

The City Record

Official Publication of the City of Cleveland

April the Third, Nineteen Hundred and Ninety-Six

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

Containing	PAGE
City Council	3
The Calendar	39
Board of Control	40
Civil Service	46
Board of Zoning Appeals	47
Board of Building Standards and Building Appeals	47
Public Notices	47
Public Hearings	47
City of Cleveland Bids	47
Adopted Resolutions and Ordinances	48
Committee Meetings	48
Index	48

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

First Class Mail

RECYCLE.....Save the Future



Printed on Recycled Paper.....Council Cares

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

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

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

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

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

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

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

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

DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, 1825 Lakeside Avenue.
DIVISIONS - Police - John J. Collins, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
Fire - William E. Lee, Chief, 1645 Superior Avenue
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street
Emergency Medical Service - Bruce Shade, Commissioner, 2001 Payne Ave.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CLEVELAND LANDMARKS COMMISSION - Room 519 ,-----, Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison, Kenneth Nobilio, Theodore Sande, Randall Shorr, Shirley Thompson, Councilmen Craig E. Willis and Helen K. Smith.

CLEVELAND MUNICIPAL COURT JUSTICE CENTER-1200 ONTARIO CENTRAL SCHEDULING DEPARTMENT
JUDGE COURTROOM ASSIGNMENTS

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

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 83

WEDNESDAY, APRIL 3, 1996

No. 4295

CITY COUNCIL

MONDAY, APRIL 1, 1996

The City Record

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

ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

The following Committee is subject to Call of the Chairman:

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio April 1, 1996.
The regular meeting of the Council was called to order, the President, Jay Westbrook in the chair.

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

Also present were Mayor White and Directors Konicek, Cunningham, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Axelrod, Morrison, Acting Directors Horvath, Carmody, Danily.

Absent: Directors Sobol Jordan, Hyer, Thomas, Willis.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Albert Davison, Associate Pastor of Greater Love Missionary 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. 510-96.
From the Division of Purchases and Supplies re: Emergency Requisition (RE-81334) for the purchase of de-icing agents for Cleveland Hopkins International Airport. Received.

File No. 511-96.
From the Division of Purchases and Supplies re: MacBride Principles and Fair Employment Practices in Northern Ireland (Disclosure form). Received.

File No. 512-96.
From the Division of Purchases and Supplies re: Emergency Requi-

sition (RE-81552) for repair services at Cleveland Public Power. Received.

File No. 513-96.
From the Department of Public Safety re: Pepper Spray (Quarterly Report - Fourth Quarter, 1995). Received.

File No. 514-96.
From Fair Campaign Finance Commission re: Review of Campaign Financing Laws, 1996 (A Report). Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 515-96.
Re: Transfer of Location Application - 5235615 - Little Eagle, Inc., dba Little Eagle, 3111 East 93rd Street. (Ward 4). Received.

File No. 516-96.
Re: Transfer of Ownership Application - 1703045 - Continental Express, Inc., Hopkins International Airport. (Ward 20). Received.

File No. 517-96.
Re: Transfer of Ownership Application - 0668488 - Best Buy Food Market, Inc., 10601-03 Sandusky Avenue, first floor. (Ward 2). Received.

File No. 518-96.
Re: Transfer of Ownership Application - 89166090005 - 3344 East 116th, Inc., dba Kinsman Supermarket, 3344 East 116th Street. (Ward 3). Received.

File No. 519-96.
Re: Transfer of Ownership Application - 4174605 - J. L. Ward, Inc., dba Doc's Tavern, 5470 Broadway Avenue, first floor and basement. (Ward 13). Received.

File No. 520-96.
Re: Transfer of Ownership Application - 8169952 - Sifan, Inc., dba Sam's Market, 3600 Denison Avenue, first floor. (Ward 15). Received.

File No. 521-96.
Re: New Application - 03266850005 - Aurora Market, Inc., 4336-38 Lee Road. (Ward 1). Received.

File No. 522-96.
Re: Transfer of Ownership Application - 9835390 - Yofa Corp., 7936 Lorain Avenue. (Ward 17). Received.

STATEMENT OF WORK ACCEPTED

File No. 523-96.
From Department of Parks, Recreation and Properties re: Contract No. 48261 for the Kowalski Park Ball Diamond Fencing improvements. Received.

OATH OF OFFICE**File No. 524-96.**

Oath of Office for John Christopher Nielson - Commissioner for the Division of Engineering and Construction, Department of Public Service. Received.

PLATS**File No. 476-96.**

Councilman Patmon.
Grace Point Resubdivision. (Ward 8).

Approved by City Planning Commission. Recommended by Committee on City Planning and Public Service.

Without objection, plat approved. Yeas 20. Nays 0.

CONDOLENCE RESOLUTIONS

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

Res. No. 581-96. Tessie P. Burns.

Res. No. 582-96. Lolette Hanserd.

Res. No. 583-96. Officer Clarence Johnson, Jr.

Res. No. 584-96. Fred J. Jorowski.

Res. No. 585-96. Alpheus Burge.

CONGRATULATORY RESOLUTIONS

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

Res. No. 586-96. St. Edward High School.

Res. No. 587-96. Alvin and Margaret Hirsch.

Res. No. 588-96. Deputy Chief Gary Payne.

Res. No. 589-96. Patrolman Patrick Coyne.

Res. No. 590-96. Sgt. Norman James.

Res. No. 591-96. Tri-C JazzFest.

RESOLUTIONS OF RECOGNITION

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

Res. No. 592-96. East Tech Student Engineering Team.

Res. No. 593-96. Willie Ruth Harris.

Res. No. 594-96. Neighborhood Veterans, Inc.

Res. No. 595-96. Helen C. Malloy.

Res. No. 596-96. Mrs. Dottie C. Joyce.

RESOLUTIONS OF WELCOME

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

Res. No. 597-96. Benny Golson.

Res. No. 598-96. Curtis Fuller.

Res. No. 599-96. Mel Torme.

Res. No. 600-96. Shirley Horn.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 525-96.**

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 for Bicentennial Village to Fairfax Renaissance Development Corporation or its designee.

Whereas, the City of Cleveland adopted and implemented proce-

dures under Chapter 5722 of the 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 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. 119-29-013 as more fully described in Section 2 below, to Fairfax Renaissance Development Corporation or its designee.

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. 119-29-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 96 and the Southerly 5 feet of Sublot Nos. 1 and 2 in A. J. March Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records and together forming a parcel of land 40 feet front on the Westerly side of East 86th Street (formerly Beechwood Street) and extending back of equal width 94 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. 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. 119-29-014 as more fully described in Section 4 below, to Fairfax Renaissance Development Corporation or its designee.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P. P. No. 119-29-014

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 95 in A. J. Marsh Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records and being 33 feet front on the Westerly side of East 86th Street, and extending back between parallel lines, 94 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 5. 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. 119-29-015 as more fully described in Section 6 below, to Fairfax Renaissance Development Corporation or its designee.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P. P. No. 119-29-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 94 in the A. J. Marsh, Trustee Subdivision, of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 86th Street (formerly Beechwood Street) and extending back of equal width 94 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject go Zoning Ordinances, if any.

Section 7. 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. 119-29-023 as more fully described in Section 8 below, to Fairfax Renaissance Development Corporation or its designee.

Section 8. That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P. P. No. 119-29-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 86 in A. J. Marsh, Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat of said Subdivision in Volume 18 of Maps, Page 26 of Cuyahoga County Records.

Said Sublot No. 86 has a frontage of 40 feet on the Westerly side of East 86th Street, (formerly Beechwood Street), and extends back between parallel lines 94 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 9. 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. 119-29-027 as more fully described in Section 10 below, to Fairfax Renaissance Development Corporation or its designee.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 119-29-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 82 in A. J. Marsh Trustee Subdivision of part of Original One Hundred Acre Lot No. 408 as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records and being 35 feet front on the Westerly side of Beechwood Street, now known as East 86th Street and extending back of equal width 94 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to Zoning Ordinances, if any.

Section 11. 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. 119-29-028 as

more fully described in Section 12 below, to Fairfax Renaissance Development Corporation or its designee.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P. P. No. 119-29-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 34 feet of Sublot No. 81 in A. J. Marsh Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408 as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records. Said part of said Sublot No. 81 has a frontage of 34 feet on the Westerly side of Beechwood Street, now known as East 86th Street and extends back between parallel lines 94 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 13. 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. 119-29-029 as more fully described in Section 14 below, to Fairfax Renaissance Development Corporation or its designee.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P. P. No. 119-29-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 80 and the Southerly 1 foot of Sublot No. 81 in A. J. Marsh, Trustee Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records, and together forming a parcel of land 34 feet front on the Westerly side of East 86th Street, (formerly Beechwood Street) and extending back of equal width 94 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 15. 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. 119-29-070 as more fully described in Section 16 below, to Fairfax Renaissance Development Corporation or its designee.

Section 16. That the real property to be sold pursuant to Section 15 of this Ordinance is more fully described as follows:

P. P. No. 119-29-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 78 in W. B. Newcomb's Subdivision of part of Original One Hundred Acre Lot Nos. 407 and 408, as shown by the recorded plat in Volume 18 of Maps, Page 2 of Cuyahoga County Records, and being 45 feet front on the Easterly side of East 85th Street (formerly Alanson Street) and extending back 91.14 feet on the Northerly line, 91.25 feet on the Southerly line and having a rear

line of 45 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 17. 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. 119-29-072 as more fully described in Section 18 below, to Fairfax Renaissance Development Corporation or its designee.

Section 18. That the real property to be sold pursuant to Section 17 of this Ordinance is more fully described as follows:

P. P. No. 119-29-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as Sublot No. 72 in W. B. Newcomb's Subdivision of part of Original One Hundred Acre Lot Nos. 407 and 408, as shown by the recorded plat in Volume 18 of Maps, Page 2 of Cuyahoga County Records, and being 40 feet front on the Westerly side of Alanson Street (now known as East 85th Street) and extending back of equal width 92-50/100 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 19. 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. 119-29-080 as more fully described in Section 20 below, to Fairfax Renaissance Development Corporation or its designee.

Section 20. That the real property to be sold pursuant to Section 19 of this Ordinance is more fully described as follows:

P. P. No. 119-29-080

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 34 feet from front to rear of Sublot No. 65 in W. B. Newcomb's Subdivision of part of Original One Hundred Acre Lot Nos. 407 and 408, as shown by the recorded plat in Volume 18 of Maps, Page 2 of Cuyahoga County Records and being a parcel of land 34 feet front on the Westerly side of Alanson Street (now known as East 85th Street) and extending back of equal width 92-50/100 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 21. 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. 119-29-105 as more fully described in Section 22 below, to Fairfax Renaissance Development Corporation or its designee.

Section 22. That the real property to be sold pursuant to Section 21 of this Ordinance is more fully described as follows:

P. P. No. 119-29-105

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 30 feet to Sublot No. 81 in Bower and Brack's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 12 of Maps, Page

32 of Cuyahoga County Records, and being 30 feet front on the Easterly side of East 84th Street (formerly Bertram Street), 72.76 feet deep on the Northerly line about 72.76 feet deep on the Southerly line and 30 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 23. 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. 119-29-111 as more fully described in Section 24 below, to Fairfax Renaissance Development Corporation or its designee.

Section 24. That the real property to be sold pursuant to Section 23 of this Ordinance is more fully described as follows:

P. P. No. 119-29-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 26 feet of Sublot No. 86 and the Southerly 7 feet of Sublot No. 87, Bower and Brack's Subdivision, Plat Book 12, Page 32 of Cuyahoga County Records, 33 feet on the Easterly side of East 84th Street, extending back of equal width 72.72 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 25. 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. 119-29-120 as more fully described in Section 26 below, to Fairfax Renaissance Development Corporation or its designee.

Section 26. That the real property to be sold pursuant to Section 25 of this Ordinance is more fully described as follows:

P. P. No. 119-29-120

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 95 in Bower and Brack's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 12 of Maps, Page 32 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 84th Street (formerly Bertram Street) and extending back 72.64 feet on the Northerly line, 72.65 feet on the Southerly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 27. 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. 119-29-122 as more fully described in Section 28 below, to Fairfax Renaissance Development Corporation or its designee.

Section 28. That the real property to be sold pursuant to Section 27 of this Ordinance is more fully described as follows:

P. P. No. 119-29-122

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 97 in Bower and Brock's Subdivision of part of Original One Hundred Acre Lot No. 407 as shown by the recorded plat in Volume 12 of Maps, Page 32 of Cuyahoga County

Records, and being 40 feet front on the Easterly side of East 84th Street, (formerly Bertram Street) and extending back 72.63 feet on the Southerly line, 72.62 feet on the Northerly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 29. 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. 119-29-124 as more fully described in Section 30 below, to Fairfax Renaissance Development Corporation or its designee.

Section 30. That the real property to be sold pursuant to Section 29 of this Ordinance is more fully described as follows:

P. P. No. 119-29-124

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 35 feet of Sublot No. 99 and the Southerly 5 feet to Sublot No. 100 in Bower and Brack's Subdivision of part of Original One Hundred Acre Lot No. 407, as shown by the recorded plat in Volume 12 of Maps, Page 32 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 40 feet on the Easterly side of East 84th Street and extending back of equal width 72.60 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 31. 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. 119-30-099 as more fully described in Section 32 below, to Fairfax Renaissance Development Corporation or its designee.

Section 32. That the real property to be sold pursuant to Section 31 of this Ordinance is more fully described as follows:

P. P. No. 119-30-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 34 in W. B. Newcombs Subdivision of part of Original One Hundred Acre Lot Nos. 407 and 408, as shown by the recorded plat in Volume 15 of Maps, Page 17 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 85th Street (formerly Alanson Street), and extending back of equal width 93.50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 33. 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. 119-31-057 as more fully described in Section 34 below, to Fairfax Renaissance Development Corporation or its designee.

Section 34. That the real property to be sold pursuant to Section 33 of this Ordinance is more fully described as follows:

P. P. No. 119-31-057

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 in the center line of East 87th Street (formerly Vienna Street) at a point 323 feet Southerly (measured along said line) from a stone at its point of intersection with the Southerly line of Cedar Avenue, S.E., (formerly Cedar Avenue); thence Westerly along a line at right angles with said center line of East 87th Street, 25 feet to the Westerly line of said East 87th Street, and the principal place of beginning of the premises herein described; thence continuing Westerly along a line of right angles to said centerline of East 87th Street, 149.35 feet; thence Southerly along a line parallel to said center line of East 87th Street, 40 feet; thence Easterly along a line at right angles with said center line of East 87th Street, 149.35 feet to said Westerly line of East 87th Street; thence Northerly along said Westerly line of East 87th Street, 40 feet to the place of beginning, and being further known as Sublot No. 3 in Whitaker and Harbath's proposed Subdivision of part of Original One Hundred Acre Lot No. 408, be the same more or less, but subject to all legal highways.

Section 35. 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. 119-31-069 as more fully described in Section 36 below, to Fairfax Renaissance Development Corporation or its designee.

Section 36. That the real property to be sold pursuant to Section 35 of this Ordinance is more fully described as follows:

P. P. No. 119-31-069

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

Beginning in the Westerly line of East 87th Street (formerly Vienna Street) (50 feet wide) at the Northerly corner of parcel of land conveyed to Kittie C. Langton by deed dated March 27, 1905 and recorded in Volume 966, Page 324 of Cuyahoga County Records, thence Northerly along said Westerly line 39 feet 8 inches to the Southerly corner of a parcel of land conveyed to A. Klotzbach and Hattie Klotzbach by deed dated March 15, 1905 and recorded in Volume 967, Page 69 of Cuyahoga County Records; thence Westerly along the Southerly line of said parcel so conveyed to A. Klotzbach and Hattie Klotzbach, 149.35 feet to the Easterly line of A. J. Marsh Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records; thence Southerly along said Easterly line 39 feet 8 inches to the Northerly corner of parcel of land conveyed to Kittie C. Langton as aforesaid; thence Easterly along the Northerly line of said parcel so conveyed to Kittie C. Langton 149.35 feet to the place of beginning and being further known as the Southerly 39 feet 8 inches of Sublot No. 15 in Whitaker and Harbaugh's proposed Subdivision of part of Original One Hundred Acre Lot No. 408, be the same more or less, but subject to all legal highways.

Section 37. That pursuant to Sec-

tion 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 119-31-032 as more fully described in Section 38 below, to Fairfax Renaissance Development Corporation or its designee.

Section 38. That the real property to be sold pursuant to Section 37 of this Ordinance is more fully described as follows:

P. P. No. 119-31-032

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

Beginning in the Easterly line of East 87th Street (formerly Vienna Street) at the Southwesterly corner of land conveyed by F. D. and Vinnie V. Stevenson to Elizabeth L. Call, by deed dated March 14, 1910 and recorded in Volume 1266, Page 622 of Cuyahoga County Records; thence Easterly along the Southerly line of land conveyed to Elizabeth L. Call, as aforesaid, a distance of 165 feet to the Northwesterly corner of Sublot No. 20 in Henry and Howard White's Allotment of a part of said Original Lot No. 408, as recorded in Volume 11 of Maps, Page 40 of Cuyahoga County Records; thence Southerly along the Westerly line of said Sublot No. 20, a distance of 40 feet to the North-easterly corner of land conveyed by Harriet J. and John J. Kirkwood to Ford P. Beers, by deed dated March 27, 1894 and recorded in Volume 575, Page 51 of Cuyahoga County Records, thence Westerly along the Northerly line of land conveyed to Beers, as aforesaid; a distance of 165 feet to the Easterly line of East 87th Street; thence Northerly along the Easterly line of East 87th Street 40 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 39. 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. 119-31-033 as more fully described in Section 40 below, to Fairfax Renaissance Development Corporation or its designee.

Section 40. That the real property to be sold pursuant to Section 39 of this Ordinance is more fully described as follows:

P. P. No. 119-31-033

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 in the Easterly line of East 87th Street (formerly Vienna Street) at the Southwesterly corner of land conveyed by George W. Richardson and wife to Ella M. Stranahan by deed dated November 8, 1883, and recorded in Volume 358, Page 211 of Cuyahoga County Records; thence Easterly along the Southerly line of said Stranahan's land, 165 feet to the Northwesterly corner of Sublot No. 19 in Henry and Howard White's Allotment of a part of said Original Lot No. 408 as recorded in Volume 11 of Maps, Page 40 of Cuyahoga County Records; thence Southerly along the Westerly line of said Sublot No. 19, 40 feet to the North-easterly corner of land conveyed by Lena B. Champ

and husband to Elizabeth L. Call, by deed dated January 2, 1906 and recorded in Volume 1006, Page 428 of Cuyahoga County Records; thence Westerly along the Northerly line of said Call's land, 165 feet to the Easterly line of East 87th Street; thence Northerly along the Easterly line of East 87th Street, 40 feet to the place of beginning, as appears by said plat, but subject to all legal highways.

Section 41. 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. 119-31-045 as more fully described in Section 42 below, to Fairfax Renaissance Development Corporation or its designee.

Section 42. That the real property to be sold pursuant to Section 41 of this Ordinance is more fully described as follows:

P. P. No. 119-31-045

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 on the Easterly line of East 87th Street (formerly Vienna Street), at Southwesterly corner of land conveyed to Louise G. Lyman by deed dated October 15, 1907, and recorded in Volume 1136, Page 235 of Cuyahoga County Records; thence Southerly along the said Easterly line of East 87th Street, 40 feet to the Northwesterly corner of land conveyed to Anna Carroll by deed dated June 27, 1913 and recorded in Volume 1473, Page 161 of Cuyahoga County Records; thence Easterly along the Northerly line of land so conveyed to Anna Carroll, about 165 feet to the Westerly line of White and White's Subdivision, as shown by the recorded plat in Volume 11 of Maps, Page 40 of Cuyahoga County Records; thence Northerly along the said Westerly line of White's Subdivision, 40 feet to the Southerly line of land conveyed to Louise G. Lyman, as afore-said; thence Westerly along the Southerly line of land so conveyed to Louise G. Lyman, about 165 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 43. 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. 119-31-048 as more fully described in Section 44 below, to Fairfax Renaissance Development Corporation or its designee.

Section 44. That the real property to be sold pursuant to Section 43 of this Ordinance is more fully described as follows:

P. P. No. 119-31-048

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 bounded and described as follows:

Beginning 9-3/4 feet North from the Southwest corner of Sublot No. 5 of Henry and Howard White's Allotment of part of Original One Hundred Acre Lot No. 408, as recorded in Volume 11 of Maps, Page 40 of Cuyahoga County Records; thence North along said

White's West line 60 feet; thence West at right angles with East 87th Street (formerly Vienna Street) about 165 feet to the East line of said 87th Street; thence South along the East line of said East 87th Street, 60 feet; thence East at right angles with East 87th Street about 165 feet to the place of beginning, and being further known as Sublot No. 3 of Eliza Richardson's 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 45. 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. 119-31-080 as more fully described in Section 46 below, to Fairfax Renaissance Development Corporation or its designee.

Section 46. That the real property to be sold pursuant to Section 45 of this Ordinance is more fully described as follows:

P. P. No. 119-31-080

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in A. J. Marsh Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records, and being 33 feet front on the Easterly side of East 86th Street (formerly Beechwood Street), and extending back of equal width 93.34 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 47. 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. 119-31-089 more fully described in Section 48 below, to Fairfax Renaissance Development Corporation or its designee.

Section 48. That the real property to be sold pursuant to Section 47 of this Ordinance is more fully described as follows:

P. P. No. 119-31-089

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 32 feet of Sublot No. 23 and the Northerly 1 foot of Sublot No. 24 in A. J. Marsh Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records, and together forming a parcel of land 33 feet front on the Easterly side of East 86th Street (formerly Beechwood Street), 93-38/100 feet deep on the Northerly line, 93-37/100 feet deep on the Southerly line and 33 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 49. 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. 119-31-099 as more fully described in Section 50

below, to Fairfax Renaissance Development Corporation or its designee.

Section 50. That the real property to be sold pursuant to Section 49 of this Ordinance is more fully described as follows:

P. P. No. 119-31-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the middle part of Sublot No. 13 in A. J. Marsh Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records.

Said part of Sublot No. 13 is bounded East and West by the respective lines of said Sublot; Northerly by a line drawn parallel with the Northerly line of said Sublot and 1 foot distant Southerly therefrom by rectangular measurements; Southerly by a line drawn parallel with the Southerly line and 1 foot distant therefrom. Said parcel is 33 feet on the Easterly line of East 86th Street (formerly Beechwood Street) and extends back therefrom between parallel lines about 93-44/100 feet, be the same more or less, but subject to all legal highways.

Section 51. 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. 119-31-102 as more fully described in Section 52 below, to Fairfax Renaissance Development Corporation or its designee.

