artis Faucette.

**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. 108-08-100

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36 in Schatzinger and Tremaine's Subdivision of part of Original One Hundred Acre Lot No. 361, as shown

by the recorded plat in Volume 18 of Maps, Page 7 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 102nd Street (formerly Eldridge Avenue) and extending back between parallel lines 122.50 feet deep, as appears by said plat.

Also subject to Zoning Ordinances, if any.

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

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

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

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

Passed April 29, 1996.

Effective May 7, 1996.

**Ord. No. 149-96.**  
**By Councilmen White, Jackson, Rybka and Rokakis (by departmental request).**

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

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. 133-24-041, as



more fully described in Section 2 below, to JPS, Inc., d.b.a. Garfield Metal Products, Inc.

**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. 133-24-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 67 in Charles Carter's Subdivision of part of Original One Hundred Acre Lot No. 448 as shown by the recorded plat in Volume 12 of Maps, Page 29 of Cuyahoga County Records, and being 45 feet front on the Easterly side of East 91st Street, (formerly Sawyer Street) and extending back of equal width, 120 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 150-96.**

**By Councilman Paulenske (by request).**

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

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 Tower

City (on behalf of "The Avenue") whose address is 230 Huron Road N.W.; Cleveland, Ohio 44113; its successors and assigns, for the construction, use and maintenance of approximately twenty-five, (25), special event and informational banners pertaining to the Tower City area; and that said banners are to be attached to historic-type utility poles owned by Tower City, and that aforesaid banners will encroach into the public rights-of-way on Huron Road, between Superior and Ontario Streets, at the locations more fully described in Exhibit "A", which is to be filed with the Council of the City of Cleveland as part of this Ordinance Number 150-96-A.

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

**Section 3.** That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when, in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all 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 April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 159-96.**

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

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

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. 135-16-100, as more fully described in Section 2 below, to Diana L. Robinson.

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

P.P. No. 135-16-100

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 186 in Ariel Harris Allotment of part of Original 100 Acre Lot Nos. 449 and 457 as shown by the recorded plat in Volume 11 of Maps, Pages 54 and 55 of Cuyahoga County Records, and being 58 feet front on the Westerly side of East 96th Street and extending back between parallel lines, 100.20 feet deep on the Northerly line, 100.25 feet on the Southerly side and being 58 feet wide in the rear as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 160-96.**

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

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

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. 138-10-110, as more fully described in Section 2 below, to Percy Mitchell.

**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. 138-10-110

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 173 in Fowler, Critchley and Corlett's Allotment of part of Original One Hundred Acre Lot No. 469 as shown by the recorded plat in Volume 13 of Maps, Page 10 of Cuyahoga County Records and being 40 feet front on the Northerly side of Marston Avenue S.E. and extending back of equal width 140 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 161-96.**

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

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

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, adminis-

tered 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. 136-26-003, as more fully described in Section 2 below, to Henry and Diane Wilson.

**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. 136-26-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 103 in Hills and Frisbie's 2nd Miles Avenue Subdivision of part of Original One Hundred Acre Lot No. 467, as shown by the recorded plat in Volume 24 of Maps, Page 6 of Cuyahoga County Records, and being 40.01 feet front on the Southerly side of Miles Avenue, S.E., 149.80 feet deep on the Easterly line 148.78 feet deep on the Westerly line, and 40 feet wide in the rear, as appears by said plat.

Subject to Zoning Ordinances, if any.

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

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

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

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 162-96.**

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

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1373-75 East 105**

**Street and 1383 East 105 Street to Brenda Yarbrough.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 120-06-001 and 120-06-003, as more fully described in Section 2 below, to Brenda Yarbrough.

**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. 120-06-001

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being parts of Sublots 83 and 84 in the Wade Allotment being a re-subdivision of part of Ford and Holden's Allotment of part of Original 100 Acre Lot No. 386 as shown by the recorded plat in Volume 33 of Maps, Page 18 of Cuyahoga County Records, together forming a parcel of land, bounded and described as follows: beginning at a point in the easterly line of East 105th Street, (formerly Doan Street) at a point 38 feet Southerly from its intersection with the Southerly line of Orville Avenue N.E.; thence Easterly parallel with the Southerly line of Orville Avenue N.E. 100 feet; thence Southerly parallel with East 105th Street 35 feet; thence Westerly parallel with the Southerly line of Orville Avenue N.E. 100 feet to the Easterly line of East 105th Street; thence Northerly along the Easterly line of East 105th Street 35 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot 84 in J. H. Wade et al re-subdivision of part of Original 100 Acre Lot No. 386 as shown by the recorded plat in Volume 33 of Maps, Page 18 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Easterly line of East 105th Street at a point 38 feet Southerly (measured along said Easterly line) from its point of intersection with the Southerly line of Orville Avenue N.E.; thence Northerly along the said Easterly line of East 105th Street 38 feet to the Southerly line of Orville Avenue N.E.; thence Easterly along said Southerly line of Orville Avenue N.E. 100 feet; thence Southerly on a line parallel with said Easterly line

of East 105th Street 38 feet; thence Westerly 100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 120-06-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 82 in J. H. Wade and others' Re-Subdivision of part of Original One Hundred Acre Lot No. 386, as shown by the recorded plat in Volume 33 of Maps, Page 18 in Cuyahoga County Records, bounded and described as follows:

Beginning on the Easterly line of East 105th Street, at a point 109 feet Southerly, (measured along said Easterly line, from the Southerly line of Orville Avenue N.E.); thence Easterly and parallel with the Southerly line of Orville Avenue N.E., 100 feet; thence Southerly parallel with the Easterly line of East 105th Street, 36 feet; thence Westerly and parallel with the Southerly line of Orville Avenue N.E., 100 feet to the Easterly line of East 105th Street; thence Northerly along the Easterly line of East 105th Street, 36 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

Passed April 29, 1996.

Effective May 7, 1996.

**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.

Passed April 29, 1996.

Effective May 7, 1996.

**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 implementation 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.

Passed April 29, 1996.

Effective May 7, 1996.

**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.

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 246-96.**  
**By Councilmen Miller, Rybka and Rokakis (by departmental request).**  
**An emergency ordinance determining the method of making the public improvement of modifying and improving the Customs and Immigrations facility at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into contract for the making of such improvement; and to employ one or more design firms to provide professional services relating to such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of modifying and improving the Customs and Immigrations facility at Cleveland Hopkins International Airport, Department of Port Control, by contract let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

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

**Section 3.** That the Director of Port Control is hereby authorized to employ by contract or contracts one or more firms of design consultant for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services to implement the public improvement authorized in Section 1 of this ordinance.

**Section 4.** That 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 improvement 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 con-

tract or contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

**Section 5.** That the costs of the improvement and professional services hereby authorized shall be paid from Fund No. 60 SF 106, Request Nos. 20827 and 20828.

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 254-96.**  
**By Councilmen Robinson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1996 Hepatitis B Program.**

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 \$18,875.00, and such other funds as may become available during the grant period, from the Ohio Department of Health, to conduct the 1996 Hepatitis B 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. 254-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 255-96.**  
**By Councilmen Robinson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1996 Sexually Transmitted Disease Program.**

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 \$113,542.00, and such other funds as may become available during the grant period, from the Ohio Department of Health, to conduct the 1996 Sexually Transmitted Disease 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. 255-96-A, made a Part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 347-96.**  
**By Councilmen Coats and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the Director of Public Service to enter into contract without competitive bidding with E.J. Ward, Inc. for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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 E.J. Ward, Inc. Therefore, the Director of Public Service is hereby authorized and directed to make a written proposal dated February 12, 1996, for the purchase of spare replacement parts for the fuel control terminals and for telephone consultation needed to maintain the terminals, for a one year period, to be purchased by the Commissioner of Motor Vehicle Maintenance, Department of Public Service.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 70 SF 300, Request No. 21033.

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 417-96.**  
**By Councilmen Coats and Rokakis**  
**(by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by contract of not to exceed twenty computers and not to exceed ten laser printers, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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 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 twenty (20) computers and not to exceed ten (10) laser printers, 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.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 70 SF 300, Request No. 21032.

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

Passed April 29, 1996.  
 Effective May 7, 1996.

**Ord. No. 428-96.**  
**By Councilmen Robinson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 1996 Federal AIDS prevention Program.**

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 \$78,645.00, plus such other funds as may become available during the grant period, from the Ohio Department of Health, to conduct the 1996 Federal AIDS Prevention 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. 428-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Passed April 29, 1996.  
 Effective May 7, 1996.

**Ord. No. 429-96.**  
**By Councilmen Robinson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol & Drug Addiction Services Board of Cuyahoga County for the 1996 Target Cities Program.**

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 \$105,000.00, plus such other funds as may become available during the grant period, from the Alcohol & Drug Addiction Services Board of Cuyahoga County, to conduct the 1996 Target Cities 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. 429-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed April 29, 1996.  
 Effective May 7, 1996.

**Ord. No. 477-96.**  
**By Councilmen Coats and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of batteries for various types of vehicles and equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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 batteries for various types of vehicles 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 21036)

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

Passed April 29, 1996.  
 Effective May 7, 1996.