Section 52. That the real property to be sold pursuant to Section 51 of this Ordinance is more fully described as follows:

P. P. No. 119-31-102

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 25 feet front and rear of Sublot No. 10 and the Northerly 5 feet front and rear of Sublot No. 11 in A. J. Marsh Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat in Volume 18 of Maps, Page 26 of Cuyahoga County Records, together forming a parcel of land 30 feet front on the Easterly side of East 86th Street (formerly Beechwood Street) and extending back about 93-46/100 feet on the Northerly line, about 93-45/100 feet on the Southerly line and having a rear line of 30 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Section 53. 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. 119-31-106 as more fully described in Section 54 below, to Fairfax Renaissance Development Corporation or its designee.

Section 54. That the real property to be sold pursuant to Section 53 of this Ordinance is more fully described as follows:

P. P. No. 119-31-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 7 in the A. J. Marsh Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408, as shown by the recorded plat

in Volume 18 Maps, Page 26 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 86th Street (formerly Beechwood Street) at a point 5 feet Northerly from the Southwesterly corner of said Sublot No. 7; thence Northerly along the Easterly line of East 86th Street, 35 feet to the Northwesterly corner of said Sublot; thence Easterly along the Northerly line of said Sublot 90.48 feet; thence Southerly along the Easterly line of said Sublot 16.7 feet; thence Easterly, along the Northerly line of said Sublot, 3 feet; thence Southerly along the Easterly line of said Sublot 18.3 feet to the point 5 feet Northerly from the Southeastery corner of said Sublot; thence Westerly parallel with Southerly line of said Sublot, about 93.47 feet to the place of beginning as appears by said plat.

Also subject to zoning ordinances, if any.

Section 55. 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. 119-31-107 as more fully described in Section 56 below, to Fairfax Renaissance Development Corporation or its designee.

Section 56. That the real property to be sold pursuant to Section 55 of this Ordinance is more fully described as follows:

P. P. No. 119-31-107

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 33 feet of Sublot No. 6 in A. J. Marsh Trustee's Subdivision of part of Original One Hundred Acre Lot No. 408, said part of said Sublot No. 6 has a frontage of 33 feet on the Easterly side of East 86th Street (formerly Beechwood Street) and extends back of equal width 90.48 feet deep as per plat of said Allotment recorded in Volume 18 of Maps, Page 26 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Section 57. 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. 119-32-116 as more fully described in Section 58 below, to Fairfax Renaissance Development Corporation or its designee.

Section 58. That the real property to be sold pursuant to Section 57 of this Ordinance is more fully described as follows:

P. P. No. 119-32-116

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, bounded and described as follows:

Beginning at the Southwesterly corner of Sublot No. 29 in Henry W. and Howard White's Allotment as recorded in Volume 11 of Maps, Page 40 of Cuyahoga County Records, thence Northerly along the Westerly line of said Sublot No. 29, 40 feet to the Northwesterly corner thereof; thence Westerly at right angles to the Easterly line of East 87th Street (formerly Vienna Street) 165 feet to the Easterly line of East 87th Street; thence Southerly along the Easterly line of East 87th Street,

40 feet; thence Easterly at right angles to the Easterly line of East 87th Street, 165 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 59. 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. 119-32-151 as more fully described in Section 60 below, to Fairfax Renaissance Development Corporation or its designee.

Section 60. That the real property to be sold pursuant to Section 59 of this Ordinance is more fully described as follows:

P. P. No. 119-32-151

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 68 in W. H. Cleminshaw's Allotment 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 35 feet front on the Westerly side of East 87th Street (formerly Shelburne Street) and extending back of equal width 90 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

Section 61. 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. 119-32-172 as more fully described in Section 62 below, to Fairfax Renaissance Development Corporation or its designee.

Section 62. That the real property to be sold pursuant to Section 61 of this Ordinance is more fully described as follows:

P. P. No. 119-32-172

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 98 and 99 in W. H. Cleminshaw'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 together forming a parcel of land bounded and described as follows:

Beginning in the Easterly line of East 86th Street (formerly Beechwood Street) at a point distant Northerly (measured along said Easterly line of East 86th Street), 73-1/2 feet from its intersection with the Northerly line of Quincy Avenue S.E., (formerly Quincy Street) 60 feet wide; thence Northerly along said Easterly line of East 86th Street 26-1/2 feet to the Northwesterly corner of said Sublot No. 99; thence Easterly along the Northerly line of said Sublot Nos. 99 and 98, 43 feet to a point distant Easterly (measured along said Northerly line of Sublot No. 98) 1 foot from the Northwesterly corner of said Sublot No. 98; thence Southerly along the line parallel with the Westerly line of said Sublot No. 98, 26-1/2 feet; thence Westerly along a line parallel with the Northerly line of said Quincy Avenue, S.E., 43 feet to the

principal place of beginning, as appears by said plat.

Also subject to zoning ordinances, if any.

Section 63. 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. 119-33-091 as more fully described in Section 64 below, to Fairfax Renaissance Development Corporation or its designee.

Section 64. That the real property to be sold pursuant to Section 63 of this Ordinance is more fully described as follows:

P. P. No. 119-33-091

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 on the Easterly line of East 89th Street at the Southwesterly corner of Sublot No. 15 in the T. S. Knight and George W. Pack, Executor's Subdivision, as shown by the recorded plat in Volume 14 of Maps, Page 29 of Cuyahoga County Records; thence Easterly along the Southerly line of said Sublot No. 15, 226.20 feet to the Westerly line of Dolman Subdivision, as shown by the recorded plat in Volume 12, Page 28 of Cuyahoga County Records; thence Southerly along the Westerly line of said Dolman's Subdivision 50 feet to the Northeastery corner of land conveyed to John J. Grant by deed dated April 17, 1897, and recorded in Volume 659, Page 517 of Cuyahoga County Records; thence Westerly along the Northerly line of land conveyed, 224.76 feet to the Easterly line of East 89th Street; thence Northerly, along the Easterly line of said East 89th Street, 50 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 65. 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. 126-05-109 as more fully described in Section 66 below, to Fairfax Renaissance Development Corporation or its designee.

Section 66. That the real property to be sold pursuant to Section 65 of this Ordinance is more fully described as follows:

P. P. No. 126-05-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 30 in Severin Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 4 of Maps, Page 39 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Folsom Avenue, S.E., and extending back between parallel lines 149.17 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 67. 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. 126-07-005 as more fully described in Section 68 below, to Fairfax Renaissance Development Corporation or its designee.

Section 68. That the real property

to be sold pursuant to Section 67 of this Ordinance is more fully described as follows:

P. P. No. 126-07-005

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 1 in William Given's Re-Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 4 of Maps, Page 59 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of East 89th Street at a point 144 feet Southerly (measured along said Easterly line) from its point of intersection with the Southerly line of Quincy Avenue, S.E.; thence Southerly along the Easterly line of East 89th Street, 48 feet; thence Easterly, on a line parallel with said Southerly line of Quincy Avenue, S.E., 130 feet to the Westerly line of land conveyed to the City of Cleveland by deed dated July 21, 1890 and recorded in Volume 477, Page 185 of Cuyahoga

County Records; thence Northerly along said Westerly line of land so conveyed to the City of Cleveland 48 feet; thence Westerly on a line parallel with said Southerly line of Quincy Avenue S.E., 130 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 69. 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 70. 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 71. 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 72. 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. 526-96.

By Councilmen Coats and Rokakis.

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

Whereas, pursuant to Resolution No. 528-95 adopted May 1, 1995, written notice requiring the construction or repairing of sidewalks and curbing in front of the premises hereinafter set forth was duly served upon the owners in the manner prescribed by law, all as set forth in File No. 471-96, filed with this Council on the 12th day of March, 1996, but which sidewalks and curbing were not constructed or repaired by the owners of said premises, the same being done by the City of Cleveland, pursuant to Section 165 of the Charter; and,

Whereas, the Director of Finance has reported to this Council on the 12th day of March, 1996, all of the expenses of such construction and repairing 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 for the purpose of paying the cost and expense of construction and repairing of sidewalks and curbing, there be and hereby is levied and assessed upon the following described property situated in the City of Cleveland, County of Cuyahoga and State of Ohio, the following respective amounts:

PERMANENT PARCEL NUMBER	OWNERS NAME	STREET	TOTAL ASSESSMENT
117-16-041	WILLIAM KINCAID, JR.	1810 GRANTHAM RD	\$1,920.19
117-16-061	GILBERT FRIESON	1878 GRANTHAM RD	\$1,049.09
117-16-062	EVA STONE	1874 GRANTHAM RD	\$1,082.16
117-16-063	MARVIN JOHNSON	1870 GRANTHAM	\$1,025.99
117-16-064	MARVIN B. JOHNSON	1866 GRANTHAM RD	\$968.49
117-16-065	BENJAMIN TAYLOR, JR.	1862 GRANTHAM RD	\$551.00
117-16-066	MAC A. SAXON	1858 GRANTHAM RD	\$767.25
117-16-067	ROSE MARIE CAPLE	1854 GRANTHAM RD	\$924.08
117-16-068	RONALD GREEN	1850 GRANTHAM RD	\$663.12
117-16-069	OTIS McCANTS, JR.	1846 GRANTHAM RD	\$1,025.70
117-16-070	SHIRLEY J. MANUEL	1842 GRANTHAM RD	\$1,026.92
117-16-071	BENNIE L. OLIVER	1838 GRANTHAM RD	\$1,071.85
117-16-073	LEWIS J. JEFFERSON	1830 GRANTHAM RD	\$1,061.32
117-16-074	FOREST WHATLEY	1826 GRANTHAM RD	\$1,006.94
117-16-075	JAMES F. MACKURA	1822 GRANTHAM RD	\$932.13
117-16-076	ASHTON O. MOORE	1818 GRANTHAM RD	\$942.45
117-16-077	LUCILLE SLONE	1814 GRANTHAM RD	\$1,098.89
117-36-002	JEFFREY C. ASH	2031 N. GREEN RD	\$844.12
117-36-003	SANDRA J. BLACKWELL	2027 N. GREEN RD	\$969.79
117-36-004	CLARENCE W. HAWKINS	2023 N. GREEN RD	\$1,160.97
117-36-005	LUCY M. BOWDRIE	2019 N. GREEN RD	\$1,297.98
117-36-006	HOMER McCURDY	2015 N. GREEN RD	\$1,083.73
117-36-007	JAMES D. PARKER	2011 N. GREEN RD	\$168.06
117-36-008	P. PORTER WILMA	2007 N. GREEN RD	\$601.91
117-36-009	EDWINA BARRON	2003 N. GREEN RD	\$1,000.44
117-37-016	THOMAS HEIL	2100 GREEN RD	\$2,092.65
117-37-020	PATRICIA L. SHAFFER	2087 N. GREEN RD	\$342.00
117-37-021	DIANA L. HASAN	2083 N. GREEN RD	\$997.50
117-37-022	HERSCHEL M. HOLLIMAN	2079 N. GREEN RD	\$190.10

PERMANENT PARCEL NUMBER	OWNERS NAME	STREET	TOTAL ASSESSMENT
117-37-023	WILLIE EDWARDS	2075 N. GREEN RD	\$959.10
117-37-024	KELDON & JOYCE B. CASEY	2071 N. GREEN RD	\$552.34
117-37-026	OTIS BRIDGES	2063 N. GREEN RD	\$1,457.57
117-37-027	JENNIE L. PARKER	2059 N. GREEN RD	\$447.75
117-37-028	GERTRUDE MOWBRAY SMITH	2055 N. GREEN RD	\$321.24
117-37-029	WILLIE A. WILLIAMS	2051 N. GREEN RD	\$342.00
117-37-030	JOSEPH & ROSIE ANN SANDE	2047 N. GREEN RD	\$590.84
117-37-031	RYSAR PROPERTIES INC.	2043 N. GREEN RD	\$439.56
117-37-032	DWIGHT E. MILLER	2039 N. GREEN RD	\$786.06
117-38-039	SHIRLEY J. POWELL	2092 N. GREEN RD	\$1,514.38
117-38-040	JARRELL LAWRENCE	2088 N. GREEN RD	\$1,481.96
117-38-041	JIM LUMPKIN	2084 N. GREEN RD	\$1,655.05
117-38-042	ANN ANKRUM	2080 N. GREEN RD	\$775.53
117-38-043	ARTHUR J. HILL, JR	2076 N. GREEN RD	\$883.19
117-38-044	ANDREW F. LANGE	2072 N. GREEN RD	\$921.38
117-38-045	SHIRLEY D. POWELL	2068 N. GREEN RD	\$609.06
117-38-046	AL KRISS	2064 N. GREEN RD	\$745.56
117-38-047	ALLEN S. SPITAK	2060 N. GREEN RD	\$1,201.59
117-38-048	JOHN B. ECHOLS	2056 N. GREEN RD	\$1,140.03
117-38-049	RACHEL M. PATTON	2052 N. GREEN RD	\$1,758.63
117-38-050	ERIC J. HARVEY	2048 N. GREEN RD	\$869.37
117-38-051	HAROLD D. & MARIE GANT	2044 N. GREEN RD	\$732.04
117-38-052	KAREN E. WILLIAMS	2040 N. GREEN RD	\$1,002.04
117-38-053	M. McCARTHY ELAINE	2036 N. GREEN RD	\$720.00
117-38-054	MARY D. WINKLER	2032 N. GREEN RD	\$989.00
117-38-055	VINCENT S. DIFIORE	2028 N. GREEN RD	\$450.00
117-38-056	RENEE MORGAN	2024 N. GREEN RD	\$216.00
117-38-057	RUTH V. BUTLER	2020 N. GREEN RD	\$727.53
117-38-058	JACK DIAMOND	2016 N. GREEN RD	\$871.50
117-38-060	BRENDA Q. PHAM	2008 N. GREEN RD	\$1,401.81
117-38-061	PERRI PASQUALE	2000 N. GREEN RD	\$3,108.05
117-39-001	MARGARET A. FLYNN	2096 N. GREEN RD	\$1,777.98
117-39-002	REGINALD MORRIS	2100 N. GREEN RD	\$1,368.25
117-39-003	RONDALL G. BLANEY	2104 N. GREEN RD	\$462.06
	TOTAL		\$61,145.27

Section 2. That the owners of the several lots and parcels of land included in said assessment shall pay the amounts from them severally due, as set forth in Section 1 above, to the City Treasurer within forty (40) days from and after the date of the passage of this Ordinance, and in default thereof said tax, together with a penalty of five percent (5%) and interest not to exceed seven and one half percentum (7 1/2%) per annum, shall be payable to the County Treasurer with regular taxes for the tax years 1996, 1997, 1998, 1999 and 2000, and the Commissioner of Assessments and Licenses is hereby authorized and directed to certify all unpaid assessments to the County Auditor to be entered on the tax duplicate.

Section 3. It is hereby determined that the assessments do not exceed the special benefits resulting from the improvement, and do not exceed the limitations imposed by Charter Section 158.

Section 4. That notes or bonds of the City of Cleveland shall not be issued in anticipation of the collection of said assessments.

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 Finance, Law; Committee on Finance.

Ord. No. 527-96.
By Councilmen Coats, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Malinda Rivers, or her designee, to provide economic development assistance to partially finance the acquisition of two buildings, machinery and equipment at 12333-12335 St. Clair Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Malinda Rivers, or her

designee, to provide economic development assistance to partially finance the acquisition of two buildings, machinery and equipment at 12333-12335 St. Clair Avenue, Cleveland, Ohio.

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

Section 3. That the costs of said contract shall not exceed Eighty Thousand Dollars (\$80,000.00), and shall be paid from Fund No. 17 SF 003, Request No. 22422.

Section 4. That the Director of Economic Development is hereby authorized to accept collateral as said director shall deem adequate in

order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 005.

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

Section 7. That the Director of Law is hereby authorized to prepare said contract and such other docu-

ments as may be appropriate to complete the transaction.

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

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

Ord. No. 528-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of replacement parts for Chrysler, Dodge, Plymouth, and Jeep light duty trucks and vans, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21040)

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. 529-96.

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 or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressor, and for emergency cleanup and replacement of leaking underground storage tanks and systems, 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 or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressor, and for emergency cleanup and replacement of leaking underground storage tanks and systems, 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 21042)

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. 530-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to enter into contract

with Clean-Land, Ohio to implement the City's Recycling, Litter Prevention Education, and Recycling Public Awareness Program and waste reduction activities for 1996.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to enter into contract with Clean-Land, Ohio to implement the City's Recycling, Litter Prevention Education, and Recycling Public Awareness Program and waste reduction activities for 1996, in the total sum of \$133,032.00 to be paid from Fund No. 13 SF 209, Request No. 20270.

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 Service, Finance, Law; Committees on Public Service, Finance.

Ord. No. 531-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract for replacement parts for Elgin sweepers, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

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

tion against such contract duly certified by the Director of Finance. (RL 21041)

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. 532-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of replacement parts for Blaw Knox paver equipment, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21039)

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. 533-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of replacement parts for Leach packers, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21043)

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. 534-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of replacement parts for Barber Greene and Miller asphalt pavers, Ingram, Hyster and Huber rollers and C.S. Johnson cement mixers, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized and directed to make a written

requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of replacement parts for Barber Greene and Miller asphalt pavers, Ingram, Hyster and Huber rollers and C.S. Johnson cement mixers, including labor if necessary, in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21038)

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. 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.

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 repairing the Fulton Road Bridge, for the Division of Engineering and Construction, Department of Public Service, 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 Public Service 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 Public Service is hereby authorized and directed to enter into contract with Osborn Engineering Company for professional services necessary to make the above improvement for the Division of Engineering and Construction, Department of Public Service.

Section 4. That the Director of Public Service is hereby authorized to enter into such work agreements with adjacent property owners as are necessary to make the above public improvement.

Section 5. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the above improvement. The consideration to be paid for such property shall not exceed its appraised value.

Section 6. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of such property.

Section 7. That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

Section 8. That the Director of Public Service is hereby authorized to apply to the County Board of Commissioners for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept said funds and to file all papers and execute all documents necessary to receive said funds; and that said funds be and are hereby appropriated for the purposes set forth above.

Section 9. That the Director of Public Service is hereby authorized to enter into such agreements with the Cleveland Metroparks System as are necessary to make the above public improvement.

Section 10. That the costs of the improvement, services, and property acquisition hereby authorized shall be paid from Fund Nos. 20 SF 322, 20 SF 312, 20 SF 302, 20 SF 190, 20 SF 181, and from the fund or sub-funds to which are credited any monies which are received for this ordinance, Request No. 21897.

Section 11. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

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

Ord. No. 536-96.

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 2329 East 37th Street to Central Nehemiah Development Partnership.

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. 103-30-120, as more fully described in Section 2 below, to Central Nehemiah Development Partnership.

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. 103-30-120

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 34, 35 and the Southerly one-half of Sublot No. 36 in Stedman and Barker's Allotment of part of Original Ten Acre Lot Nos. 42 and 43, as shown by the recorded plat in Volume 2 of Maps, Page 5 of Cuyahoga County Records, and together forming a parcel of land 125 feet front on the Easterly side of East 37th Street (formerly Forest Street) and extending back of equal width 226 feet, 3 inches, 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 nec-

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

Ord. No. 537-96.

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 2215 East 36 Street to Greater Cleveland Habitat for Humanity, Incorporated.

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. 103-22-052, as more fully described in Section 2 below, to Greater Cleveland Habitat for Humanity, Incorporated.

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. 103-22-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 80 in H.P. Weddell's Subdivision of part of Original Ten Acre Lot Nos. 64, 65 and 66 as shown by the recorded plat in Volume 2, Page 30 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 36th Street, (formerly Hayward Street), and extending back of equal width 120 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.

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

Ord. No. 538-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Jurist & Bock Properties, or its designee, to provide economic development assistance to partially finance the acquisition of property at 3700 Prospect Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Jurist & Bock Properties, or its designee, to provide economic development assistance to partially finance the acquisition of property at 3700 Prospect Avenue, Cleveland, Ohio.

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

Section 3. That the costs of said contract shall not exceed Ninety Four Thousand Four Hundred Dollars (\$94,400), and shall be paid from Fund No. 18 SF 001, Request No. 22255.

Section 4. That the Director of Economic Development is hereby authorized to accept collateral as said director shall deem adequate in order to secure repayment of said

loan. Any security instrument shall be prepared and approved by the Director of Law.

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

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

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

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

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

Ord. No. 539-96.

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

An emergency ordinance to amend Section 6 of Ordinance No. 200-88, passed February 1, 1988, as amended by Ordinance No. 1266-89, passed May 1, 1989, relating to the deposit and expenditure of rent payments for the East Side Market.

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 6 of Ordinance No. 200-88, passed February 1, 1988, as amended by Ordinance No. 1266-89, passed May 1, 1989, is hereby amended to read as follows:

Section 6. That rent payments received pursuant to the terms of the Lease shall be deposited in Fund Nos. 10 SF 050, 10 SF 051 and **68 SF 001** and shall be used to pay the HUD 108 Note referred to in Section 8 herein and be used to pay the cost of **maintenance and capital improvements** to the market place, which **maintenance and capital improvement expenditures** are more fully described in the Lease.

Section 2. That existing Section 6 of Ordinance No. 200-88, passed February 1, 1988, as amended by Ordinance No. 1266-89, passed May 1, 1989, 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 Parks, Recreation and Properties, Finance,

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

Ord. No. 540-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of hauling and disposing of debris at landfills, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written 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 hauling and disposing of debris at landfills 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 Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 20942)

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. 541-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to make safety modifications to escalators, 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 con-

tract 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 make safety modifications to escalators, 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 No. 60 SF 001, Request No. 20835.

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. 542-96.

By Councilmen Miller and Rokakis (by departmental request). An emergency ordinance authorizing and directing the purchase by contract of labor and materials needed to replace the overhead doors at the 5-Point garage facility at the 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 needed to replace the overhead doors at the 5-Point garage facility 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 No. 60 SF 001, Request No. 20834.

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. 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.

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

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

Section 1. That the title and Section 1 of Ordinance No. 2055-95, passed November 13, 1995, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and equipment needed for towing unattended vehicles from roadways at Cleveland Hopkins International Airport, for the Department of Port Control.

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 forty-five days for the necessary items of labor and equipment necessary for towing unattended vehicles from roadways at Cleveland Hopkins International Airport in the estimated sum of \$54,000, 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. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 2. That the existing title and Section 1 of Ordinance No. 2055-95, passed November 13, 1995, are hereby repealed.

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

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

Ord. No. 544-96.

By Councilmen Miller and Rokakis (by departmental request). An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair and maintain speedwalks, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials necessary to repair and maintain speedwalks at Cleveland Hopkins International Airport, in the approximate amount

as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, 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 20840)

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. 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.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of installing a HVAC unit and associated appurtenances 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 No. 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. 20842.

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. 546-96.

By Councilmen Patton, Jackson, Rybka and Rokakis.

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Durham-Phelps Properties, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of a commercial building located at 15000 Miles Avenue, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Durham-Phelps Properties, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of a commercial building located at 15000 Miles Avenue, Cleveland, Ohio.

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

Section 3. That the costs of said contract shall not exceed Ninety-Five Thousand Dollars (\$95,000.00), and shall be paid from Fund No. 17 SF 003, Request No. 22419.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 005.

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. SF 305, Loan Fees Fund.

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

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

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

Ord. No. 547-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed twenty five hand held meter reading devices, for the Division of Cleveland Public Power, 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 twenty five (25) hand held meter reading devices, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 58 SF 001, Request No. 21500.

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. 548-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one four station folding inserting system, for the Division of Cleveland Public Power, 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: one (1) four station folding inserting system, to be purchased by the Commissioner of Purchases and Supplies for a

gross price for the Division of Cleveland Public Power, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 58 SF 001, Request No. 21499.

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. 549-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Brentwood Limousine, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of a commercial building located at 1530 East 19th Street, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with Brentwood Limousine, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of a commercial building located at 1530 East 19th Street, Cleveland, Ohio.

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

Section 3. That the costs of said contract shall not exceed Forty Thousand Dollars (\$40,000.00), and shall be paid from Fund No. 17 SF 003, Request No. 22421.

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 005.

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

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

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

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

Ord. No. 550-96.

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

An emergency ordinance establishing a Community Reinvestment Area in the area of West 10th Street in the Historic Warehouse District, 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 on West 10th Street in the Historic Warehouse District 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 West 10th Street in the Historic Warehouse District 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 on West 10th Street in the Historic Warehouse District (Permanent Parcel No. 101-14-028) 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 development of six townhouses on West 10th Street in the Historic Warehouse District, 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 fifteen (15) years for 75% of the assessed taxes for the construction 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.

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

Ord. No. 551-96.

By Councilmen Polensek and Melena.

An emergency ordinance to amend Section 403.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 91-96, passed March 18, 1996, relating to traffic code misdemeanor classifications and penalties.

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 403.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 91-96, passed March 18, 1996, is hereby amended to read as follows:

Section 403.99 Traffic Code Misdemeanor Classifications and Penalties

(a) **Misdemeanor Classifications**

(1) **General classification.** Whoever violates any provision of this Traffic Code or any regulation lawfully adopted pursuant thereto, for which violation no penalty is otherwise provided, is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, such person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense such person is guilty of a misdemeanor of the third degree. when any person is found guilty of a first offense for violation of Section 433.03, upon a finding that he operated a motor vehicle in excess of the posted speed limit by ten miles an hour or more, such person is guilty of a misdemeanor of the fourth degree. (RC 4511.99(D), 4513.99(C)). When any person is found guilty of a violation

of division (b)(8) of Section 433.07, in addition to all other penalties provided by law, such person shall be fined two times the usual amount imposed for the violation.

(2) **Driving under the influence.** Whoever violates division (a) of Section 433.01, in addition to the license suspension or revocation provided in RC 4507.16 and any disqualification imposed under RC 4506.16 shall be punished as provided in division A., B., C. or D. below:

A. If, within five years of the offense, the offender has not been convicted of or pleaded guilty to any violation of division (a) or (b) of Section 433.01, RC 4511.19, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, the offender is guilty of a misdemeanor of the first degree and the court shall sentence the offender to a term of imprisonment of three consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than two hundred dollars (\$200.00) nor more than one thousand dollars (\$1,000).

The court may suspend the execution of the mandatory three consecutive days of imprisonment that it is required to impose by this division, if the court, in lieu of the suspended term of imprisonment, places the offender on probation and requires the offender to attend, for three consecutive days, a drivers' intervention program that is certified pursuant to RC 3793.10. The court also may suspend the execution of any part of the mandatory three consecutive days of imprisonment that it is required to impose by this division, if the court places the offender on probation for part of the three consecutive days; requires the offender to attend, for that part of the three consecutive days, a drivers' intervention program that is certified pursuant to RC 3793.10; and sentences the offender to a term of imprisonment equal to the remainder of the three consecutive days that the offender does not spend attending the drivers' intervention program. The court may require the offender, as a condition of probation, to attend and satisfactorily complete any treatment or education programs that comply with the minimum standards adopted pursuant to RC Chapter 3793, by the Director of Alcohol and Drug Addiction Services, in addition to the required attendance at a drivers' intervention program, that the operators of the drivers' intervention program determine that the offender should attend and to report periodically to the court on his progress in the programs. The court also may impose any other conditions of probation on the offender that it considers necessary.

B. If, within five years of the offense, the offender has been con-

victed of or pleaded guilty to one violation of division (a) or (b) of Section 433.01, RC 4511.19, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, the offender is guilty of a misdemeanor of the first degree and the court shall sentence the offender to a term of imprisonment of ten consecutive days and may sentence the offender pursuant to division (b) of Section 403.99 to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than three hundred dollars (\$300.00) and not more than one thousand dollars five hundred dollars (\$1,500).

In addition to any other sentence that it imposes upon the offender, the court may require the offender to attend a drivers' intervention program that is certified pursuant to RC 3793.10. If the officials of the drivers' intervention program determine that the offender is alcohol dependent, they shall notify the court, and the court shall order the offender to obtain treatment through an alcohol and drug addiction program authorized by RC 3793.02. The cost of the treatment shall be paid by the offender.

C. If, within five years of the offense, the offender has been convicted of or pleaded guilty to two violations of division (a) or (b) of Section 433.01, RC 4511.19, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, the court shall sentence the offender to a term of imprisonment of thirty consecutive days and may sentence the offender to a longer definite term of imprisonment of not more than one year. In addition, the court shall impose upon the offender a fine of not less than five hundred dollars (\$500.00) and not more than two thousand five hundred dollars (\$2,500).

In addition to any other sentence that it imposes upon the offender, the court shall require the offender to attend an alcohol and drug addiction program authorized by RC 3793.02. The cost of the treatment shall be paid by the offender. If the court determines that the offender is unable to pay the cost of his attendance at the treatment program, the court may order that the payment of the cost of the offender's attendance at the treatment pro-

gram be made from the court's indigent drivers alcohol treatment fund, created pursuant to division (N) of RC 4511.191.

D. If, within five years of the offense, the offender has been convicted of or pleaded guilty to three or more violations of division (a) or (b) of Section 433.01 and RC 4511.19, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, RC 2903.04 in a case in which the offender was subject to the sanctions described in Division (D) of that section, or RC 2903.06, 2903.07, or 2903.08 or a municipal ordinance that is substantially similar to RC 2903.07 in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, the court shall sentence the offender to a term of imprisonment of sixty consecutive days and may sentence the offender to a longer definite term of imprisonment of not more than one year. In addition and notwithstanding division (b) of Section 403.99, the court shall impose upon the offender a fine of not less than seven hundred fifty dollars (\$750.00) nor more than ten thousand dollars (\$10,000).

In addition to any other sentence that it imposes upon the offender, the court shall require the offender to attend an alcohol and drug addiction program authorized by RC 3793.02. The cost of the treatment shall be paid by the offender. If the court determines that the offender is unable to pay the cost of his attendance at the treatment program, the court may order that the payment of the cost of the offender's attendance at the treatment program be made from the court's indigent drivers alcohol treatment fund, created pursuant to division (N) of RC 4511.191.

E. Twenty-five dollars (\$25.00) of each fine imposed pursuant to divisions (a)(2)A., B., C. or D. of this section shall be deposited into the indigent drivers alcohol treatment fund of the court, created pursuant to division (N) of RC 4511.191.

F. Upon a showing that imprisonment would seriously affect the ability of an offender sentenced pursuant to divisions (a)(2)A. to D. of this section to continue his employment, the court may authorize that the offender be granted work release from imprisonment after the offender has served the three, ten, thirty, or sixty consecutive days of imprisonment that the court is required by divisions (a)(2)A. to D. of this section to impose. No court shall authorize work release from imprisonment during the three, ten, thirty, or sixty consecutive days of imprisonment that the court is required by divisions (a)(2)A. to D. of this section to impose. The duration of the work release shall not exceed the time necessary each day for the offender to commute to and from the place of employment and the place of imprisonment and the time actually spent under employment.

G. Notwithstanding any section of the Revised Code or this Traffic Code that authorizes suspension of the imposition or execution of a sentence or the placement of an offender in any treatment program in lieu of imprisonment, no court shall suspend the ten, thirty, or sixty consecutive days of imprisonment

required to be imposed by divisions (a)(2)B. to D. of this section or place an offender who is sentenced pursuant to division (a)(2)B. to D. of this section in any treatment program in lieu of imprisonment until after the offender has served the ten, thirty, or sixty consecutive days of imprisonment required to be imposed pursuant to division (a)(2)B. to D. of this section.

Notwithstanding any section of the Revised Code or this Traffic Code that authorizes the suspension of the imposition or execution of a sentence or the placement of an offender in any treatment program in lieu of imprisonment, no court, except as specifically authorized by division (a)(2)A. of this section, shall suspend the three consecutive days of imprisonment required to be imposed by division (a)(2)A. of this section or place an offender who is sentenced pursuant to division (a)(2)A. of this section in any treatment program in lieu of imprisonment until after the offender has served the three consecutive days of imprisonment required to be imposed pursuant to division (a)(2)A. of this section.

H. No court shall sentence an offender to an alcohol treatment program pursuant to division (a)(2)A. to D. of this section unless the treatment program complies with the minimum standards adopted pursuant to RC Chapter 3793. by the Director of Alcohol and Drug Addiction Services. (RC 4511.99(A))

I. As used in this section, "three consecutive days" means seventy-two consecutive hours. (RC 4511.991)

(3) **Physical control.** Whoever violates division (b) of Section 433.01 is guilty of a misdemeanor of the first degree.

(4) **Street racing.** Whoever violates Section 433.07 is guilty of a misdemeanor of the first degree.

(5) **Licensing drivers.** Whoever violates any provision of Sections 435.01 to 435.07, inclusive, is guilty of a misdemeanor of the first degree.

(6) **Accidents.** Whoever violates any provision of Sections 435.15 to 435.17, inclusive, is guilty of a misdemeanor of the first degree.

(7) **Willfully fleeing a police officer.** Whoever violates division (b) of Section 403.02 is guilty of a misdemeanor of the first degree.

(8) **Stopping for school buses.** Whoever violates division (a) of Section 431.38 may be fined not more than five hundred dollars (\$500.00).

(9) **Placing dangerous material on streets.** Whoever violates division (e) of Section 411.01 is guilty of a misdemeanor of the first degree.

(10) **Handicapped Parking, whoever violates division (g) of Section 451.041 shall be fined one hundred dollars (\$100.00), which fine shall not be suspended, waived or otherwise reduced below that amount.**

(b) **Penalties.** Whoever is convicted of or pleads guilty to a violation of this Traffic Code shall be imprisoned for a definite term or fined, or both, which term of imprisonment and fine shall be fixed by the court as provided in this section.

Misdemeanor Classification	Maximum Imprisonment Term	Maximum Fine
1st degree	6 months	\$1,000.00
2nd degree	90 days	750.00
3rd degree	60 days	500.00
4th degree	30 days	250.00
Minor	None	100.00

(RC 2929.21)

(c) License Suspension.

(1) The trial judge of the Cleveland Municipal Court, in addition to or independent of all other penalties provided by law or ordinance, shall suspend for not less than thirty days nor more than three years or revoke the driver's or commercial driver's license or permit or nonresident operating privileges of any person who is convicted of or pleads guilty to any of the following:

- A. Division (a) of Section 431.38;
- B. Sections 435.01 to 435.07, inclusive.

The trial judge, in addition to suspensions or revocations of licenses, permits, or privileges pursuant to this division and in addition to or independent of all other penalties provided by law or by ordinance, shall impose a suspended jail sentence of not to exceed six months, if that imprisonment was not imposed for the offense for which the person was convicted.

(2) The trial judge of the Cleveland Municipal Court, in addition to or independent of all other penalties provided by law or ordinance, shall suspend or revoke the driver's or commercial driver's license or

permit or nonresident operating privileges of any person who is convicted of or pleads guilty to a violation of division (b) of Section 433.01. The length of the suspension or revocation imposed by the trial judge upon a person who is convicted or pleads guilty to a violation of division (b) of Section 433.01 shall be the same as that imposed pursuant to division (B) of RC 4507.16 upon a person who is convicted of or pleads guilty to a violation of RC 4511.19, or a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine.

(3) The trial judge of the Cleveland Municipal Court may, in addition to or independent of all other penalties provided by law, suspend the license of any person for not more than fifteen days who is convicted of or pleads guilty to a violation of operating a motor vehicle faster than five miles per hour in excess of the prima-facie speed limits specified in Section 433.03 relat-

ing to passing a school building or grounds or operating a motor vehicle in a residential district.

For any subsequent conviction of any such provision, the trial judge shall, in addition to or independent of all other penalties provided by law, suspend the license of any person for not more than thirty days who is convicted of or pleads guilty to any offense specified in this division. The first five days may not be suspended by the Court.

Section 2. That existing Section 403.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 91-96, passed March 18, 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 Public Safety, Finance, Law; Committees on Public Safety, Legislation, Finance.

Ord. No. 552-96.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 337.031; to amend said Codified Ordinances by amending Sections 325.59, 335.01 and 335.04, as amended by various ordinances; and to repeal Section 309.25, as amended by Ordinance No. 86-85, passed February 25, 1985, all relating to town houses.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 337.031 thereof, to read as follows:

Section 337.031 Townhouse (RA) Districts

(a) **Purpose.** Townhouse Districts (i.e., Residential Attached districts) are established to provide sites for low-rise development of attached residential units at medium to high densities. Such developments are intended to serve as a transition between areas of detached residences and areas of higher intensity development or to serve as a means of clustering housing units on sites which can be developed most appropriately through such clustering.

(b) **Definitions.** A "townhouse unit" is a single dwelling unit, situated at ground level, served by its own exclusive exterior entrance, and attached to one or more other such units by fire walls or fire separation walls. A "townhouse building" is a building composed of two or more townhouse units. The terms "townhouse" and "row house" shall have the same meaning unless otherwise indicated.

(c) **Permitted Uses.** In a Townhouse District, permitted uses are limited to townhouse buildings and all main and accessory uses permitted and as regulated in Two-Family Districts. However, notwithstanding the provisions of Section 355.05 regarding existing lots of record, lots established for development of attached residences shall not be developed or redeveloped for detached residences unless such lots meet all prevailing regulations applicable to the development of detached residences.

(d) **Ownership.** Townhouse units may be in condominium ownership, where two or more units are located on a single lot, or in a type of ownership where each unit is located on a separate lot. Each townhouse development shall conform to the regulations applicable to its form of ownership.

(e) **District Establishment.** The following Townhouse Districts are hereby established: RA-1, RA-2, and RA-3 (with the abbreviation "RA" indicating "Residential, Attached" and the numerals indicating that the districts are listed in order of "density," from lowest to highest).

(f) **Site Planning and Design.** No Building Permit shall be issued for the original construction of a townhouse unit or townhouse building without approval of the City Planning Commission, which shall seek to ensure that the development meets the following standards of site planning and architectural design.

(1) **Compatibility.** The development shall be visually compatible with nearby properties with respect to such design elements as scale, height, setback, orientation to existing streets, open spaces, roof lines, architectural style, materials, colors, and proportions of architectural features. Furthermore, the development shall not adversely affect the use of nearby properties with respect to such factors as pedestrian and vehicular access, privacy, safety, and obstructions to light and air.

(2) **Site Layout.** Buildings, structures and landscape features shall be arranged so as to create visual interest, avoid monotony, maximize privacy, conserve natural features, minimize the need for grading, provide for usable areas of common and private open space, facilitate efficient vehicular and pedestrian circulation, and promote security and personal safety.

(3) **Building Design.** Townhouse units shall be designed so as to create visual interest and differentiate individual units through variations in roof lines, wall setbacks and building materials or through use of porches, bay windows, and other projecting elements. Garages shall be placed to the rear of the residential units or, if located in the front of units, shall be designed and placed in a manner which reduces their visual prominence.

(4) **Circulation and Parking.** Circulation and parking shall be designed in a manner which provides proper access for service and safety vehicles, minimizes conflicts between pedestrians and vehicles, minimizes the number of curb cuts onto major streets, avoids placing excessive traffic on local residential streets, avoids unenclosed parking in front yards, and avoids placement of garage doors so close to sidewalks as to impair pedestrian safety.

(g) **Area and Yard Regulations.** The following yard and area regulations shall apply to townhouse developments in RA-1, RA-2, and RA-3 Districts and in other zoning districts which permit townhouse development. All figures are minimum requirements unless otherwise stated. The City Planning Commission may require greater restrictions as necessary to meet the standards of division (f). For main buildings other than townhouses and for accessory uses and structures, regulations of the Two-Family District shall apply.

RA-1	RA-2	RA-3	District	District	District
Lot Area per Townhouse Unit (sq. ft.)			1750	1250	550
Lot Width (ft.)			22	18	14
Townhouse Unit Width (ft.)			22	18	14
Townhouse Units per Building (max.)			8	8	not restricted
Townhouse Units per Building (min.) (except that 2-unit bldgs. shall be permitted if at least one bldg. of 3 or more units is included as part of a single development on one more contiguous lots)			3	3	3
Side Street Yard Depth (ft.)			7	5	0
Interior Side Yard Depth (ft.) ¹					
Adjoining 1- or 2-Fam District			15	10	10
Adjoining Other District			7	5	0
Front Yard Depth (ft.)			20	20	0
Rear Yard Depth (ft.)					
Adjoining 1- or 2-Fam District			20	20	20
Adjoining Other District			20	10	0
Distance Between Bldgs. on Same Lot (ft.) ²					
Window Wall to Window Wall			20	20	20
Window Wall to Non-Window Wall			15	12	10
Non-Window Wall to Non-Window Wall			10	7	5
Building Coverage (max.) (% of lot covered by buildings)			60%	70%	100%
Common Open Space (sq. ft. per unit) (applies only to condominium developments)			250	150	0
Private Open Space (sq. ft. per unit) ³			150	100	0
Residential Floor Area (sq. ft. per unit)			950	950	950

¹ does not apply to lot lines separating attached dwellings in a non-condominium townhouse development

² "Window wall" is a building wall with a window opening onto a living space; "non-window wall" is a building wall with no windows opening onto a living space

³ garden, deck, patio, balcony, solarium or similar open space adjacent to the residence, for the private use of the resident household

(h) **Common Open Space.** Common open space required by regulations of this section shall consist of land or a combination of land and water of such condition, size, shape and location as to be usable for active recreation and/or scenic enjoyment by the residents of the townhouse development, as determined by the City Planning Commission. Common open space shall not include driveways, parking areas or structures other than those structures devoted to recreational use. The applicant shall provide, to the Commissioner of Building and Housing, evidence of legally enforceable mechanisms to ensure perpetual preservation of such land as common open space and to ensure proper maintenance.

(i) **Easements for Zero Lot Line Buildings.** Where the City Planning Commission determines that provision of an easement is necessary to ensure proper access, light and air to a building placed directly on a lot line, the Commission may require provision of such easement as a condition of the issuance of a Building Permit for construction of the zero-lot-line building. The easement shall be shown on the recorded plat and incorporated into each deed transferring title to the property.

(j) **Variations from Area and Yard Regulations.** The Board of Zoning Appeals may approve variations from area and yard regulations applicable to townhouse developments if the Board determines that such variations are necessary to achieve an appropriate development of the site and that such variations will not result in safety or health hazards and will not be injurious to the use or value of nearby properties. In making such a determination, the Board shall consider a recommendation made by the City Planning Commission on the basis of the site plan and design review conducted in accordance with the provisions of division (f) of this section.

Section 2. That the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:
 Section 325.59, as amended by Ordinance No. 845-62, passed April 27, 1964,
 Section 335.01, as amended by Ordinance No. 1501-72, passed April 9, 1973, and
 Section 335.04, as amended by Ordinance No. 724-88, passed October 31, 1988 are hereby amended to read, respectively, as follows:

Section 325.59 Row House

“Row House” has the same meaning as “townhouse unit” as defined in division (b) of Section 337.031.

Section 335.01 Designation of Use Districts

The City is hereby divided into the Public Land Protective District and into fifteen use districts which shall be known, in order of restrictiveness, beginning with the most restrictive as:

- Limited One-Family Districts
- One-Family Districts
- Two-Family Districts
- Townhouse (RA) Districts**
- Limited Multi-Family Districts
- Multi-Family Districts
- Residence-Office Districts
- Parking Districts
- Local Retail Business Districts
- Shopping Center Districts
- University (College) Retail Districts
- General Retail Business Districts
- Residence-Industry Districts
- Semi-Industry Districts
- General Industry Districts
- Unrestricted Industry Districts

Section 335.04 Residence Buildings and Other Main Buildings in Residence Districts

(a) Except as provided in Sections 335.05 to 335.07, in any use district, no residence building shall hereafter be erected, established or altered except in conformity with the limitations and requirements specified in the following table.

(b) In a Residence District, no main building, irrespective of occupancy classification, shall hereafter be erected, established or altered except in conformity with the maximum gross floor area limitation specified in the following table:

AREA REGULATIONS FOR RESIDENCE BUILDINGS IN ALL USE DISTRICTS AND FOR ALL MAIN BUILDINGS IN RESIDENCE DISTRICTS

Area District	Maximum Gross Floor Area	Minimum Lot Width (feet)		Minimum Lot Area (square feet)				Minimum Floor Area per Primary Residential Building (square feet)
		One Family Dwelling	Two Family Dwelling	One Family Dwelling	Two Family Dwelling	Row House: per Dwelling Unit	Class A Multiple Dwelling per Dwelling Unit	
AA	1/2 lot area	60	—	7200	—	—	—	1400
A	1/2 lot area	50	—	4800	—	—	—	1250
B	1/2 lot area	40	50	4800	6000	2400	2400	950
C	1/2 lot area***	40	50	4800	6000	2400	—	950
D	lot area***	40	50	4800	6000	2100	—	950
E	1 1/2 lot area***	40	50	4800	6000	2100	—	950
F	2 lot area***	40	50	4800	6000	2100	—	950
G	3 lot area***	40	50	4800	6000	2100	—	950
H	4 lot area***	40	50	4800	6000	2100	—	950
J	5 lot area***	40	50	4800	6000	2100	—	950
K	6 lot area***	40	50	4800	6000	2100	—	950

*** Shall not apply to Class B Multiple Dwellings erected, established or altered in the Central Business District defined in Section 325.12.

*** Shall not apply to alterations made to an existing building in a Residence district nor to an existing residence building in another use district, which building exceeds the maximum gross floor area limitation, provided the gross floor area of such existing building is not increased.

Section 3. That the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

- Section 309.25, as amended by Ordinance No. 86-85, passed February 25, 1985,
- Section 325.59, as amended by Ordinance No. 845-62, passed April 27, 1964,
- Section 335.01, as amended by Ordinance No. 1501-72, passed April 9, 1973, and
- Section 335.04, as amended by Ordinance No. 724-88, passed October 31, 1988 are hereby repealed.