**Ord. No. 478-96.**  
**By Councilmen Coats and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and maintain Cushman equipment, including installation if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.**

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 labor and materials necessary to repair and maintain Cushman equipment, including installation 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 con-

tract 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 21037)

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 479-96.**

**By Councilmen Coats and Rokakis (by departmental request).**

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

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 labor and materials necessary to repair and maintain Ford tractor, mower and construction equipment, including installation, 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 21035)

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

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 480-96.**  
**By Councilmen Coats and Rokakis (by departmental request).**

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

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 labor and materials necessary to repair and maintain Ford passenger cars, including installation, 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 21034)

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 647-96.**  
**By Councilman Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to enter into agreements for the purchase and/or license of computer**

**hardware, software, appurtenances, supplies, furniture, installation, training, maintenance, and other necessary ancillary items, labor and materials for cabling, maintenance, installation, as necessary for the Office of the Cleveland Municipal Court Clerk.**

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 to make a written contract or contracts in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase and/or license of each or all of the following items: computer hardware, software, peripherals, supplies, computer furniture, appurtenances and other ancillary items, installation, training, maintenance, and labor and materials for cabling, all as necessary for the Cleveland Municipal Court, Office of the Clerk of Courts, provided that said Director is hereby further authorized to execute as part of or in conjunction with a purchase, one or more license agreements for software necessary for operation and/or enhancement of the hardware, peripherals and other equipment with a firm or firms other than the successful bidder if and when such bidder is not the manufacturer or an authorized licensor of such software.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 006, Request No. 22638.

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

Passed April 29, 1996.  
Effective May 7, 1996.

**Ord. No. 770-96.**

**By Councilman Britt.**

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

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Cleveland Clinic Foundation to install, maintain and remove a banner on its skywalk on Carnegie Avenue near East 90th Street for the period from April 30, 1996 to May 17, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type,

method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 29, 1996.

Effective May 7, 1996.

**Ord. No. 771-96.  
By Councilmen Coats and Polensek.**

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

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

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

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

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

Passed April 29, 1996.

Effective May 7, 1996.

**Ord. No. 772-96.  
By Councilmen Coats and Polensek.**

**An emergency ordinance consenting and approving the issuance of a permit for a Bike-A-Thon on May 23, 1996, sponsored by the Commu-**

**nity Relations Board and the Collinwood Community Services.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a Bike-A-Thon, sponsored by the Community Relations Board and the Collinwood Community Services Center, on May 25, 1996, beginning at the Collinwood Community Services Center, 813 East 152nd Street, north on E. 152nd Street, east on Holmes, east on Roseland, south on Avalon, stop at Duggan Field, continue west on Olympia, north on Wayside, west on Kipling, stop at Holy Redeemer Church, continue west on Kipling, north on Ivanhoe, west on St. Clair, stop at St. Joseph School, continue north on E. 146th St., west on Aspinwall, stop at Aspinwall and E. 140th St., north on E. 140th St., east on Westropp, north on E. 149th St., east on Ridpath, stop at St. Jerome School, continue south on E. 152nd St. and finish back at the Collinwood Community Services Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed April 29, 1996.

Effective May 7, 1996.

**Ord. No. 773-96.  
By Councilmen Jackson and Paulsenke.**

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

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Department of Children & Family

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

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

Passed April 29, 1996.

Effective May 7, 1996.

**Ord. No. 774-96.  
By Councilman O'Malley.  
An emergency ordinance authorizing certain persons to engage in peddling in Ward 16. (Linda Davis at 4633 State Road).**

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 16; and

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

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

**Section 1.** That this Council consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 16, at the locations specified: Linda Davis at 4633 State Road.

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

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

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

Passed April 29, 1996.

Effective May 7, 1996 without the signature of the Mayor.

**Ord. No. 775-96.**  
**By Councilman Paulenske.**  
**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Living in Cleveland Center to stretch a banner on East 9th Street near the Memorial Shoreway for the period from May 3, 1996 to June 3, 1996, inclusive, publicizing the 4th Annual Buying in Cleveland Program.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to the Living in Cleveland Center to install, maintain and remove a banner on East 9th Street near the Memorial Shoreway for the period from May 3, 1996 to June 3, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and

maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 29, 1996.  
 Effective May 7, 1996.

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

**Tuesday, May 7, 1996**

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

**Legislation Committee (Hearing): 1:30 P.M.** — Present: McGuirk, Chrm.; Willis, V-Chrm.; Britt, Patton, Rybka. Excused: Johnson, Rokakis.

**Wednesday, May 8, 1996**

**Aviation and Transportation Committee: 10:00 A.M.** — Present: Miller, Chrm.; Paulenske, V-Chrm.; McGuirk, Patmon, Rokakis, White, Willis.

**Public Utilities Committee: 1:30 P.M.** — Present: Patton, Chrm.; Polensek, V-Chrm.; Coats, McGuirk, O'Malley, Patmon, Willis, Zone. Excused: Lewis.

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

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