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

Ord. No. 553-96.
By Councilmen Smith, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance establishing a Community Reinvestment Area in the area of 1900 West 25th 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 1900 West 25th 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 the 1900 West 25th 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 1900 West 25th Street (Permanent Parcel No. 003-38-017) 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 construction of approximately 21 residential units at 1900 West 25th Street, known as the Merrell Building, 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 twelve (12) years for 75% of the assessed taxes for the construction 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.

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

Ord. No. 554-96.
By Councilmen Smith, Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance to appropriate property for the clearance and redevelopment, according to the West 25th - Lorain Community Development Plan, of the blighted area designated as West 26th Action Area.

Whereas, the Council of the City of Cleveland, by Resolution No. 1450-95, adopted October 23, 1995, declared the necessity and intention of appropriating the fee simple property interests herein described for the clearance and redevelopment, according to the West 25th - Lorain Community Development Plan, of the blighted area designated as West 26th Action Area; 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, such acquisition, clearance, and redevelopment was determined to be a satisfactory method for the elimination of blight and the prevention of blight in the West 25th - Lorain Community Development Plan for the West 26th Action Area; 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 carrying out the West 25th - Lorain Community Development Plan for the elimination of blight and the prevention of the recurrence of blight in the West 26th Action Area, through clearance and redevelopment, the following described fee simple interests be and the same hereby are appropriated:

1940 West 26th Street
 PPN: 003-38-028

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being all of Sublot No. 33 and a part of Sublot No. 32 in David Pollock's Subdivision of part of Original Brooklyn Township Lots Nos. 69 and 70 as shown by the recorded plat in Volume 45 of Deeds, Page 453 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Westerly line of West 26th Street (formerly McLean Street) at the Northeasterly corner of said Sublot No. 33;

Thence Southerly along said Westerly line of West 26th Street 62 feet 2 inches;

Thence Westerly and parallel with the Northerly line of said Sublot No. 32, 119 feet 6 inches to the Westerly line of said Sublots Nos. 32 and 33, 62 feet 2 inches to the Northwesterly corner of said Sublot No. 33;

Thence Easterly along the Northerly line of said Sublot No. 33, 119 feet 6 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being parts of Sublots Nos. 433 and 434 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70, as recorded in Volume 11 of Maps, Pages 26 and 27 of Cuyahoga County Records, bounded and described as follows:

Beginning in the Southwesterly line of West 26th Street, formerly Hudson Street, at a point distant Southeasterly 122-49/100 feet from the intersection of said Southwesterly line of West 26th Street with the Southeasterly line of Carroll Avenue, N.W.;

Thence Southeasterly along the Southwesterly line of West 26th Street, 0-55/100 feet to the Northwesterly line of Sublot No. 33 in David Pollock's Allotment as recorded in Volume 45 of Maps, Page 453 of Cuyahoga County Deed Records;

Thence Southwesterly along the Northwesterly line of said Sublot No. 33 in David Pollock's Allotment, 55-45/100 feet;

Thence Northwesterly parallel with the Southwesterly line of West 26th Street, 0-78/100 feet;

Thence Northeasterly in a direct line to the place of beginning, according to the survey of Charles W. Root, Registered Professional Engineer and Surveyor.

Section 2. That the Director of Law be and he 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 interests 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. 555-96.
By Councilman Zone.
An emergency ordinance to change the name of Drake Park to Brookfield Park.

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

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

Section 1. That the name of Drake Park is hereby changed to Brookfield Park.

Section 2. That the Director of Parks, Recreation and Properties is hereby authorized and directed to give effect to this ordinance by the placing of appropriate signs, nameplates and plaques and the altering of referenced to the park to reflect the change of name.

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

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

FIRST READING ORDINANCES REFERRED

Ord. No. 556-96.

By Councilman O'Malley.

An ordinance to change the Use and Area Districts of lands on the westerly side of West 41 Street between Memphis Avenue, S.W. and Henritze Avenue, S.W. (Map Change No. 1900, Sheet No. 2)

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

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

Beginning at the intersection of the center line of Memphis Avenue, S.W. and the center line of West 41 Street; thence southerly along said center line of West 41 Street to the center line of Henritze Avenue, S.W.; thence westerly along said center line of Henritze Avenue, S.W. to its intersection with the southerly extension of a line located four hundred and twenty eight hundredths (400.28) feet west of the westerly line of West 41 Street; thence northerly along said southerly extension and along said line which is parallel to and four hundred and twenty eight hundredths (400.28) feet west of said westerly line of West 41 Street and along its northerly extension to the center line of Memphis Avenue, S.W.; thence easterly along said center line of Memphis Avenue, S.W. to the place of beginning,

and as outlined in red on the map hereto attached, be and the same are hereby changed to a Residence-Office Use District and a 'C' Area District

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1900, Sheet No. 2 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council, and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

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

Ord. No. 557-96.

By Councilman Smith.

An ordinance to establish a Planned Unit Development District on properties located at 1448 Dexter Place (AKA 1515 W. 29 Street)

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

Section 1. That the following area outlined on the map hereto attached be and the same is hereby designated as a Planned Unit Development District, in accordance with the provisions of Chapter 334 of the Codified Ordinances of the City of Cleveland:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot Nos. 367, 369, 371, 372 and 373 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots 51, 52, 69 and 70 as shown by the recorded plat in Volume 11, Page 26 of Cuyahoga County Map Records and being further bounded and described as follows:

Beginning at the easterly line of West 29th Street, (66.00 feet wide) at its intersection with the southwesterly line of Dexter Place (50.00 feet wide);

Thence South 46 degrees, 14 minutes, 11 seconds East along the southwesterly line of Dexter Place, 40.00 feet to the principal place of beginning;

Thence South 46 degrees, 14 minutes, 11 seconds East continuing along the southwesterly line of Dexter Place, 248.43 feet to a point;

Thence South 43 degrees, 47 minutes, 32 seconds West, 45.00 feet to a point;

Thence North 46 degrees, 14 minutes, 11 seconds West, 246.04 feet to a point on the easterly line of West 29th Street;

Thence North 00 degrees, 29 minutes, 30 seconds East along the easterly line of West 29th Street, 27.47 feet to a point;

Thence South 46 degrees, 14 minutes, 11 seconds East, 11.46 feet to a point;

Thence North 43 degrees, 45 minutes, 49 seconds East, 20.00 feet to a point;

Thence South 46 degrees, 14 minutes, 11 seconds East, 5.00 feet to a point;

Thence North 43 degrees, 45 minutes, 49 seconds East, 5.00 feet to a point on the southeasterly right of way of Dexter Place and the place of beginning and containing 0.2622 acres of land as calculated and described by North Coast Engineering & Surveying Co. Inc. in June, 1995, be the same more or less but subject to all legal highways.

Section 2. That said changed designation of land described in Section 1 shall be identified as Map Change No. 1901, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission.

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

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

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 558-96.

By Councilman Jackson (by request).

An emergency resolution declaring the intention to vacate a portion of Indianola Avenue S.E.

Whereas, this Council is satisfied that there is good cause for vacating all that portion of Indianola Avenue S.E., 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 INDIANOLA AVENUE S.E. (32.00 feet wide), extending Northerly from the Northerly line of Crayton Avenue S.E. (60.00 feet wide), to that portion of Indianola Avenue, vacated by Ordinance Number 387-70, passed by the Council of the City of Cleveland on March 23, 1970.

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.

Res. No. 560-96.

By Councilman O'Malley.

An emergency resolution to require that, with respect to the Waterworks System Improvement First Mortgage Revenue Bonds which the City proposes to issue in 1996, the original purchaser of the bonds be required to agree, as a condition to its purchase of the bonds, not to sell the bonds knowingly to citizens of, or corporations organized under the laws of, or certain corporations doing business in Northern Ireland in the initial public offering of the bonds.

Whereas, the City of Cleveland (the "City") proposes to issue and sell its Waterworks System Improvement First Mortgage Revenue Bonds, Series H, 1996 (the "Bonds"); and

Whereas, this Council desires that the original purchaser of the Bonds agree that, in the initial public offering of the Bonds, it will not sell Bonds knowingly to any citizen, or corporation organized under the laws of, or certain corporations doing business in, Northern Ireland, unless that company is a signatory to the MacBride Principles; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public property, health and safety, and 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 the original purchaser of the Bonds shall be required to agree, as a condition to its purchase of the Bonds, not to sell knowingly any Bonds in the initial public offering of the Bonds to any citizen of Northern Ireland, or any corporation organized under the laws of Northern Ireland, or any company listed on the list of com-

panies doing business in Northern Ireland maintained by the United States embassy to that country, unless that company is a signatory to the MacBride Principles.

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 Finance, Law; Committee on 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.

Whereas, the Council of the City of Cleveland, by Ordinance No. 1444-A-88, passed June 18, 1990, approved and adopted Chapter 324 of the Codified Ordinances, Cleveland, Ohio, relating to the elimination of spot blight;

Whereas, pursuant to the authority of Chapter 324 of the Codified Ordinances, the Council of the City of Cleveland approved and passed Ordinance No. 1016-95, passed November 27, 1995, wherein Council found and determined that Permanent Parcel Number 108-29-068 located at 10700 Helena Avenue, Cleveland, Ohio are blighted premises and that the acquisition and redevelopment and/or rehabilitation of the blighted premises is necessary in order eliminate the blight and prevent its recurrence; 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 for the public purpose of eliminating blight and preventing the recurrence of blight in the neighborhood surrounding the blighted premises located at 10700 Helena Avenue through acquisition and redevelopment and/or rehabilitation, it is necessary to appropriate in fee simple the blighted premises, and the Council does hereby declare its intent to appropriate such fee simple interest in and to the following described blighted premises:

10700 HELENA AVENUE
PPN: 108-29-68

PARCEL 1

Situated in the City of Cleveland, Ohio, County of Cuyahoga and State of Ohio, and known as being Sublot No. 96 in the Linn and Issel Subdivision of part of original One Hundred Acre Lot No. 362, as shown by the recorded plat in Volume 38 of Maps, Page 16 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Helena Avenue, N.E. and extending back equal width 105 feet, deep as appears by said plat, be the same more or less, but subject to all legal highways.

PARCEL 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No.

97 in the Linn and Issel Subdivision of part of original One Hundred Acre Lot No. 362, as shown by the recorded plat in Volume 38 of Maps, Page 16 of Cuyahoga County Records and being 101-90/100 feet front on the Southerly side of Helena Avenue N.E., 105 feet deep on the Easterly line, 124-64/100 feet on the Southwesterly line and 34-74/1000 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 2. That the Director of 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-described blighted 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. 562-96.

By Councilman Smith (by request).

An emergency resolution declaring the intention to vacate a portion of Girard Street N.W.

Whereas, this Council is satisfied that there is good cause for vacating a portion of Girard Street N.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 GIRARD STREET N.W. (60.00 feet wide), from the Westerly line of Scranton Road N.W. (60.00 feet wide), Westerly, to the Easterly right-of-way line of the Cleveland, Cincinnati, Chicago and St. Louis R.R. as shown by the Recorded Plat in Volume 3 of Maps, Page 42 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.

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

Whereas, the Council of the City of Cleveland, by Ordinance No. 1444-A-88, passed June 18, 1990, approved and adopted Chapter 324 of the Codified Ordinances, Cleveland, Ohio, relating to the elimination of spot blight;

Whereas, pursuant to the authority of Chapter 324 of the Codified Ordinances, the Council of the City of Cleveland approved and passed Ordinance No. 879-95, passed November 27, 1995, wherein Council found and determined that Permanent Parcel Number 002-35-030 located at 1846 West 50th Street, Cleveland, Ohio are blighted premises and that the acquisition and redevelopment and/or rehabilitation of the blighted premises is necessary in order eliminate the blight and prevent its recurrence; 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 for the public purpose of eliminating blight and preventing the recurrence of blight in the neighborhood surrounding the blighted premises located at 1846 West 50th Street through acquisition and redevelopment and/or rehabilitation, it is necessary to appropriate in fee simple the blighted premises, and the Council does hereby declare its intent to appropriate such fee simple interest in and to the following described blighted premises:

1846 West 50th Street

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Northerly one-half of Sublot No. 323 in Benedict and Root's Subdivision of a part of Original Brooklyn Township Lot Nos. 48 and 49, as shown by the recorded plat of said Subdivision in Volume 1 of Maps, Page 13 of Cuyahoga County Records, said part of Sublot No. 323 has a frontage of 30 feet on the Westerly side of West 50th Street (formerly Birch Street), and extends back of equal width, 132 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-described blighted 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.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 563-96.

By Councilmen Patmon and Rokakis (by departmental request). An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into a Lease Agreement with Maxine G. Levin and Robert M. Levin, Trustees, for the use and occupancy by the Department of Personnel and Human Resources of the certain space located in the 1021 Euclid Building, 1021 Euclid Avenue, Cleveland, Ohio.

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

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

Section 1. That, notwithstanding and as an exception to Chapter 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Personnel and Human Resources is hereby authorized to enter into a Lease Agreement ("Lease") with Maxine G. Levin and Robert M. Levin, Trustees, for the use and occupancy by the Department of Personnel and Human Resources for approximately 10,800 square feet located on the fifth floor of the 1021 Euclid Building, 1021 Euclid Avenue, Cleveland, Ohio, for use as office space for the Cleveland Job Training and Placement System of the Department of Personnel and Human Resources. The term of such Lease shall be on a month-to-month basis for approximately five (5) months beginning April 1, 1996. Rent shall be \$5,133 per month, including electricity, (which average rate shall be approximately \$800 per month) and shall be paid for from Fund No. 15 SF 060.

Section 2. That the Lease herein authorized shall be prepared by the Director of Law and shall contain such additional conditions and provisions as said Director deems necessary to protect and benefit the public interest.

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.

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

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

Ord. No. 564-96.

By Councilman Paulenske. An emergency ordinance to amend Section 1 of Ordinance No. 100-96 relating to the issuance of a permit for the 1996 Cleveland Walk on April 28, 1996, sponsored by the March of Dimes.

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. 100-96, passed January 22, 1996, be and the same is hereby amended to read as follows:

"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 1996 Cleveland Walk, sponsored by the March of Dimes, on April 28, 1996, beginning at the Port of Cleveland, cross the street to the south side of Erieside, go west to W. 3rd St., turn left on W. 3rd St. on the east side of the street and go south to Lakeside, turn left on Lakeside on the north side of the street and go east to E. 6th St., cross Lakeside (turn right) to the west side of E. 6th St. and go south to the Board of Education building (which is the first checkpoint), turn left, cross E. 6th St. on the north side of Rockwell and continue on the north side of Rockwell to E. 9th St., turn right on the west side of E. 9th St. and go south to Eagle, turn right on Eagle and go west to the plaza between Jacobs Field and the Gund Arena (which is the second checkpoint), turn right on Ontario on the west side of the street, turn left on Prospect on the south side of the street, turn right on W. 6th St. to St. Clair on the south side of the street, turn left on St. Clair and cross to the west side of Old River Rd., turn right on the west side of Old River Rd. and go north to the corner of Old River Rd. and Front St., which is checkpoint number three at Fagan's, turn right on Front St. and go east to W. 9th St., cross W. 9th St. to the east side of the street and turn right on W. 9th St., go south on W. 9th St. to Superior, turn left on Superior and go east on the south side of the street to the northwest quadrant of Public Square, which is checkpoint number four, continue east on the south side of Superior, cross E. 9th St. and turn left on the east side of E. 9th St., go north on the east side of E. 9th St. to checkpoint number eight at the North Point Building, continue north on the east side of E. 9th St. to the intersection with Erieside, turn left, cross E. 9th St. to the north side of Erieside and go west to the Port of Cleveland property and turn right into the Port; the short route will cross E. 9th St. and turn left (north) on the east side of E. 9th St., go north on the east side of E. 9th St. to checkpoint number eight at the North Point Building, continue north on the east side of E. 9th St. to the intersection with Erieside, turn left, cross E. 9th St. to the north side of Erieside and go west to the Port of Cleveland property, turning right into the Port; and the regular route continuing east on the south side of Superior to E. 12th St., turn right and cross Superior to the west side of E. 12th St. and go south to Chester Commons, which is checkpoint number five, continue south on the west side of E. 12th St. to Euclid, turn left, cross E. 12th St. and go east on the north side of Euclid to E. 21st St., cross E. 21st St. to the east side of the road and cross to the south side of Euclid to checkpoint number six at Rascal House, continue east on the south side of Euclid to E. 30th St., turn left, cross Euclid at E. 30th St. to the west side of E. 30th St., go north on E. 30th St. to the northwest corner of Payne and E.

30th St., which is Asian Plaza, the seventh checkpoint, go west on the north side of Payne to E. 13th St., cross E. 13th St. to the west side of the street and turn right, go north on E. 13th St. to Lakeside, cross Lakeside to the north side of the street and turn left to checkpoint eight, North Point Building, at the corner of E. 9th St. and Lakeside, turn right on the east side of E. 9th St. and go north to the intersection with Erieside, turn left and cross E. 9th St. to the north side of Erieside and go west to the Port of Cleveland property, turn right into the Port and finish, 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 Section 1 of Ordinance No. 100-96, passed January 22, 1996, be and the same 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.

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

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

Ord. No. 565-96.

By Councilman Westbrook. An emergency ordinance to amend Section 1 of Ordinance No. 98-96, passed January 22, 1996, as amended by Ordinance No. 445-96, passed March 11, 1996, relating to a requirement contract with Legal News Publishing Company for the printing of the City Record and the furnishing of other printed and accessory 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 Section 1 of Ordinance No. 98-96, passed January 22, 1996, as amended by Ordinance No. 445-96, passed March 11, 1996, is hereby amended to read as follows:

Section 1. That the Clerk of Council is hereby authorized to enter into a requirement contract with Legal News Publishing Company for the printing of the City Record and the furnishing of other printed and accessory services for the Clerk of Council for a period not to exceed eighteen months **commencing on January 1, 1996**, and expiring June 30, 1997, in accordance with the specifications upon which the bid of Legal News Publishing Company was received.

Section 2. That existing Section 1 of Ordinance No. 98-96, passed January 22, 1996, as amended by Ordinance

nance No. 445-96, passed March 11, 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.

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

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

Ord. No. 566-96.
By Councilmen Westbrook, Patton, and McGuirk.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 111.072 thereof, relating to the hiring of professional utility consultants by City Council.

Whereas, in carrying out its legislative responsibilities in connection with approving utility rates for the Divisions of Cleveland Public Power, Water and Water Pollution Control, this Council must fully evaluate the needs of utility consumers; and

Whereas, this Council deems it necessary and appropriate to retain the services of qualified professionals to assist the Council in its review of utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control, with the cost of such services to be paid by the affected utility; and

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 111.072 thereof, to read as follows:

Section 111.072 Hiring of Professional Utility Consultants by City Council

(a) On behalf of City Council, the President of Council is hereby authorized to enter into contract with professional consultants to provide assistance to the members of Council in the investigation of utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control, including but not limited to, utility rate increases, service efficiency issues, capital project performance, and operational and financial assessments. The cost of said contracts shall not exceed annually Fifty Thousand Dollars (\$50,000.00) in the aggregate and shall be paid from Fund Nos. 52 SF 001, 54 SF 001, 58 SF 001 and such other funds deemed appropriate by the Director of Finance.

(b) That the Director of Public Utilities shall provide notice of future water and sewer rate increases by publishing such rate increases in the City Record at least six (6) months prior to the introduction of legislation approving said rate increases and, at the same time, by providing written notice of the proposed increases to all members of Council.

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

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

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

Ord. No. 567-96.
By Councilmen White, Coats, Rybka, and Rokakis (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the repair and resurfacing of Turney Road to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; and authorizing said director to cause payment of the City of Cleveland's share to the County of Cuyahoga for the cost of repair and resurfacing Turney Road.

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 declared to be in the public interest that the consent of the City of Cleveland is hereby given to the County of Cuyahoga (the "County") to construct the following improvement in accordance with plans, specifications and estimates approved by the County: The repair and resurfacing of Turney Road from the Cleveland South corporation line to Warner Road (the "Improvement")

Section 2. That the City hereby proposes to cooperate with the County in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement less any funds administered by the Ohio Public Works Commission which are used for the Improvement, and less the County's portion of the cost of the Improvement.

Section 3. That the Director of Public Service is hereby authorized to enter into such agreements with the County as are necessary to complete the planning and construction of the Improvement.

Section 4. That upon completion of the Improvement, the City thereafter will:

a) Keep the affected highway open to traffic at all times;

b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the County, hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic

Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

e) Prohibit all parking within the limits of the roadway which is a part of the Improvement in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by City ordinance or resolution.

Section 5. a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That in the event any additional right-of-way is required for the Improvement, the City will arrange for the acquisition thereof.

c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty (20) feet or greater) within the limits of the Improvement in accordance with applicable sections of the Ohio Revised Code.

d) That the street within the limits of the Improvement is hereby designated a through highway within the meaning of Section 4511.07(F) of the Ohio Revised Code.

e) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the County.

f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 28-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the County.

g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of ODOT Directive No. 28-A to the same extent that it participates in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

h) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the County.

i) That the City hereby agrees that the County shall be and hereby is saved harmless from any and all damages or claims arising from or growing out of the certification or obligations made or agreed to in divisions a), b), e), f) and h), of this section.

j) That stop signs affecting the movement of traffic on any street

within the limits of the Improvement shall be removed and no stop signs will be erected on same except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" are met.

k) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway.

Section 6. That the Council of the City hereby requests the Director of ODOT to proceed with the Improvement.

Section 7. That the Director of Public Service is hereby authorized to enter into an agreement with the Board of Commissioners of the County concerning the financing of the Improvement, which agreement shall contain without limitation terms substantially similar to the following:

a) That the City will prepare or cause to be prepared construction plans and specifications for the Improvement, including necessary engineering reports, under current County Engineer standards for construction of County roads and bridges.

b) That the County will supervise and administer or cause to be supervised and administered the construction contract for the Improvement, will review the construction plans for conformance with division a) of this section and make an inspection of the completed project.

c) That if, by ordinance of this Council, the City requests the County, to include in the Improvement the construction of sanitary sewers, water lines, sewers for drainage of the area surrounding the Improvement, sidewalks, alternate bid items or other items that are in addition to those now existing in the plans for the Improvement and not provided for elsewhere in the agreement, the County will do so, provided that the construction of such additional items is approved by the County and the City, and provided further that the City agrees to pay or cause to be paid the cost of said construction and of preliminary and design engineering therefor, but the City shall not be responsible for the cost of supervision of said construction.

d) That the City hereby agrees to participate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project.

e) That if the project is financed as a Federal-aid project, eligible costs of the Improvement shall be financed from the aforesaid funds.

Section 8. That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

Section 9. That the Director of Public Service is hereby authorized to apply to the County Board of Commissioners for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept said funds and to file all papers and execute all documents necessary to receive said funds; and that said funds be and are hereby

appropriated for the purposes set forth above.

Section 10. That if funds administered by the Ohio Public Works Commission are used for this project, the amount of such funds will be deducted from designated project costs prior to the application of the participatory percentages specified in this agreement.

Section 11. That this Council hereby authorizes payment to the County of Cuyahoga of the City's share of the cost of the improvement of the repair and resurfacing of Turney Road from the Cleveland South corporation line to Warner Road from Fund Nos. 20 SF 302, 20 SF 322, 20 SF 190, and 20 SF 181, Request No. 21792.

Section 12. That the Clerk of Council is hereby authorized and directed to transmit to the Director of ODOT and to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

Section 13. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Ord. No. 578-96.

By Councilman Westbrook.

An emergency ordinance authorizing the Director of Public Utilities to enter into contract with Cleveland Housing Network to install water saving devices in the homes of low-income City of Cleveland customers.

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 enter into contract with Cleveland Housing Network to install water saving devices in the homes of low-income City of Cleveland customers.

Section 2. That the costs of the contract authorized by Section 1 herein shall be paid from such Fund No. 52, SF 001, or such other funds of the Division of Water, Department of Public Utilities deemed appropriate by the Director of Finance.

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.

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

The rules were suspended. Yeas 20. Nays 0. Read second time. Read

third time in full. Passed. Yeas 16. Nays 4. Those voting yea were Councilmen: Coats, Jackson, Johnson, Lewis, Melena, Miller, Patmon, Patton, Paulenske, Robison, Rokakis, Rybka, Westbrook, White, Willis, Zone. Those voting nay were Councilmen: McQuirk, O'Malley, Polensek, Smith.

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

Res. No. 568-96.

By Councilman Britt.

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 2780 East 116th Street and gas pumps.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 7991266-4537, Service Station Holding, Inc., dba BP Site #4536, 2780 East 116th Street and gas pumps, Cleveland, Ohio 44120; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 7991266-4537, Service Station Holding, Inc., dba BP Site #4536, 2780 East 116th Street and gas pumps, Cleveland, Ohio 44120, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two

copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

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

Res. No. 569-96.

By Councilman Britt.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 8209 Cedar Avenue, first floor, and repealing Res. No. 1039-95, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 8209 Cedar Avenue, first floor, by Res. No. 1039-95, adopted June 5, 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 8209 Cedar Avenue, first floor, be and the same is hereby withdrawn and Res. No. 1039-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 570-96.

By Councilman Coats.

An emergency resolution withdrawing objection to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 18029 Euclid Avenue, and repealing Res. No. 1774-95, objecting to said stock transfer.

Whereas, this Council objected to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 18029 Euclid Avenue by Res. No. 1774-95, adopted October 9, 1995; and

Whereas, this Council wishes to withdraw its objection to the above

stock transfer and consents to said stock transfer; 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 stock transfer of a D1, D2, D3 and D3A Liquor Permit to 18029 Euclid Avenue be and the same is hereby withdrawn and Res. No. 1774-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

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

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

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

Res. No. 571-96.

By Councilman Johnson.

An emergency resolution objecting to the transfer of ownership and location of a C2 and C2X Liquor Permit to 3111 East 93rd Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 9116464, 2700 Carroll Avenue, Inc., dba Mike's Discount Foods #4, 2700 Carroll Avenue, Cleveland, Ohio 44113, to Permit No. 5235615, Little Eagle, Inc., dba Little Eagle, 3111 East 93rd Street, 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 Sec-

tion 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 9116464, 2700 Carroll Avenue, Inc., dba Mike's Discount Foods #4, 2700 Carroll Avenue, Cleveland, Ohio 44113, to Permit No. 5235615, Little Eagle, Inc., dba Little Eagle, 3111 East 93rd Street, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 572-96.

By Councilman Melena.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 7936 Lorain Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 2872234, Frank & Marty, Inc., 7936 Lorain Avenue, Cleveland, Ohio 44102, to Permit No. 9835390, Yofa Corp., 7936 Lorain Avenue, Cleveland, Ohio 44102; 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 D1, D2, D3 and D3A Liquor Permit from Permit No. 2872234, Frank & Marty, Inc., 7936 Lorain Avenue, Cleveland, Ohio 44102, to Permit No. 9835390, Yofa Corp., 7936 Lorain Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 573-96.

By Councilman Patmon.

An emergency resolution objecting to the transfer of ownership of a C2, C2X and D6 Liquor Permit to 10109 St. Clair Avenue, first floor only.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2, C2X and D6 Liquor Permit from Permit No. 5970724, Claybourne Miller, dba Miller Delicatessen, 10109 St. Clair Avenue, first floor only, Cleveland, Ohio 44108, to Permit No. 0341755, Ayad St. Clair Deli, Inc., 10109 St. Clair Avenue, first floor only, Cleveland, Ohio 44108; and

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

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

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

Whereas, the place for which the

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2, C2X and D6 Liquor Permit from Permit No. 5970724, Claybourne Miller, dba Miller Delicatessen, 10109 St. Clair Avenue, first floor only, Cleveland, Ohio 44108, to Permit No. 0341755, Ayad St. Clair Deli, Inc., 10109 St. Clair Avenue, first floor only, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 574-96.

By Councilmen Patmon, Patton, and Coats.

An emergency resolution urging the Governor to rescind his public attack of affirmative action programs in the state of Ohio and to reevaluate his position on state of Ohio affirmative action programs.

Whereas, affirmative action programs and minorities have made considerable contributions to the lifeblood of the United States of America and the state of Ohio; and

Whereas, minorities have received very little in terms of rewards, retribution, or appreciation for their contributions; and

Whereas, the state of Ohio has been favorably recognized by the United States Supreme Court in the **Crossen** case regarding Ohio's approach to affirmative action; and

Whereas, the Governor has recent-

ly made statements affirming a belief in the value and integrity of affirmative action; and

Whereas, this Council is very concerned about the Governor's public comments regarding affirmative action; and

Whereas, this resolution constitutes an emergency measure because it is imperative that the Governor's position on affirmative action in the state of Ohio be immediately clarified; now, therefore,

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

Section 1. That this Council urges the Governor to rescind his public attack of affirmative action programs in the state of Ohio and to reevaluate his position on state of Ohio affirmative action programs.

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

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

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

Res. No. 575-96.

By Councilman Patton.

An emergency resolution objecting to the issuance of a C1 and C2 Liquor Permit to 4336-38 Lee Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 and C2 Liquor Permit to Permit No. 0326685-0005, Aurora Market, Inc., 4336-38 Lee Road, Cleveland, Ohio 44128; 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 Direc-

tor of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the issuance of a C1 and C2 Liquor Permit to Permit No. 0326685-0005, Aurora Market, Inc., 4336-38 Lee Road, Cleveland, Ohio 44128, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 576-96.

By Councilman Robinson.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 3350 East 116th Street and Gas Pumps, and repealing Res. No. 1853-95, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 3350 East 116th Street and Gas Pumps by Res. No. 1853-95, adopted October 23, 1995; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 Liquor Permit to 3350 East 116th Street and Gas Pumps be and the same is hereby withdrawn and Res. No. 1853-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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

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

Res. No. 577-96.

By Councilman Zone.

An emergency resolution objecting to the transfer of ownership and location of a C1 and C2 Liquor Permit to 12845 Lorain Road.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C1 and C2 Liquor Permit from Permit No. 28682510005, Fares J. Francis, dba Norman's Deli, 11939 Triskett Road, first floor front, Cleveland, Ohio 44111, to Permit No. 0024914, Milad Abifadel, dba My Friends Beverage, 12845 Lorain Road, Cleveland, Ohio 44111; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a C1 and C2 Liquor Permit from Permit No. 28682510005, Fares J. Francis, dba Norman's Deli, 11939 Triskett Road, first floor front, Cleveland, Ohio 44111, to Permit No. 0024914, Milad Abifadel, dba My Friends Beverage, 12845 Lorain Road, Cleveland, Ohio 44111, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

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

Res No. 579-96.

By Councilman Rokakis.

An emergency resolution objecting to the transfer of ownership of a C2, C2X and D6 Liquor Permit to 3600 Denison Avenue, first floor.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2, C2X and D6 Liquor Permit from Permit No. 8915888, 3600 Denison Ave. Inc., 3600 Denison Avenue, first floor, Cleveland, Ohio 44111, to Permit No. 8169952, Sifan Inc., DBA Sam's Market, 3600 Denison Avenue, first floor, Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2, C2X and D6 Liquor Permit from Permit No. 8915888, 3600 Denison Ave. Inc., 3600 Denison Avenue, first floor, Cleveland, Ohio 44111, to Permit No. 8169952, Sifan Inc., DBA Sam's Market, 3600 Denison Avenue, first floor, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she hereby is directed to transmit two certified copies of this

resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 702-94.

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

An emergency ordinance authorizing the Directors of Public Service and Public Utilities to enter into an agreement with the Board of Commissioners of Cuyahoga County in order to make the public improvement of installing decorative lighting on the Veterans Memorial Bridge.

Approved by Directors of Public Service, Public Utilities, Finance, Law; Passage not recommended by Committee on Public Utilities; Recommended by Committees on Public Service, Finance, when amended as follows:

1. In the title, strike lines 4, 5, 6, 7 and 8, and insert in lieu thereof "into agreements with the Board of Commissioners of Cuyahoga County and the Cleveland Bicentennial Commission in order to make the public improvement of installing decorative lighting on the Veterans Memorial Bridge and the Main Avenue Bridge."

2. Before the existing "Whereas" clause, insert a new "Whereas" clause to read as follows:

"Whereas, the Cleveland Bicentennial Commission and Cuyahoga County have proposed to fund the installation of decorative lighting on the Veterans Memorial Bridge and the Main Avenue Bridge in order to celebrate the Bicentennial of the City of Cleveland; and"

3. Strike existing Sections 2 and 3, and insert in lieu thereof new Sections 2, 3, 4, 5, and 6 to read as follows:

"Section 2. That said Directors are hereby authorized on behalf of the City to enter into an agreement with the County, in order to make the public improvement of installing decorative lighting on the Main Avenue Bridge. Said improvement shall be constructed in accordance with plans, specifications and estimates approved by the County.

Section 3. That said Directors are hereby authorized to enter into agreements with the County and the Bicentennial Commission to arrange for the funding of said improvements and to assign the existing project design contracts to the City.

Section 4. That the cost of the improvements described in this ordinance shall be paid from the funds and subfunds to which are credited the proceeds of deposits received

from the County and donations by the Bicentennial Commission for such purpose.

Section 5. That the City hereby agrees to participate with the County in the cost of said improvements by an allocation from the County Motor Vehicle License Tax Fund to pay the County's portion of said improvements. If said improvements are financed as Federal-aid Highway projects, eligible costs of the improvements shall be financed from the aforesaid County Motor Vehicle License Tax Fund.

Section 6. That, upon completion of said improvements, the City shall keep said bridges open to vehicular and pedestrian traffic at all reasonable times thereafter. The County shall, at its sole expense, with the exception of electric power, maintain the decorative lighting systems. The City shall, at its sole expense, provide all electric power necessary to operate the decorative lighting."

4. Renumber existing Section 4 as new "Section 7".

Amendments agreed to. The rules were suspended. Yeas 20. Nays 0. Read third time. Passed. Yeas 20. Nays 0.

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 704-94.

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

An emergency ordinance authorizing the Directors of Public Service and Public Utilities to amend Agreement No. 34570 between the Board of Commissioners of Cuyahoga County and the City of Cleveland, in order to provide for payment of electric power for operation of decorative lighting on Hope Memorial Bridge.

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

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

Ord. No. 1004-95.

By Councilmen Brady and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide executive management search services for the Division of Cleveland Public Schools.

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

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

Ord. No. 1144-95.

An emergency ordinance to amend Section 365.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 66-94, passed June 6, 1994, relating to fees.

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

1. In Sections 1 and 2, line 1, after "That" insert the following: ", effective January 1, 1996,".

2. In Section 1, at Section 365.05, strike lines 10, 11, 12, 13 and 14 in their entirety and insert in lieu there following: "properties owned

by said owner within the City in excess of \$10,000.00 per calendar year per building."

Amendments agreed to.

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

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 2011-95.

By Councilmen Brady and Rokakis (by departmental request).

An emergency ordinance to authorize the issuance and sale of Waterworks Improvement and Refunding First Mortgage Revenue Bonds, Series H 1996, of the City under authority of Article XVIII of the Constitution of the State for the purpose of paying costs of capital improvements to the waterworks system, including the refunding of outstanding revenue bonds of the City issued for that purpose, those revenue bonds to be in an aggregate principal amount not to exceed \$175,000,000 with respect to bonds for new capital improvements and in an aggregate principal amount not to exceed \$100,000,000 with respect to refunding bonds (except, in each case, in the event that any Series H Bonds are to be offered at an original issue discount); to authorize the execution and delivery of a seventh supplemental indenture of mortgage to secure the Series H Bonds; to supplement and amend Ordinance No. 1103-A-77, passed July 25, 1977; to provide for certain other matters; and declaring an emergency.

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

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

Ord. No. 2012-95.

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

An emergency ordinance to amend Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2643-91, passed March 23, 1992, relating to sewerage service charges within Cleveland.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance, when amended as follows:

1. In Section 1, at Section 543.02, strike divisions (f), (g), (h), (i) and (j) in their entirety, and insert in lieu thereof the following:

"(f) **Special Homestead beginning January 1, 1995.** A minimum charge for sewerage service provided by the City shall be made to homesteads within the territorial limits of the City owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of R.C. 323.151 through 323.157. The charge for sewerage service provided to each homestead shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at a rate of four dollars and one cent (\$4.01) for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not

such water supply is furnished by the City. A minimum charge of four dollars and one cent (\$4.01) per quarter shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less or water metered per quarter."

2. In Section 1, at Section 543.02, in existing division (k), lines 2 and 3, and at lines 7 and 8 strike "divisions (f), (g), (h), (i), and (j)" and insert in lieu thereof the following "division (f)".

3. In Section 1, at Section 543.02, in existing division (l), line 3, strike "divisions (f), (g), (h), (i), and (j)" and insert in lieu thereof the following "division (f)".

4. Renumber existing divisions (k), (l), (m) and (n), to new divisions "(g)", "(h)", "(i)", respectively. Amendments agreed to.

The rules were suspended. Yeas 20, Nays 0. Read third time. Passed. Yeas 14, Nays 6. Those voting yea were Councilmen: Coats, Jackson, Johnson, McGuirk, Miller, Patmon, Patton, Paulenske, Robinson, Rokakis, Rybka, Smith, Westbrook, Willis. Those voting nay were Councilmen: Lewis, Melena, O'Malley, Polensek, White, Zone.

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 2013-95.

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

An emergency ordinance to amend Sections 535.04, 535.05, 535.06, and 535.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1148-91, passed June 10, 1991, and Section 535.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 990-85, passed June 17, 1985, relating to rates, rules and regulations for water services provided by the Division of Water, Department of Public Utilities.

Approved by Directors of Public Utilities, Finance, Law; Recommended by Committees on Public Utilities, Finance, when amended as follows:

1. Strike Section 2 in its entirety and insert in lieu thereof the following:

"Section 2. That Sections 535.04, 535.05, 535.06, and 535.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1148-91, passed June 10, 1991, and Section 535.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 990-85, passed June 17, 1985, are hereby amended, effective April 4, 1996, to read, respectively, as follows:

Section 535.04 Direct Service Water Rates within Cleveland; Regular and Special Homestead

(a) Regular beginning 4/4/96 through 12/31/96

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Five Dollars and Fifty-Eight Cents (\$5.58).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Eleven Dollars and Ninety-Seven Cents (\$11.97) per 1,000 cubic feet.

(b) Regular beginning 1/1/97 through 12/31/97

(1) A minimum service and consumption charge shall be made to

each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Five Dollars and Ninety-Nine Cents (\$5.99).

2. All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twelve Dollars and Eighty-Four Cents (\$12.84) per 1,000 cubic feet.

(c) Regular beginning 1/1/98 through 12/31/98

(1) A minimum service, and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Six Dollars and Forty-One Cents (\$6.41).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirteen Dollars and Seventy-Four Cents (\$13.74) per 1,000 cubic feet.

(d) Regular beginning 1/1/99 through 12/31/99

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Six Dollars and Eighty-Six Cents (\$6.86).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Fourteen Dollars and Sixty-Nine Cents (\$14.69) per 1,000 cubic feet.

(e) Regular beginning 1/1/00

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Seven Dollars and Thirty-Three Cents (\$7.33).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Fifteen Dollars and Sixty-Eight Cents (\$15.68) per 1,000 cubic feet.

(f) Special Homestead beginning 8/1/91

(1) A minimum service and consumption charge shall be made to homesteads within the territorial limits of the City of Cleveland owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Three Dollars and Fifty-Five Cents (\$3.55). There shall be a minimum charge of Three Dollars and Fifty-Five Cents (\$3.55) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

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

Section 535.05 Direct Service Water Rates in Cuyahoga County Except Cleveland; Regular and Special Homestead

(a) Regular beginning 4/4/96

(1) A minimum service and consumption charge shall be made to

each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Ten Dollars and Three Cents (\$10.03). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-One Dollars and Forty-Four Cents (\$21.44) per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Eleven Dollars and Sixty-Three Cents (\$11.63). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Five Dollars and Sixty-Five Cents (\$25.65) per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Thirteen Dollars and Seventy-Four Cents (\$13.74). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Nine Dollars and Forty-Two Cents (\$29.42) per 1,000 cubic feet.

(b) Regular beginning 1/1/97 through 12/31/97

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Ten Dollars and Seventy-Four Cents (\$10.74). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Two Dollars and Ninety-Six Cents (\$22.96) per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Twelve Dollars and Forty-Five Cents (\$12.45). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty Seven Dollars and Thirty-Nine Cents (\$27.39) per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fourteen Dollars and Sixty-Nine Cents (\$14.69). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-One Dollars and Forty-Two Cents (\$31.42) per 1,000 cubic feet.

(c) Regular beginning 1/1/98 through 12/31/98

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Eleven Dollars and Forty-Eight Cents (\$11.48). All water used

in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Four Dollars and Fifty-Four Cents (\$24.54) per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Thirteen Dollars and Twenty-Nine Cents (\$13.29). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Nine Dollars and Nineteen Cents (\$29.19) per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fifteen Dollars and Sixty-Five Cents (\$15.65). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Three Dollars and Forty-Nine Cents (\$33.49) per 1,000 cubic feet.

(d) Regular beginning 1/1/99 through 12/31/99

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Twelve Dollars and Twenty-Seven Cents (\$12.27). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Six Dollars and Twenty Cents (\$26.20) per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fourteen Dollars and Nineteen Cents (\$14.19). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-One Dollars and Nine Cents (\$31.09) per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Sixteen Dollars and Sixty-Nine Cents (\$16.69). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Five Dollars and Sixty-Eight Cents (\$35.68) per 1,000 cubic feet.

(e) Regular beginning 1/1/00

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Thirteen Dollars and Twenty-Nine Cents (\$13.29). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty Seven Dollars and Ninety-Three Cents (\$27.93) per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the sec-

ond high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fifteen Dollars and Thirteen Cents (\$15.13). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Three Dollars and Seven Cents (\$33.07) per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Seventeen Dollars and Twenty-Seven Cents (\$17.27). All water used in excess of 1,000 cubic feet during each three month billing period shall be Thirty Seven Dollars and Ninety-Six Cents (\$37.96) per 1,000 cubic feet.

(f) Special Homestead beginning 8/1/91

(1) A minimum service and consumption charge shall be made to homesteads in the low and first high service districts owned by a person sixty-five years of age or older or by a permanently and totally disabled persons; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Six Dollars and Twenty-One Cents (\$6.21). There shall be a minimum charge of Six Dollars and Twenty-One Cents (\$6.21) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(2) A minimum service and consumption charge shall be made to homestead in the second high service district owned by a person sixty-five years of age or older or by a permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Eight Dollars and Twelve Cents (\$8.12). There shall be a minimum charge of Eight Dollars and Twelve Cents (\$8.12) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(3) A minimum service and consumption charge shall be made to homesteads in the third high service district owned by a person sixty-five years of age or older or by a person permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Section 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Ten Dollars and Thirty-Five Cents (\$10.35). There shall be a minimum charge of Ten Dollars and Thirty-Five Cents (\$10.35) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

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

Section 535.06 Direct Water Ser-

vice Rates in Summit and Medina Counties; Regular and Special Homestead

(a) Regular beginning 4/4/96 through 12/31/96

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Thirteen Dollars and Seventy-Four Cents (\$13.74).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Nine Dollars and Forty-Two Cents (\$29.42) per 1,000 cubic feet.

(b) Regular beginning 1/1/97 through 12/31/97

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fourteen Dollars and Sixty-Nine Cents (\$14.69).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-One Dollars and Forty-Two Cents (\$31.42) per 1,000 cubic feet.

(c) Regular beginning 1/1/98 through 12/31/98

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fifteen Dollars and Sixty-Five Cents (\$15.65).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Three Dollars and Forty-Nine Cents (\$33.49) per 1,000 cubic feet.

(d) Regular beginning 1/1/99 through 12/31/99

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Sixteen Dollars and Sixty-Nine Cents (\$16.69).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Five Dollars and Sixty-Eight Cents (\$35.68) per 1,000 cubic feet.

(e) Regular beginning 1/1/00

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Seventeen Dollars and Twenty-Seven Cents (\$17.27).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Seven Dollars and Ninety-Six Cents (\$37.96) per 1,000 cubic feet.

(f) Special Homestead beginning 8/1/91

A minimum service and consumption charge shall be made to homesteads in Summit and Medina Counties owned by a person sixty-five years of age or older or a permanently disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through

323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Ten Dollars and Thirty-Five Cents (\$10.35). There shall be a minimum charge of Ten Dollars and Thirty-Five Cents (\$10.35) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

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

Section 535.18 Rates for Water Sold Through Master Meters

(a) The rates to be charged for the sale of water measured through Master Meters shall be as follows:

(1) To the City of Cleveland Heights: beginning 4/4/96 through 12/31/96, \$16.36 per mcf; beginning 1/1/97 through 12/31/97, \$17.52 per mcf; beginning 1/1/98 through 12/31/98, \$18.71 per mcf; beginning 1/1/99 through 12/31/99, \$19.97 per mcf; beginning 1/1/00, \$21.28 per mcf.

(2) To the City of East Cleveland: beginning 4/4/96 through 12/31/96, \$14.04 per mcf; beginning 1/1/97 through 12/31/97, \$15.05 per mcf; beginning 1/1/98 through 12/31/98, \$16.09 per mcf; beginning 1/1/99 through 12/31/99, \$17.19 per mcf; beginning 1/1/00, \$18.34 per mcf.

(3) To the City of Lakewood: beginning 4/4/96 through 12/31/96, \$14.04 per mcf; beginning 1/1/97 through 12/31/97, \$15.05 per mcf; beginning 1/1/98 through 12/31/98, \$16.09 per mcf; beginning 1/1/99 through 12/31/99, \$17.19 per mcf; beginning 1/1/00, \$18.34 per mcf.

(4) To the City of Bedford: beginning 4/4/96 through 12/31/96, \$16.76 per mcf; beginning 1/1/97 through 12/31/97, \$17.92 per mcf; beginning 1/1/98 through 12/31/98, \$19.11 per mcf; beginning 1/1/99 through 12/31/99, \$20.37 per mcf; beginning 1/1/00, \$21.68 per mcf.

(5) To the Village of Chagrin Falls: beginning 4/4/96 through 12/31/96, \$18.91 per mcf; beginning 1/1/97 through 12/31/97, \$20.24 per mcf; beginning 1/1/98 through 12/31/98, \$21.61 per mcf; beginning 1/1/99 through 12/31/99, \$23.06 per mcf; beginning 1/1/00, \$24.57 per mcf.

(6) To the City of Berea: beginning 4/4/96 through 12/31/96, \$18.98 per mcf; beginning 1/1/97 through 12/31/97, \$20.14 per mcf; beginning 1/1/98 through 12/31/98, \$21.33 per mcf; beginning 1/1/99 through 12/31/99, \$23.90 per mcf; beginning 1/1/00, \$24.19 per mcf.

(7) To Lake County: beginning 4/4/96 through 12/31/96, \$18.23 per mcf; beginning 1/1/97 through 12/31/97, \$19.39 per mcf; beginning 1/1/98 through 12/31/98, \$20.58 per mcf; beginning 1/1/99 through 12/31/99, \$21.84 per mcf; beginning 1/1/00, \$23.15 per mcf.

(8) To Lorain County: beginning 4/4/96 through 12/31/96, \$18.98 per mcf; beginning 1/1/97 through 12/31/97, \$20.14 per mcf; beginning 1/1/98 through 12/31/98, \$21.33 per mcf; beginning 1/1/99 through 12/31/99, \$22.59 per mcf; beginning 1/1/00, \$23.90 per mcf.

(9) To the City of North Ridgeville: beginning 4/4/96 through 12/31/96, \$14.04 per mcf; beginning 1/1/97 through 12/31/97, \$15.05 per mcf;

beginning 1/1/98 through 12/31/98, \$16.09 per mcf; beginning 1/1/99 through 12/31/99, \$17.19 per mcf; beginning 1/1/00, \$18.34 per mcf.

(10) To Geauga County: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(11) To Medina County: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(12) To the City of Hudson Village: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(13) To Summit County: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(b) All bills for water so furnished shall be rendered monthly to the municipality or district to which water is so furnished, and if not paid within fifteen (15) days after the date of billing by the City of Cleveland, such bills shall be subject to a penalty of five percent added thereto. In the event that any monthly bill is not paid within four (4) months after written notice is given by the City of Cleveland, the City of Cleveland may, at its option, cease to furnish water to such municipality or district pending payment of any overdue amount.

(c) Rates for Standby Emergency Water Service. The rates to be charged for standby emergency water service shall consist of an annual standby fee of \$3600 per year in addition to the charge for consumption provided in division (a) of this section. Standby fees for standby emergency water service shall be payable in advance. All bills for water furnished under this section shall be rendered upon the termination of customer's emergency period or, if the duration of the emergency is longer than thirty days, in thirty day intervals. In the event that any standby fee is not paid in advance or any consumption bill is not paid within four months after written notice is given by the City of Cleveland, the City of Cleveland may at its option, cease to furnish standby emergency water service to such customer pending payment of any overdue amount.

Section 535.21 Charges for Unmetered Fire Protection Service within the City and Direct Service Metropolitan Area
A charge shall be made for each unmetered fire supply connection within the limits of the City and direct service suburbs. The charge shall be determined in accordance with the size of the fire supply connection through which water passes for use on the premises so supplied

in accordance with the following schedule, for each three months or any part thereof:

Beginning April 4, 1996, through December 31, 1996

Connection Size (Inches)	Fee
1-1/2	\$22.50
2	22.50
3	22.50
4	38.75
5	61.25
6	87.50
8	156.25
10	245.00
12	352.50

Beginning January 1, 1997, through December 31, 1997

Connection Size (Inches)	Fee
1-1/2	\$25.00
2	25.00
3	25.00
4	43.75
5	68.75
6	100.00
8	177.50
10	276.25
12	397.50

Beginning January 1, 1998, through December 31, 1998

Connection Size (Inches)	Fee
1-1/2	\$26.25
2	26.25
3	26.25
4	46.25
5	72.50
6	105.00
8	186.25
10	290.00
12	417.50

Beginning January 1, 1999, through December 31, 1999

Connection Size (Inches)	Fee
1-1/2	\$28.75
2	28.75
3	28.75
4	50.00
5	78.75
6	113.75
8	202.50
10	316.25
12	456.25

Beginning January 1, 2000

Connection Size (Inches)	Fee
1-1/2	\$31.25
2	31.25
3	31.25
4	53.75
5	85.00
6	122.50
8	218.75
10	342.50
12	467.50

Charges shall be collected quarterly for each fire supply connection to cover inspection, testing, sealing and resealing of such service connections, stand-by pumpage capacity, and replacement or cleaning of distribution or trunk water mains to improve the water supply for fire protection purposes.

2. In Section 3, page 18, line 6, strike "February 1" and insert in lieu thereof "April 4".

Amendments agreed to.
The rules were suspended. Yeas 20. Nays 0. Read third time. Passed. Yeas 12. Nays 8. Those voting yea were Councilmen: Coats, Jackson, Johnson, McQuirk, Patmon, Patton, Paulenske, Robinson, Rybka, Smith, Westbrook, Willis. Those voting nay were Councilmen: Lewis, Melena,

Miller, O'Malley, Rokakis, Polensek, White, Zone.

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ordinance No. 2013-95 passed as a non-emergency measure.

Ord. No. 2240-95.

By Councilmen Brady and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract without competitive bidding with BancTec Service Corp. for the servicing of BancTec payment transaction processors, for the Division of Fiscal Control, Department of Public Utilities.

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

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

Ord. No. 2241-95.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Cleveland Metropolitan Housing Authority for the 1996 Youth Sports Grant.

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

1. In Section 2, lines 3, 4, and 5, strike the following: "including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$25,000, to be paid from Fund No. 01-70-04-0901."

Amendment agreed to.

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

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 2243-95.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of unarmed uniformed security guard services, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance, when amended as follows:

1. In Section 1, at the end, add the following: **"The specifications for the written requirement contract or contracts authorized by this ordinance shall provide that the contractor shall only employ residents of the City of Cleveland in the performance of the contract, provided however, that the Board of Control may waive or limit the scope of this provision in order to maintain the security requirements at the City's airports."**

2. In the title, line 6, and in Section 1, line 8, after "Airport" insert **"and the Division of Burke Lakefront Airport"**.

Amendments agreed to.

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

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 2245-95.

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

An emergency ordinance to establish No Right Turns at a specific intersection in the City of Cleveland as listed herein, and to amend the schedule on file with the Clerk of Council, File No. 107-76, pursuant to Section 413.09 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to full-time prohibitions.

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

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

Ord. No. 2246-95.

By Councilmen Turner and Polensek (by departmental request).

An emergency ordinance to establish No Right Turn at a specific intersection in the City of Cleveland as listed herein, and to amend the schedule on file with the Clerk of Council, File No. 106-76, pursuant to Section 413.10 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to No Right Turns during certain hours.

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

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

Ord. No. 34-96.

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

An emergency ordinance authorizing and directing the Director of Port Control to make alterations and modifications in Contract No. 47146 for removal of underground storage tank and the installation of an aboveground storage tank at Cleveland Hopkins International Airport, with McCable Corporation, for the Department of Port Control.

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

Ord. No. 35-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one payment processor envelope extractor machine, for the Division of Fiscal Control, Department of Public Utilities.

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

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

Ord. No. 81-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Fairfax Renaissance Development Corporation, or its designee, to provide economic development assistance to partially finance the acquisition of land in the Fairfax neigh-

borhood and to finance the construction of new housing.

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

1. Strike Section 2 in its entirety and insert in lieu thereof:

"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.

2. Strike Section 4 in its entirety and insert in lieu thereof:

"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."

Amendments agreed to.

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

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 82-96.

By Councilmen Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Directors of Economic Development and Finance to establish, using Empowerment Zone funds, an Empowerment Zone Debt Service Fund.

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

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

Ord. No. 88-96.

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 on Columbia Avenue to Colejon Development Corporation or Designee.

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

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

Ord. No. 89-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Robert L. Kraber, or its designee, to provide economic development assistance to partially finance the acquisition of a building located at 3500 Payne Avenue, Cleveland, Ohio, 44106.

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

1. Strike Section 2 in its entirety and insert in lieu thereof:

"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. _____."

2. Strike Section 4 in its entirety and insert in lieu thereof:

"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."

Amendments agreed to.

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

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 94-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with the Cleveland Housing Network Partnership XII, or its designee, to provide economic development assistance to partially finance the rehabilitation of twenty units of housing, at various locations in Cleveland, Ohio.

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

1. Strike Section 2 in its entirety and insert in lieu thereof:

"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. _____"

2. Strike Section 4 in its entirety and insert in lieu thereof:

"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."

Amendments agreed to.

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

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 152-96.

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 Minit-Men, Inc. for the purchase of labor and materials necessary to service and maintain helicopters, for the Division of Police, Department of Public Safety, for a period of one year with an option to renew.

Approved by Directors of Public Safety, Finance, Law; Recommended by Committees on Public Safety, Finance, when amended as follows:

1. In Section 2, at the end, add the following: **"(RL 20093)."**

2. In the title, line 5, and in Section 1, line 3, and in line 9, before "Minit-Men" insert **"Helicopter"**.

Amendments agreed to.

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

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 198-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of high flow rapid setting emulsion, for the Division of Streets, Department of Public Service.

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

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

Ord. No. 199-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of virgin and reclaimed asphalt, for the Division of Streets, Department of Public Service.

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

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

Ord. No. 200-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of SSItack coat, for the Division of Streets, Department of Public Service.

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

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

Ord. No. 203-96.

By Councilmen Patton and Rokakis (by departmental request).

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

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

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

Ord. No. 210-96.

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

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

Approved by Directors of City

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

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

Ord. No. 235-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of guard rail elements, posts, end wings, bolts and washers, for the Division of Streets, Department of Public Service.

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

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

Ord. No. 236-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of gutter brooms and gutter broom sets, for the Division of Streets, Department of Public Service.

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

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

Ord. No. 237-96.

By Councilman Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of plow blades and curb bumpers, for the Division of Streets, Department of Public Service.

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

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

Ord. No. 238-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of traffic cones and safety drums, for the Division of Streets, Department of Public Service.

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

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

Ord. No. 239-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of the rental of large capacity trucks and operators, for the Division of Streets, Department of Public Service.

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

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

Ord. No. 240-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of rock salt, for the Division of Streets, Department of Public Service.

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

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

Ord. No. 241-96.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with SCOVEN, LTD, or its designee, to provide economic development assistance to partially finance the expansion of a manufacturing facility, including office space, located at 4310 Carnegie Avenue, Cleveland, Ohio.

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

1. Strike Section 2 in its entirety and insert in lieu thereof:

"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. _____."

2. Strike Section 4 in its entirety and insert in lieu thereof:

"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."

3. In Section 7, at the end, insert the following: **"Said contract shall include terms such that the failure of Scoven, Ltd, and/or Encore Manufacturing Corp. to remain in compliance with applicable Federal and State law regarding the formation of collective bargaining units and/or union representation shall constitute a breach of said contract."**

Amendments agreed to.

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

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 242-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Port Control to enter into contract without competitive bidding with Property and Lease Management Systems for the purchase of labor and materials needed to install a system to maintain and manage leases and contracts for the various divisions of the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Recommended

ed by Committees on Aviation and Transportation, Finance.

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

Ord. No. 243-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of an identification badge management system, for the various divisions of the Department of Port Control.

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

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

Ord. No. 244-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of not to exceed two portable light towers, for the various divisions of the Department of Port Control.

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

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

Ord. No. 245-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to calibrate and repair existing electric meters, for the various divisions of the Department of Port Control, for a period not to exceed two years.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance, when amended as follows:

1. In the title, line 5, and in Section 1, line 5, strike "and repair" and insert in lieu thereof **"and/or replace"**.

Amendment agreed to.

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

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 250-96.

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 Eagle International for the purchase of replacement parts and labor for International trucks in order for such equipment to remain under warranty, for the Division 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, when amended as follows:

1. In Section 2 at the end, insert the following: **"(RL 21147)"**.

Amendment agreed to.

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

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 252-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Secretary of the Civil Service Commission to enter into contract with Barrett and Associates, Inc. to administer, grade and prepare final eligible list for police promotional positions in the Division of Police, Department of Public Safety.

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

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

Ord. No. 253-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Secretary of the Civil Service Commission to enter into contract with Norman D. Henderson, Ph.D. to administer, grade and prepare final eligible list for patrol officer positions in the Division of Police, Department of Public Safety.

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

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

Ord. No. 308-96.

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

An emergency ordinance to amend Section 133.33 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1451-95, passed August 23, 1995, relating to parking fees.

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

1. In Section 1, at Section 133.33(a) (1), strike subdivision "F." in its entirety and insert in lieu thereof the following:

"Special monthly rate for City employees

1. for not more than 75 City employees, with preference given to employees with the lowest salary, under the authority of the Director of Parks, Recreation and Properties \$74.07.

2. for not more than 175 City employees, with preference given to employees with the lowest salary, under the authority of the Director of Parks, Recreation and Properties \$92.59.

2. In Section 1, at Section 133.33(a)(1) N. and Section 133.33(a) (2)J., strike **"up to 10.00"** and insert in lieu thereof **"up to 8.00"**.

3. In Section 1, at Section 133.33, at the end of the section, insert a new division "(g)" to read as follows:

"(g) Notwithstanding any provision in this section to the contrary, the Commissioner of Parking Facilities shall: (1) Designate ten (10) parking spaces in Willard Garage located as close as practical to the entrance to City Hall to be assigned

by the Director of Parks, Recreation and Properties to City employees with the greatest number of years seniority as a City employee:

(2) Designate at least ten (10) parking spaces located either in the North Mall Lot or in Willard Garage for City employees to park their vehicles at no cost for a maximum of forty-five (45) minutes when required by their jobs to visit City Hall for a short period of time during the work day; and

(3) Designate a sufficient number of parking spaces located either in the North Mall Lot or in Willard Garage for City employees who are employed to clean City Hall and who commence work at 3:00 p.m. or later and work later than the closing of Willard Garage."

4. Following existing Section 2, insert new "Section 3", "Section 4" and "Section 5" to read, respectively, as follows:

"Section 3. That, on or before April 1st of each year, the Council shall review the parking rates fixed pursuant to this ordinance.

Section 4. That, by August 1, 1996, the Director of Parks, Recreation and Properties shall study the feasibility of washing vehicles at Willard Garage for a fee, with the proceeds to be used to fund City recreation programs, and report the results of the study to the Council at the August Council meeting.

Section 5. That, on or before September 1, 1997, the Director of Parks, Recreation and Properties shall submit to the Council for its consideration a written assessment of whether the North Mall Lot shall continue to operate as a public parking lot or be returned to public park land."

5. Renumber existing Section 3 to read "Section 6."

Amendments agreed to.

The rules were suspended. Yeas 20. Nays 0. Read third time. Passed. Yeas 17. Nays 3. Those voting yea were Councilmen: Coats, Johnson, Lewis, McGuirk, Melena, Miller, Patmon, Patton, Paulsenke, Robinson, Rokakis, Rybka, Smith, Westbrook, White, Willis, Zone. Those voting nay were Councilmen: Jackson, O'Malley, Polensek.

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 309-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept gift of approximately two thousand tee shirts and caps from the Cleveland Indian Charities, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

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

Ord. No. 320-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Finance to enter into contracts with Blue Cross Blue Shield of Ohio, Medical Life Insurance Company, HMO Health Ohio, Kaiser Permanente, Aetna Health Plans of Northern

Ohio and Personal Physician Care, Inc. to provide medical and life insurance coverage for City employees; and to enter into contract with joint venture to provide dental insurance for City employees.

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

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

Ord. No. 350-96.

By Councilmen Miller and Rokakis (by departmental request).

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

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

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

Ord. No. 351-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of repairing or rehabilitating roofs for the various divisions of the Department of Port Control and authorizing the Director of Port Control to enter into contract for the making of such improvement.

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

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

Ord. No. 352-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Port Control to apply for and accept a grant from the United States of America acting through the Federal Aviation Administration for reconstruction of the West Concourse apron at Cleveland Hopkins Airport.

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

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

Ord. No. 353-96.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 937-95, passed June 19, 1995, relating to various amendments to contracts for Training Services For The Disadvantaged and Employment and Training Assistance For Dislocated Workers.

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

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

Ord. No. 354-96.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance to amend the title, the first whereas clause and Section 3 of Ordinance No. 1702-

95, passed November 20, 1995, relating to accepting an additional grant to extend the Youth Fair Chance National Program and for the Quantum Opportunities Project; and to enter into a second amendment to Contract No. 47909 with Youth Opportunities Unlimited.

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

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

Ord. No. 356-96.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into various contracts for Training Services For The Disadvantaged under the Job Training Partnership Act.

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

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

Ord. No. 358-96

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance to amend the title, the second whereas clause and Sections 1 and 2 of Ordinance No. 936-95, passed June 12, 1995, relating to an agreement between the City and Youth Opportunities Unlimited.

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

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

Ord. No. 359-96.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a grant from the Ohio Department of Development to implement a High Unemployment Program and to authorize appropriations to provide for administration of such program.

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

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

Ord. No. 360-96.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into a contract with the Commission on Catholic Community Action.

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

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

Ord. No. 361-96.

By Councilmen Patmon and Rokakis (by departmental request).

An emergency ordinance autho-

rizing the Director of Personnel and Human Resources to enter into various contracts for the delivery of the Summer Youth Employment and Training Program, under the Job Training Partnership Act, after verification of fund availability from the State of Ohio.

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

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

Ord. No. 363-96.

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 clean and test insulators, bushings and lightning arrestors, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Ord. No. 364-96.

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 interior and exterior motor vehicle body repair, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Ord. No. 365-96.

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 inspect, test at high voltage levels and repair bucket and derrick trucks, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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

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

Ord. No. 366-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of various billing forms and envelopes, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Ord. No. 422-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance to supplement Ordinance No. 1093-95, passed June 19, 1995, by adding new Section 3 thereof, relating to an agreement with the United States for construction of a confined disposal facility at Burke Lakefront Airport; and to renumber existing Section 3 to new Section 4.

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

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

Ord. No. 486-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance establishing salary and wage schedules for various classifications, effective as of April 1, 1996, and repealing existing Ordinance No. 2114-95, passed November 27, 1995, as amended.

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

1. In Section 8, at "197. Senior Clerk", strike the maximum figure of "\$12.11" and insert in lieu thereof the following: "**\$12.47**".

Amendment agreed to. The rules were suspended. Yeas 20. Nays 0. Read third time. Passed. Yeas 20. Nays 0.

In compliance with section 33 of the Charter, a copy of the legislation was furnished to each member of the Council before final passage.

Ord. No. 487-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the payment of membership dues of the City of Cleveland in various professional organizations for the year 1996.

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

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

SECOND READING ORDINANCES PASSED

Ord. No. 1252-95.

By Councilman Rokakis.

An ordinance to change the Use, Area and Height Districts of lands on the southwesterly side of Bradley Road, S.W. between Jennings Road, S.W. and north of South Ridge Drive. (Map Change No. 1881, Sheet No. 6)

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

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

Ord. No. 41-96.

By Councilman Miller.

An ordinance to change the Use and Area Districts of lands east of Rocky River Drive S.W. from north of I-480 to south of Midvale Ave., S.W.

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

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

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 2049-95.

By Councilmen Brady and Rokakis (by departmental request).

An emergency resolution to provide for the issuance and sale of waterworks improvement and refunding first mortgage revenue bonds, Series H, 1996, of the City in an aggregate principal amount not to exceed \$175,000,000 with respect to bonds for new improvements and in an aggregate principal amount not to exceed \$100,000,000 with respect to refunding bonds (except, in each case, in the event that any series H bonds are to be offered at an original issue discount); to award the series H bonds to original purchasers thereof; to prescribe the form and content and authorize the execution and delivery of a bond purchase agreement; to authorize a certificate of award fixing the principal amount, date, interest rates, maturities, redemption provisions and other terms, provisions and details of the Series H Bonds subject to the restrictions set forth in the Series H Bond legislation; to determine certain other matters required to be determined herein by the series H bond legislation; and declaring an emergency.

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

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

THIRD READING EMERGENCY ORDINANCE PASSED

Ord. No. 208-96.

By Councilman Rokakis (by departmental request).

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

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

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried, that the absence of Councilman Pat Britt be and is hereby authorized.

MOTION

The Council adjourned at 9:30 p.m. to meet on Monday, April 15, 1996 at 7:00 p.m.


Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

March 27, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 27, 1996, at 10:30 a.m., with Mayor White presiding.

Present: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Absent: None.

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

On motion, the following resolutions were adopted.

Resolution No. 182-96.

By Director Konicek.

Resolved by the Board of Control of the City of Cleveland that the bid of Brom Truck, Inc., for the following: two (2) sewer cleaning machines with fluid drive coupling for the Division of Water Pollution Control, Department of Public Utilities, received on the 9th day of February, 1996, pursuant to the authority of Ordinance No. 1882-95, passed December 18, 1995, which on the basis of order quantity would amount to \$490,346.00, (5% 31 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Be it further resolved that the employment of the following subcontractor to Brom Truck, Inc., for the above-mentioned standard purchase is hereby approved:

SUBCONTRACTOR

Independent Brokers, Ltd.

Delivery
MBE

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 183-96.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Aaron Landscaping, Inc., for an estimated quantity of System Expansion, residential reforestation, Item Nos. 5a, 6a, 10a, 13a, 28a, 49a, 50a, 58a, 59a and 60a, 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 21st day of February, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to Twenty-Three Thousand Sixteen and no/cents Dollars, (\$23,016.00), (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 goods and/or services, which shall provide for the

immediate purchase as the initial amount of such contract of the following:

Requisition No. 81740

which shall be certified against such contract in the sum of Ten Thousand Two Hundred Six and no/cents Dollars, (\$10,206.00).

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

Be it further resolved that the employment of the following subcontractor of Aaron Landscaping, Inc., for the above mentioned requirement contract be and the same hereby is approved:

SUBCONTRACTOR WORK

Wake Forest Garden
Center
4583 Lee Rd.
Cleveland, Ohio 44128

Planting Trees
(\$4,603.20)
(20% MBE)

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 184-96.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cooper Landscaping, Inc., for an estimated quantity of System Expansion, residential reforestation, Item Nos. 1a, 2a, 38a, 42a, 47a, 51a, 55a, 71a, 74a and 77a, 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 21st day of February, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to Forty-Seven Thousand Seven Hundred Fifty-Four and no/cents Dollars, (\$47,754.00), (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 goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81741

which shall be certified against such contract in the sum of Twenty-Four Thousand Six Hundred Fifty-Four and no/cents Dollars, (\$24,654.00).

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

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting

Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 185-96.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of East Ohio Grass Co., Inc., for an estimated quantity of System Expansion, residential reforestation, Item Nos. 3a, 4a, 7a, 9a, 11a, 12a, 14a, 17a, 19a, 20a, 21a, 22a, 22b, 24a, 25b, 26b, 27a, 29b, 30a, 31a, 31b, 32a, 32b, 37a, 39a, 41a, 46a, 46b, 50b, 61a, 62a, 64a, 65a, 66b, 69a, 70a, 72a, 73a, 78a and 79a, 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 21st day of February, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to One Hundred Ninety-Two Thousand Nine Hundred Twenty-One and no/cents Dollars, (\$192,921.00), (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 goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81743

which shall be certified against such contract in the sum of Twenty-Two Thousand Seven Hundred Eighty-Two and no/cents Dollars, (\$22,782.00).

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

Be it further resolved that the employment of the following subcontractor of East Ohio Grass Co., Inc., for the above mentioned requirement contract be and the same hereby is approved:

SUBCONTRACTOR WORK

J & S Landscaping Co.
20475 Farnsleigh
Cleveland, Ohio 44122

Planting Trees
\$92,835.00
MBE

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: None.

Resolution No. 186-96.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of The Davey Tree Expert Co. dba: The Davey Tree Farm, for an estimated quantity of System Expansion, residential reforestation, Item Nos. 5b, 6b, 21b, 28b, 30b, 47b, 51b, 53b, 62b, 64b and 67b, 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 21st day of February, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to Twenty-Four Thousand Seven and no/cents Dollars, (\$24,007.00), (Net 60 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 goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81742

which shall be certified against such contract in the sum of Eighteen Thousand Nine Hundred Ninety-Four and no/cents Dollars, (\$18,994.00).

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

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 187-96.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Horticultural Associates, Inc., for an estimated quantity of System Expansion, residential reforestation, Item Nos. 12b, 13b, 24b, 35b, 37b, 38b, 40b, 58b, 59b, 60b, 61b, 69b, 70b, 71b, 73b, 74b, 77b and 78b, 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 21st day of February, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to One Hundred Nine Thousand Three Hundred Eighty-Nine and no/cents Dollars, (\$109,389.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81744

which shall be certified against such contract in the sum of Twenty-Three Thousand Four Hundred Six and no/cents Dollars, (\$23,406.00).

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

Yeas: Mayor White, Director Sobol

Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 188-96.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Lake County Nursery, Inc., for an estimated quantity of System Expansion, residential reforestation, Item Nos. 2b, 3b, 8b, 9b, 10b, 16b, 41b, 72b and 79b, 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 21st day of February, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to Twenty-Eight Thousand Nine Hundred Twenty-Four and no/cents Dollars, (\$28,924.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81745

which shall be certified against such contract in the sum of Twenty-Thousand Five Hundred Fifty-Two and no/cents Dollars, (\$20,552.00).

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

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 189-96.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Licursi Co., Inc., for an estimated quantity of System Expansion, residential reforestation, Item Nos. 1b, 7b, 11b, 14b, 16a, 19b, 20b, 25a, 26a, 27b, 34a, 34b, 35a, 36a, 39b, 40a, 42b, 48b, 49b, 53a, 55b, 63a, 63b, 65b, 66a, 67a, 68a and 68b, 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 21st day of February, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to One Hundred Twenty-Two Thousand Eight Hundred Sixty-Five and no/cents Dollars, (\$122,865.00), (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 goods and/or services, which shall provide for the

immediate purchase as the initial amount of such contract of the following:

Requisition No. 81746

which shall be certified against such contract in the sum of Fifty-Four Thousand Eight Hundred Eighty-Five and no/cents Dollars, (\$54,885.00).

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

Be it further resolved that the employment of the following subcontractor of Licursi Co., Inc., for the above mentioned requirement contract be and the same hereby is approved:

SUBCONTRACTOR WORK

Wake Forest Garden Center, 4583 Lee Rd. Cleveland, Ohio 44128	Planting Trees \$7,466.00 (MBE)
---	---------------------------------------

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 190-96.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Schichtel's Nursery, Inc., for an estimated quantity of System Expansion, residential reforestation, Item Nos. 4b, 17b, 18b and 36b, 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 21st day of February, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to Twelve Thousand Eight Hundred Eighty-Two and no/cents Dollars, (\$12,882.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81747

which shall be certified against such contract in the sum of Twelve Thousand Eight Hundred Eighty-Two and no/cents Dollars, (\$12,882.00).

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

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting

Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent:None.

Resolution No. 191-96.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that the bid of Wake Forest Garden Center, for an estimated quantity of System Expansion, residential reforestation, Item Nos. 8a, 18a, 29a and 48a, 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 21st day of February, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to Seventeen Thousand Sixty-Two and 50/cents Dollars, (\$17,062.50), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81748

which shall be certified against such contract in the sum of Seventeen Thousand Sixty-Two and 50/cents Dollars, (\$17,062.50).

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

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 192-96.

By Director Cunningham.

Whereas, pursuant to Ordinance No. 665-93, passed by the Cleveland City Council on May 3, 1993, and Board of Control Resolution No. 852-93, adopted September 29, 1993, as amended by Board of Control Resolution No. 1077-93, adopted December 8, 1993, the City entered into an agreement with Peter Muller-Munk Associates ("Consultant") for signage planning, design, and construction inspection at Burke Lakefront Airport for the Department of Port Control, Contract No. 46958; and

Whereas, the City has determined that additional professional services are necessary to revise signage plans to accommodate new plantings and sidewalks installed in the vicinity of Burke Lakefront Airport with various landscaping projects; 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 Contract No. 46958 between the City and Consultant to provide for an addition to the scope of work necessary to revise signage plans to accommodate changed physical features of the site, based on Consultant's letters dated Febru-

ary 13, 1995, August 11, 1995, and August 31, 1995, for an additional fee for such consulting services of six thousand five hundred twenty-seven and 32/100 dollars (\$6,527.32), thereby increasing the total fee for all services to sixty-nine thousand twenty-seven and 32/100 dollars (\$69,027.32)

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.

Be it further resolved that Board of Control Resolution No. 29-96, adopted January 17, 1996, is hereby rescinded.

Yeas: Mayor White, Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 193-96.

By Director Guzman.

Whereas, Resolution No. 132-96, adopted March 6, 1996, the City through its Director of Public Service, approved the bid of Good Mechanic Auto Company of Richfield, dba G & M Auto Company, as the lowest and best for towing services (all items), for the Division of Motor Vehicle Maintenance, Department of Public Service, incorrectly stated the bid opening date and the passage date of Ordinance No. 1745-95; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 132-96, adopted March 6, 1996, hereby is amended by changing the bid opening date and the passage date of Ordinance No. 1745-95 to "February 9, 1996 and November 27, 1995 respectively."

Be it further resolved that all other provisions of said Resolution No. 132-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: Mayor White.

Resolution No. 194-96.

By Director Guzman.

Whereas, pursuant to Ordinance No. 307-95, passed by Cleveland City Council April 10, 1995, and Resolution No. 0784-95 adopted by the Board of Control of the City of Cleveland on October 18, 1995, the City of Cleveland entered into a contract with Road Machinery, Inc. for the purchase of Elgin Sweeper Parts and Labor (All Items) for a total amount of \$80,000.00; and

Whereas, Road Machinery, Inc. has by letter dated March 12, 1996, requested consent of the City to the assignment of all its rights, title and interest said agreement to Jack Doheny Supplies Ohio, Inc.; and

Whereas, Jack Doheny Supplies Ohio, Inc. has indicated by its March 18, 1996 letter that it intends to undertake Road Machinery's obligation under the agreement for the purchase of replacement parts and labor for Elgin Sweepers (All Items); now, therefore,

Whereas, be it resolved by the Board of Control of the City of Cleveland that the request of Road Machinery, Inc. for consent to the assignment of Contract No. 49179 for the purchase of Elgin Sweeper Parts and Labor (All Items) to and by Jack Doheny Supplies Ohio, Inc. is hereby granted.

Be it further resolved that the Director of Public Service is hereby authorized to execute any document necessary and appropriate to effect such assignment. A copy of the assignment shall be filed in the Office of the Commissioner of Accounts.

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: Mayor White.

Resolution No. 195-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Sill's Motor Sales Co. for an estimated quantity of mower parts (Items 18 and 24, Labor \$40.00/hr. March thru September; \$34.00/hr. October thru February). List price less 20% items marked in book. *12 1/2% discount for Item 24 Honda engines, carburators and parts; for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 8th day of March, 1996, pursuant to the authority of Ordinance No. 1744-95, passed November 27, 1995, which on the basis of the estimated quantity would amount to approximately Six Thousand Five Hundred and no/100 Dollars, (\$6,500.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 70664

which shall be certified against such contract in the sum of Two Thousand and no/100 Dollars, (\$2,000.00).

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.
Nays: None.
Absent: Mayor White.

Resolution No. 196-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Brooklyn Tractor & Mower Company for an estimated quantity of mower parts and Labor (Items: 2 thru 6; 8, 9, 10; 12 thru 15; 17, 21; 27 thru 30; 34, 37 and 38). Labor rate \$40.00/hr for the Division of Motor

Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 8th day of March, 1996, pursuant to the authority of Ordinance No. 1744-95, passed November 27, 1995, which on the basis of the estimated quantity would amount to approximately Two Hundred Twenty Thousand and no/100 Dollars, (\$220,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 70662

which shall be certified against such contract in the sum of Forty Thousand and no/100 Dollars, (\$40,000.00).

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 197-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of North Coast Distributing, Inc., for an estimated quantity of Mower Parts and Labor Items: 16, 20, 22, 23, 25, 26, 33 and 36, Labor rate \$46.00 per hour; for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 8th day of March, 1996, pursuant to the authority of Ordinance No. 1744-95, passed November 27, 1995, which on the basis of the estimated quantity would amount to approximately Forty Thousand and no/100 Dollars, (\$40,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 70663

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

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spell-

man, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 198-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Brom Truck, Inc., for an estimated quantity of Crane Carrier Parts and Labor (All Items) Crane parts price list dated May 1, 1994 and labor rate of \$45.00 per hour; for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 1st day of March, 1996, pursuant to the authority of Ordinance No. 1748-95, passed November 27, 1995, which on the basis of the estimated quantity would amount to approximately Fifty Thousand and no/100 Dollars, (\$50,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 70661

which shall be certified against such contract in the sum of Four Thousand and no/100 Dollars, (\$4,000.00).

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 199-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Jones Equipment, Inc., for an estimated quantity of Everest Parts; (All Items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 8th day of March, 1996, pursuant to the authority of Ordinance No. 1782-95, passed November 27, 1995, which on the basis of the estimated quantity would amount to approximately Twenty-Five Thousand and no/100 Dollars, (\$25,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 70665

which shall be certified against such contract in the sum of Two Thousand and no/100 Dollars, (\$2,000.00).

Said requirement contract shall

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 200-96.

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. 106-04-100 under said Land Reutilization Program; and

Whereas, Ordinance No. 2030-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Curtis F. and Dorothy M. Allen 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. 2030-95 passed February 12, 1996 by the Cleveland City Council, the Mayor is hereby authorized and the Commissioner of Purchases and Supplies is hereby directed to execute an Official Deed for and on behalf of the City of Cleveland with Curtis F. and Dorothy M. Allen for the sale and development of Permanent Parcel No. 106-04-100 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 201-96.

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. 105-31-157 under said Land Reutilization Program; and

Whereas, Ordinance No. 2040-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Calvester and Lula Betts 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. 2040-95 passed February 12, 1996 by the Cleveland City Council, the Mayor is hereby authorized and the Commissioner of Purchases and Supplies is hereby directed to execute an Official Deed for and on behalf of the City of Cleveland with Calvester and Lula Betts for the sale and development of Permanent Parcel No. 105-31-157 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 202-96.

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. 105-22-055 under said Land Reutilization Program; and

Whereas, Ordinance No. 2035-94, passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Janis and A. Garancis 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. 2035-94, passed February 12, 1996, by the Cleveland City Council, the Mayor is hereby authorized and the Commissioner of Purchases and Supplies is hereby directed to execute an Official Deed for and on behalf of the City of Cleveland with Janis and A. Garancis for the sale and development of Permanent Parcel No. 105-22-055 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 203-96.

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. 107-21-074 under said Land Reutilization Program; and

Whereas, Ordinance No. 2026-95, passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Joan Jones and Benjamin Jones, 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. 2026-95, passed February 12, 1996 by the Cleveland City Council, the Mayor is hereby authorized and the Commissioner of Purchases and Supplies is hereby directed to execute an Official Deed for and on behalf of the City of Cleveland with Joan Jones and Benjamin Jones, Jr. for the sale and development of Permanent Parcel No. 107-21-074 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 204-96.

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. 106-15-041 under said Land Reutilization Program; and

Whereas, Ordinance No. 2029-95, passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Jay and Joann Arki 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. 2029-95, passed February 12, 1996 by the Cleveland City Council, the Mayor is hereby authorized and the Commissioner of Purchases and Supplies is hereby directed to execute an Official Deed for and on behalf of the City of Cleveland with Jay and Joann Arki for the sale and development of Permanent Parcel No. 106-15-041 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby

determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 205-96.

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. 108-03-049 under said Land Reutilization Program; and

Whereas, Ordinance No. 63-94, passed May 2, 1994 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Parks, Recreation and Properties 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. 63-94, passed May 2, 1994 by the Cleveland City Council, the Mayor is hereby authorized and the Commissioner of Purchases and Supplies is hereby directed to execute an Official Deed for and on behalf of the City of Cleveland with Department of Parks, Recreation and Properties for the sale and development of Permanent Parcel No. 108-03-049 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$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: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.
Absent: Mayor White.

Resolution No. 206-96.

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. 002-08-074 located at 1272 West 67 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, Deborah C. Cassese, 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 Deborah C. Cassese for the sale and development of Permanent Parcel No. 002-08-074 located at 1272 West 67 Street in Ward 17, 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: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 207-96.

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. 020-10-162, easterly half, located at 12208 Erwin Avenue in Ward 20; 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, James E. and Betty Gayle Zickefoose, 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 20 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 James E. and Betty Gayle Zickefoose for the sale and development of Permanent Parcel No. 020-10-162, easterly half, located at 12208 Erwin 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: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 208-96.

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. 020-10-162, westerly half, located at 12208 Erwin Avenue in Ward 20; 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, Lloyd R. and Betty A. Haney, 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 20 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 Lloyd R. and Betty A. Haney for the sale and development of Permanent Parcel No. 020-10-162, westerly half, located at 12208 Erwin 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: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 209-96.

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. 016-11-154 under said Land Reutilization Program; and

Whereas, Ordinance No. 1837-95 passed December 18, 1995 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Roy and Judy Holloway 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. 1837-95 passed December 18, 1995 by the Cleveland City Council, the Mayor is hereby authorized and the Commissioner of Purchases and Supplies is hereby directed to execute an Official Deed for and on behalf of the City of Cleveland with Roy and Judy Holloway for the sale and development of Permanent Parcel No. 016-11-154 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$500.00, 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: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 210-96.

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. 107-17-075 under said Land Reutilization Program; and

Whereas, Ordinance No. 2037-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Elizabeth McGregor 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. 2037-95 passed February 12, 1996 by the Cleveland City Council, the Mayor is hereby autho-

rized and the Commissioner of Purchases and Supplies is hereby directed to execute an Official Deed for and on behalf of the City of Cleveland with Elizabeth McGregor for the sale and development of Permanent Parcel No. 107-17-075 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$500.00, 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: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 211-96.

By Director Hamilton.

Whereas, pursuant to Ordinance No. 1035-95 passed June 5, 1995, as amended by Ordinance No. 1162-95 passed June 19, 1995, the Commissioner of Purchase and Supplies is authorized to accept from the Board of County Commissioners of Cuyahoga County fee title to certain real property located at Franklin and Mable Court (the property) in return for consideration of One Dollar (\$1.00); and

Whereas, Ordinance No. 1035-95 further authorized the Commissioner of Purchase and Supplies to transfer the property, subject to the direction of the Board of Control, to the Cleveland Restoration Society (the Society) by Official Quit Claim deed designating the conveyance "as is," in return for consideration of one dollar (\$1.00); and

Whereas, the property is located in an Historic Ohio City area and will be transferred to the Society for the public purpose of restoring and renovating the historic structure located thereon known as the "Rhodes Carriage House"; and

Whereas, the Quit Claim Deed from the City to the Society shall contain such conditions subsequent and restrictive covenants as the Director of Community Development and the Director of Law deem appropriate and necessary to protect the interest of the City of Cleveland and to ensure compliance with the City's Building Codes; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to authorization of Ordinance No. 1035-95 passed June 5, 1995, as amended by Ordinance No. 1162-95 passed June 19, 1995, by Cleveland City Council, the Mayor, the Director of Community Development, and the Commissioner of Purchases and Supplies are hereby authorized to execute an Official Quit Claim Deed for and on behalf of the City of Cleveland transferring fee title of the property described in the aforesaid ordinances to the Cleveland Restoration Society for the restoration and renovation of the historic structure located thereon.

Be it further resolved that the consideration for said transfer shall be One Dollar (\$1.00); all other costs

of the conveyance to be paid by the Society.

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 212-96.

By Acting Director Cox.

Resolved, by the Board of Control of the City of Cleveland that the bid of American Merchandising Services for an estimated quantity of twenty (2) gallons of Bullseye Herbicides 50 gallons of Roundup Herbicide for the Division of Parks Maintenance and Properties, Department of Parks, Recreation and Properties, for the period of one (1) year beginning with the date of execution of a contract received on the 13th day of March, 1995, pursuant to the authority of Ordinance No. 86-96, passed February 12, 1996, which on the basis of the estimated quantity would amount to Three Thousand, One Hundred Forty-Nine and 00/100ths Dollars, (\$3,149.00) is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 76073

which shall be certified against such contract in the sum of One Thousand Five Hundred Seventy-Four Dollars and 50/100ths, (\$1,574.50).

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

Resolution No. 213-96.

By Acting Director Cox.

Resolved, by the Board of Control of the City of Cleveland that the bid of Weeds Incorporated for an estimated quantity of 100 cases Krovar I DF Herbicide 20 2.5 gallon containers - Exacto XL Surfactant for the Division of Parks Maintenance and Properties, Department of Parks, Recreation and Properties, for the period of one (1) year beginning with the date of execution of a contract received on the 13th day of March, 1995, pursuant to the authority of Ordinance No. 86-96, passed February 12, 1996, which on the basis of the estimated quantity would amount to Forty-Two Thousand Eight Hundred Five and 00/100ths Dollars, (\$42,805.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to

enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 76072

which shall be certified against such contract in the sum of Twenty-One Thousand Four Hundred Two Dollars and 50/100ths, (\$21,402.50).

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

Yeas: Director Sobol Jordan, Acting Director Carmody, Director Konicek, Acting Director Sheehan, Director Guzman, Acting Directors Henderson, Holland, Directors Spellman, Hamilton, Nolan, Warren, Acting Director Alexander.

Nays: None.

Absent: Mayor White.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 15, 1996

9:30 A.M.

Calendar No. 96-36: 1401 W. 10 St. Crittenden Courts Apartments Associates, a limited partnership, owner, c/o Peter Paras, and Historic Warehouse District Development Corp., prospective purchaser, c/o Kate Boruff, to erect a 131' x 36' 4 story masonry 6 unit townhouse building on a 131' x 102' irregular shaped lot, and to subdivide said lot,

located in a B-Limited Retail District at 1401 W. 10 St.; the access drive serving said premises being in excess of the 30' maximum width requirements of Section 349.07 and said building and said townhouse units exceeding the 50% floor area/lot area ratio as limited by Section 355.04 and said proposed lots not conforming to the lot frontage and lot area requirements of Section 355.04 and the building to be 8' back of the street line instead of back on the 18' setback line as determined by Section 357.04 and the building not having a 20' rear yard for the entire width as required by Section 357.08 and the sideyards to be 0' contrary to the requirements of Section 357.09 of the Codified Ordinances.

Calendar No. 96-37: 920 E. 185 St. Mae Drasler, owner, and Metropolitan Savings Bank, tenant, c/o Ron Simon, to erect a one story 10' x 60' addition to the rear of the 60' x 38' one story nonconforming bank building and to make modifications to the accessory parking area on the 84' x 180' irregular shaped corner lot located in a Local Retail District on the southwest corner of E. 185 St. and Neff Rd. at 920 E. 185 St.; said use as a bank being contrary to the local retail use limitations of Section 343.01 and the expansion provisions of Section 359.01 and the parking lot access not being in conformance with the distance requirements of Section 349.07 and the premises not being in conformity with the landscaping provisions of Sections 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 96-39: 7732 Dercum Rd. Francis Lowe, owner, to erect an 11' x 50' one story frame carport to the southeast side of the 28' x 50' one and two story frame one family dwelling house on a 43' x 148.5' lot located in a Two Family District at 7732 Dercum Rd.; the use of said carport being contrary to the 10' distance requirement of Section 349.05 and said carport to reduce the aggregate sideyards to 4'6" instead of the 10' requirement of Section 357.09 of the Codified Ordinances.

Calendar No. 96-45: 3518 W. 25 St. Children's Services Inc., owner, to erect an 87'4"x 165'11" two story multi-purpose building (inc. classrooms, gymnasium, administrative offices, etc.) on the rear of the 301 x 590' irregular shaped corner through parcel located in a Two Family District and General Retail District and occupied by an orphanage complex, on the southwest corner of W. 25 St. and Daisy Ave., extending through to Library Ave. and known as 3518 W. 25 St.; said usage for orphanage purposes being subject to the review provisions of Section 337.02 and 337.03 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 1, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, March 25, 1996, the following appeals were heard by the Board, and, on, Mon-

day, April 1, 1996 were decided by the Board.

The following appeals were **Granted**:

Calendar No. 96-28: 3741 Ridge Rd., S.W.

Danmaur Investments Ltd., owner, and Gress & Kennedy Inc., dba: Ridge Road Auto Parts & Wrecking Co., tenant, to erect a 60' x 140' one story masonry building on the 339' x 647' irregular shaped parcel. (Conditionally Grant)

Calendar No. 96-29: 4400 W. 156th Street

James Yedlick, owner, to erect approximately 21' of 6' high fence and gate to partially enclose the 92' x 60' irregular shaped corner lot.

The following appeals were **Postponed** to April 29, 1996:

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

Calendar No. 96-32: 4310 Carnegie Ave., S.E.

The following appeals was **Withdrawn**:

Calendar No. 95-220: 13948 Lorain Ave.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice

required in Advertisement for Bids.

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

WEDNESDAY, APRIL 10, 1996

Fairfax Recreation Center Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1455-94 and 683-95, passed by the Council of the City of Cleveland, November 21, 1994 and June 12, 1995, respectively.

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

March 27 and April 3, 1996

THURSDAY, APRIL 11, 1996

Jail Cells/Safety Screens and 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.

Millcreek Subdivision Phase I and II, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1654-91, 1276-92, 1200-93 and 1909-92, passed by the Council of the City of Cleveland.

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

Bicentennial Village Phase 2, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1654-91, 1276-92, 1200-93 and 1909-92, passed by the Council of the City of Cleveland.

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

Herron Row at Kingsbury Phase II, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1654-91, 1276-92, 1200-93 and 1909-92, passed by the Council of the City of Cleveland. A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION.

Central Commons Subdivision No. 5 and 6, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1654-91, 1276-92, 1200-93 and 1909-92, passed by the Council of the City of Cleveland.

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

March 27 and April 3, 1996

FRIDAY, APRIL 12, 1996

Six (6) Crew Cab Pick-ups with 8 Ft. Bodies, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2101-95, passed by the Council of the City of Cleveland, February 5, 1996.

Manholes, Castings and Grating, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129 of the Codified Ordinances of the City of Cleveland, 1976.

March 27 and April 3, 1996

THURSDAY, APRIL 18, 1996

E-6 Substation Equipment Schedules A, B, C, D, E, for the Division of

Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

March 27 and April 3, 1996

WEDNESDAY, APRIL 24, 1996

Various Foods, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 33-96, passed by the Council of the City of Cleveland, February 12, 1996.

March 27 and April 3, 1996

FRIDAY, APRIL 26, 1996

Removal of Rubber and Paint from Paved Surfaces, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 2183-95, passed by the Council of the City of Cleveland, January 29, 1996.

A PRE-BID MEETING WILL BE HELD ON FRIDAY, APRIL 19, 1996 AT 1:00 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

March 27 and April 3, 1996

THURSDAY, MAY 2, 1996

Installation of One Emergency Back-Up Generator, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 46-95, passed by the Council of the City of Cleveland, June 5, 1995. A PRE-BID MEETING WILL BE HELD ON TUESDAY, APRIL 16, 1996 AT 10:00 A.M. AT THE FIRE ALARM OFFICE, 310 CARNEGIE AVENUE — EAST DOOR.

Repair of Overhead Doors, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 37-96, passed by the Council of the City of Cleveland, February 12, 1996.

Maintenance for a Mainframe Computer System, for the Division of Information Systems Services, Department of Finance, as authorized by Ordinance No. 158-96, passed by the Council of the City of Cleveland, March 4, 1996.

FRIDAY, MAY 3, 1996

One (1) 24" Ball Valve and Accessories, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

Four (4), 4-Wheel Drive Chassis with Full Length Cabs, 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) Customized Recreational Vehicle, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1231-95, passed by the Council of the City of Cleveland, October 23, 1995.

April 3 and April 10, 1996

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

Monday, April 1, 1996

Public Utilities Committee (Joint with Legislation and Finance): 10:30 A.M. — Present: Patton, Chrm.; Polensek, V-Chrm.; Coats, Lewis, McGuirk, O'Malley, Patmon, Willis, Zone.

Legislation Committee (Joint with Utilities and Finance): 10:30 A.M. — Present: McGuirk, Chrm.; Willis, V-Chrm.; Britt, Johnson, Patton, Rybka. Excused: Rokakis.

Finance Committee (Joint with Utilities and Legislation): 10:30 A.M. — Present: Westbrook, V-Chrm.; Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith. Excused: Rokakis, Chrm.

Legislation Committee (Joint with Finance): 2:30 P.M. — Present: McGuirk, Chrm.; Willis, V-Chrm.; Johnson, Patton, Rokakis, Rybka. Excused: Britt.

Finance Committee (Joint with Legislation): 2:30 P.M. — Present: Rokakis, Chrm.; Westbrook, V-Chrm.; Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith.

Finance Committee: 2:30 P.M. — Present: Rokakis, Chrm.; Westbrook, V-Chrm.; Coats, Johnson, Lewis, McGuirk, Patmon, Polensek, Robinson, Rybka, Smith.

Tuesday, April 2, 1996

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

Index to Council Proceedings

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

Agreements

Agreement — improvement of installing decorative lighting — Veterans Memorial Bridge
— Service Department — Public Utilities Department (O 702-94)..... 553

Amend Agreement No. 34570 — payment of electric power for operation of decorative
lighting — Hope Memorial Bridge — Service Department — Utilities Department
(O 704-94) 553

Bonds

Bonds — \$175,000,000 — \$100,000,000 — sale and waterworks improvement — Finance
Department (R 2049-95)..... 561

Bonds series H 1996 — \$175,000,000 — \$100,000,000 — Finance Department
(O 2011-95) 553

City Planning Commission

Appropriate property — clearance and redevelopment — West 25th Lorain Community
Development Plan (O 554-96) 544

Approving amendments — West 25th-Lorain Community — Bridge/Carroll Plan Area —
Bridge/Carroll Action Area (O 210-96)..... 558

Authorizing Director of Economic Development — to enter a contract — Fairfax Renaissance
Development — designee to provide — economic development assistance — acquisition
land — finance construction new housing (O 81-96)..... 557

Authorizing and Directing Economic and Development — enter into a contract with — Robert
L. Kraber — provide economic development assistance — acquisition building located
— Payne Avenue, 3500 (O 89-96)..... 557

Authorizing sale real property — Land Reutilization Program — located 2215 East 36th
Street (O 537-96) 535

Authorizing sale real property — Land Reutilization Program — located 2329 East 37th
Street (O 536-96) 535

Authorizing the Director — Economic Development — contract with SCOVEN, LTD — provide
economic development — assistance to partially finance — expansion of manufacturing
— located at 4310 Carnegie Avenue (O 241-96)..... 559

Brentwood Limousine, Inc. — located at 1530 East 19th Street (O 549-96)..... 538

Change Use and Area — East of Rocky River Drive — North of I-480 — to South I-480 —
Midvale Ave., S.W. — Change No. 1896 sheet No. 13 — (O 41-96)..... 561

Change area districts land — West 41 Street between Memphis Avenue S.W.— Henritze
(O 556-96) 545

Declaring intention to vacate — Girard Street (R 562-96)..... 546

Declaring intention to vacate — Indianola Avenue S.E. (R 558-96) 545

Durham-Phelps Properties, Inc. — provide economic development assistance — finance the
acquisition — located at 15000 Miles Avenue (O 546-96) 538

Enter into a contract with — Malinda Rivers — provide economic development assistance
to partially finance the acquisition two building — 12333-12335 St. Clair Avenue
(O 527-96) 532

Establish Planned Unit Development — Located 1448 Dexter Place (O 557-96) 545

Establishing — community reinvestment area — West 10th Street — Historic Warehouse
District — Section 3735.65 (O 550-96) 539

Establishing Community Reinvestment area — 1900 West 25th Street — Section 3736.65
(O 553-96) 544

Jurist & Bock Properties — provide economic development assistance — 3700 Prospect
Avenue (O 538-96)..... 536

Redevelopment and /or rehabilitation of blighted premises — located at 10700 Helena
Avenue (R 561-96) 546

Redevelopment and/or rehabilitation of blighted — located 1846 West 50th Street
(R 580-96) 546

City Planning Department

Southwesterly side of Bradley Road, S.W. between Jennings Road, S.W. and north of South
Ridge Drive (O 1252-95) 561

Cleveland Hopkins International Airport

Authorizing and Directing — Director of Port Control — alterations and modifications
— Contract No. 47146 — underground storage tank — installation aboveground storage
tank (O 34-96) 557

Unarmed uniformed — security guard services — Port Control Department — Cleveland
Hopkins International Airport (CHIA) (O 2243-95) 557

Codified Ordinances

Amend Section 1 of Ordinance No. 98-96 passed January 22, 1996 — amended by Ordinance No. 445-96 — passed March 11, 1996 — Legal News Publishing Company — printing of the City Record (O 565-96).....	547
Amend Section 133.33 — Codified Ordinances of Cleveland, Ohio 1976 — amended by Ordinance No. 1451-95 — passed August 23, 1995 — relating to parking fee (O 308-96).....	559
Amend Section 365.05 — as amended by Ordinance No. 66-94, passed June 6, 1994 — fees (O 1144-95).....	553
Amend Section 403.99 — relating to traffic code misdemeanor classifications and penalties (O 551-96).....	539
Amend Section 543.02 — as amended by Ordinance No. 2643-91, passed March 23, 1992 — sewerage service charges within Cleveland (O 2012-95).....	553
Amend Sections 535.04, 535.05, 535.06 and 535.18, as amended by Ord. No. 1148-91, passed June 10, 1991 — Section 535.21, as amended by Ord. No. 990-85, passed June 12, 1985 — water service regulations for water service — Utilities De (O 2013-95).....	554
Amend Sections 535.04, 535.05, 535.06 and 535.18, as amended by Ord. No. 1148-91, passed June 10, 1991 — Section 535.21, as amended by Ord. No. 990-85, passed June 12, 1985 — water service regulations for water service — Utilities De (O 2013-95).....	554
Amend codified ordinances Sections 325.59, 335.01 and 335.04 repeal Section 309.25 (O 552-96).....	541
Enacting new section 111.072 — relating to the hiring — professional utility — consultants by City Council (O 566-96).....	548
Establishing salary and wage schedules — effective April 1, 1996 repealing existing — Ordinance No. 2114-95 — passed November 27, 1995 (O 486-96).....	561
Supplement Ordinance No. 1091-95 — passed June 19, 1995 — United States construction — disposal facility — Burke Lakefront Airport — existing Section 3 to Section 4 (O 422-96).....	561

Communications

Emergency Requisition — RE-81334 purchase of de-icing agents — Cleveland Hopkins International Airport (F 510-96).....	525
Emergency Requisition RE-81552 — repair services — Cleveland Public Power (F 512-96).....	525
MacBride Principles and Fair Employment Practice — Northern Ireland (F 511-96).....	525
Pepper Spray (F 513-96).....	525
Review Campaign Financing Laws (F 514-96).....	525

Community Development

Appropriate property — clearance and redevelopment — West 25th Lorain Community Development Plan (O 554-96).....	544
Authorizing sale of real property — Land Reutilization Program — located on Columbia Avenue — Colejon Development Corporation or Designee (O 88-96).....	557
Authorizing sale of real property — Land Reutilization Program — Bicentennial Village (O 525-96).....	526
Authorizing sale real property — Land Reutilization Program — located 2329 East 37th Street (O 536-96).....	535
Authorizing sale real property — Land Reutilization Program — located 2215 East 36th Street (O 537-96).....	535
Authorizing the Director of Economic Development — enter into a contract — Cleveland Housing Network Partnership XII — rehabilitation of twenty unit of housing (O 94-96).....	558
Establishing — community reinvestment area — West 10th Street — Historic Warehouse District — Section 3735.65 (O 550-96).....	539
Establishing Community Reinvestment area — 1900 West 25th Street — Section 3736.65 (O 553-96).....	544
Redevelopment and /or rehabilitation of blighted premises — located at 10700 Helena Avenue (R 561-96).....	546
Redevelopment and/or rehabilitation of blighted — located 1846 West 50th Street (R 580-96).....	546

Condolences

Burge, Alpheus (R 585-96).....	526
Burns, Tessie P. (R 581-96).....	526
Hanserd, Lolette (R 582-96).....	526
Jorowski, Fred J. (R 584-96).....	526
Officer Johnson, Clarence Jr. (R 583-96).....	526

Congratulations

Deputy Chief Gary Payne (R 588-96).....	526
Hirsch, Alvin & Margaret (R 587-96).....	526
Patrolman Coyne, Patrick (R 589-96).....	526

Sgt. James, Norman (R 590-96) 526
 St. Edward High School (R 586-96)..... 526
 Tri-C JazzFest (R 591-96)..... 526

Contracts

Authorizing and Directing — Purchases — contracts — one payment processor — envelope
 extractor machine (O 35-96) 557
 Contracts — Banctec Service Corp. (O 2240-95)..... 557

Economic Development Department

Authorizing Director of Economic Development — to enter a contract — Fairfax Renaissance
 Development — designee to provide — economic development assistance — acquisition
 land — finance construction new housing (O 81-96)..... 557
 Authorizing Directors of Economic Development and Finance — establish using empowerment
 zone funds (O 82-96) 557
 Authorizing and Directing Economic and Development — enter into a contract with — Robert
 L. Kraber — provide economic development assistance — acquisition building located
 — Payne Avenue, 3500 (O 89-96)..... 557
 Authorizing sale of real property — Land Reutilization Program — located on Columbia
 Avenue — Colejon Development Corporation or Designee (O 88-96) 557
 Authorizing the Director — Economic Development — contract with SCOVEN, LTD — provide
 economic development — assistance to partially finance — expansion of manufacturing
 — located at 4310 Carnegie Avenue (O 241-96)..... 559
 Authorizing the Director of Economic Development — enter into a contract — Cleveland
 Housing Network Partnership XII — rehabilitation of twenty unit of housing
 (O 94-96) 558
 Brentwood Limousine, Inc. — located at 1530 East 19th Street (O 549-96)..... 538
 Durham-Phelps Properties, Inc. — provide economic development assistance — finance the
 acquisition — located at 15000 Miles Avenue (O 546-96) 538
 Enter into a contract with — Malinda Rivers — provide economic development assistance
 to partially finance the acquisition two building — 12333-12335 St. Clair Avenue
 (O 527-96) 532
 Jurist & Bock Properties — provide economic development assistance — 3700 Prospect
 Avenue (O 538-96)..... 536

Empowerment Zone

Authorizing Directors of Economic Development and Finance — establish using empowerment
 zone funds (O 82-96) 557

Fees

Amend Section 365.05 — as amended by Ordinance No. 66-94, passed June 6, 1994 — fees
 (O 1144-95) 553

Finance Department

Amend Section 1 of Ordinance No. 97-95 — passed June 19, 1995 relating to — amendments
 of contracts — Training Services for — Disadvantaged and Employment and Training
 Assistance — Dislocated Workers (O 353-96)..... 560
 Amend Section 6 of Ordinance No. 200-88 — passed February 1, 1988 — amended by ordinance
 No. 1266-89 — passed May 1, 1989 (O 539-96)..... 536
 Amend the title — second clause and section 1 and 2 of Ordinance No. 936-95 — passed
 June 12, 1995 — relating to agreement between — City and Youth (O 358-96)..... 560
 Amend title — Clause and Section 3 of Ordinances No. 1762-95 passed November 20, 1995
 — accepting additional grant — Youth fair Chance National Program — Quantum
 Opportunities project — enter into second amendment contract No. 47909 (O 354-96) 560
 Assess cost and expense — construction and repairing of sidewalks and curbing
 (O 526-96) 531
 Authoring and Directing — purchase by requirement contract — labor and materials needed
 to inspect — high voltage levels and repair bucket and derrick trucks (O 365-96)..... 561
 Authorizing and Directing — Director of Finance — enter into contracts — Blue Cross
 Blue Shield of Ohio — Medical Life Insurance, HMO Health, Kaiser Permanente, Aetna
 Health and Personal Physician Care — provide medical coverage emp (O 320-96) 560
 Authorizing and Directing — Director of Port Control — enter into contract — without
 competitive bidding — labor and materials — needed to install a system — maintain
 and manage leases (O 242-96) 559
 Authorizing and Directing — Director of Public Utilities — enter into — contract
 without competitive bidding — IBM for purchase of direct access storage device
 (O 203-96) 558
 Authorizing and Directing — Director of Public Safety — enter into requirement contract
 — without competitive — bidding with Eagle International — purchase of replacement
 parts and labor (O 250-96)..... 559

Authorizing and Directing — Port Control — apply grant from — United States of America — Federal Aviation Administration — reconstruction of West Concourse apron (O 352-96)	560
Authorizing and Directing — procurement by requirement — contract of the rental — large capacity truck and operators (O 239-96)	558
Authorizing and Directing — purchase by requirement — contract of gutter broom and gutter broom sets (O 236-96)	558
Authorizing and Directing — purchase by requirement — contract of plow blades and curb bumpers (O 237-96)	558
Authorizing and Directing — purchase by requirement — contract of rock salt (O 240-96)	559
Authorizing and Directing — purchase by requirement contract — labor and materials — interior and exterior — motor vehicle body repair (O 364-96)	561
Authorizing and Directing — purchase by requirement — contract of traffic cones and safety drums (O 238-96)	558
Authorizing and Directing — purchase by requirement — contract SSI tack coat (O 200-96)	558
Authorizing and Directing — purchase by requirement contract — billing forms and envelopes (O 366-96)	561
Authorizing and Directing — purchase by requirement — contract virgin and reclaimed asphalt (O 199-96)	558
Authorizing and Directing — purchases by requirement — contract of work uniforms — not exceed two years (O 350-96)	560
Authorizing and Directing — purchases by requirement — contract high flow — rapid setting emulsion (O 198-96)	558
Authorizing and Directing the Director of Public Safety — enter into requirement contract — without bidding — Minit-Man Inc. — purchase labor and materials — service and maintain helicopters (O 152-96)	558
Authorizing and directing — purchase by requirement contract — labor and materials — clean and test insulators bushings and lighting arrestors (O 363-96)	561
Authorizing sale of real property — Land Reutilization Program — located on Columbia Avenue — Colejon Development Corporation or Designee (O 88-96)	557
Authorizing the Director — Economic Development — contract with SCOVEN, LTD — provide economic development — assistance to partially finance — expansion of manufacturing — located at 4310 Carnegie Avenue (O 241-96)	559
Authorizing the Director — Personnel — accept grant — Ohio Department of Development — implement a High unemployment Program — authorize appropriations — provide administration program (O 359-96)	560
Authorizing the Director — Personnel — enter into — contracts for training services — disadvantaged under the job training partnership act (O 356-96)	560
Authorizing the Director of Economic Development — enter into a contract — Cleveland Housing Network Partnership XII — rehabilitation of twenty unit of housing (O 94-96)	558
Authorizing the Director of Parks, Recreation and Properties — accept gift of two thousand tee shirts and caps — Cleveland Indian Charities (O 309-96)	560
Authorizing the Director of Personnel — enter into contract for delivery of Summer Youth Employment and Training program — under partnership act — verification fund — State of Ohio (O 361-96)	560
Authorizing the Director of Personnel — enter into contract — Commission on Catholic Community Action (O 360-96)	560
Blaw Knox paver equipment (O 532-96)	534
Bonds — \$175,000,000 — \$100,000,000 — sale and waterworks improvement — Finance Department (R 2049-95)	561
Bonds series H 1996 — \$175,000,000 — \$100,000,000 — Finance Department (O 2011-95)	553
Chrysler, Dodge, Plymouth and Jeep — light duty trucks and vans (O 528-96)	533
Contract Clean-Land Ohio — City's recycling Litter Prevention Education — and recycling public awareness program and waste reduction (O 530-96)	533
Contract Hauling and Disposing — Debris at landfills (O 540-96)	536
Determining the method — public improvement of repairing — rehabilitating roofs — authorizing the Director — Port Control — enter into contract — making improvement (O 351-96)	560
Elgin sweepers — including labor necessary (O 531-96)	533
Emergency ordinance — current expenses — 451 F expenditures City of Cleveland for year 1996 (O 208-96)	561
Installing a HVAC unit — associated appurtenances — Cleveland Hopkins International Airport (O 545-96)	537
One four station folding — inserting system (O 548-96)	538
Payment membership dues — City of Cleveland — organizations for the year 1996 (O 487-96)	561
Purchases by requirement contract — replacement parts for leach packers (O 533-96)	534
Repair and maintain speedwalks, for — Cleveland Hopkins International Airport (O 544-96)	537
Repair or replace fuel dispensing pumps — fuel operations fuel tankers hydraulic lifts — oil and grease dispensing (O 529-96)	533

Repairing Fulton Road Bridge — enter contract — Osborn Engineering Company
(O 535-96) 534

Replace overhead doors — 5-Point garage — Cleveland Hopkins International Airport
(O 542-96) 537

Safety modifications to escalators — Cleveland Hopkins International (O 541-96) 536

Supplement Ordinance No. 1091-95 — passed June 19, 1995 — United States construction
— disposal facility — Burke Lakefront Airport — existing Section 3 to Section 4
(O 422-96) 561

Twenty five hand held — meter reading devices (O 547-96) 538

Waterworks system improvement — Mortgage Revenue Bonds — proposes issue 1996 —
organized under laws (R 560-96)..... 545

Law Department

Assess cost and expense — construction and repairing of sidewalks and curbing
(O 526-96) 531

Emergency ordinance — current expenses —451 F expenditures City of Cleveland for year
1996 (O 208-96)..... 561

Payment membership dues — City of Cleveland — organizations for the year 1996
(O 487-96) 561

Waterworks system improvement — Mortgage Revenue Bonds — proposes issue 1996 —
organized under laws (R 560-96)..... 545

Liquor Permits

10109 St. Clair Avenue — Objecting to the transfer of ownership (R 573-96)..... 551

10601-03 Sandusky Avenue — transfer of ownership — Best Buy food market
(F 517-96) 525

12845 Lorain Road — Objecting — transfer of ownership (R 577-96) 552

18029 Euclid Avenue — withdrawing — objection to stock transfer — repealing Res. No.
1774-95 (R 570-96) 550

2780 East 116th Street and gas pumps — Objecting (R 568-96)..... 549

3111 East 93rd Street — objecting transfer of ownership (R 571-96)..... 550

3111 East 93rd Street — transfer of location — Little Eagle (F 515-96) 525

3344 East 116th street — transfer of ownership — Kinsman Supermarket (F 518-96)..... 525

3350 East 116th Street — withdrawing — objection transfer of ownership
(R 576-96) 552

3600 Denison Avenue — objecting — transfer of ownership (R 579-96) 552

3600 Denison Avenue — transfer of ownership — Sam's Market (F 520-96)..... 525

4336-38 Lee Road — Objecting (R 575-96)..... 551

4336-38- Lee Road — new application — Aurora Market (F 521-96)..... 525

5470 Broadway Avenue — transfer of ownership — Doc's Tavern (F 519-96) 525

7936 Lorain Avenue — Objecting to transfer of ownership (R 572-96) 550

7936 Lorain Avenue — transfer of ownership — Yofa Corp. (F 522-96) 525

8209 Cedar Avenue — withdrawing — objection to transfer of ownership — repealing Res.
No. 1039-95 (R 569-96) 550

Continental Express — Hopkins International Airport — Transfer of Ownership
(F 516-96) 525

Oath of Office

Christopher Nielson — Commissioner of Engineering and Construction (F 524-96)..... 526

Parks, Recreation and Properties Department

Amend Section 6 of Ordinance No. 200-88 — passed February 1, 1988 — amended by ordinance
No. 1266-89 — passed May 1, 1989 (O 539-96)..... 536

Authorizing the Director of Parks, Recreation and Properties — accept gift of two
thousand tee shirts and caps — Cleveland Indian Charities (O 309-96)..... 560

Change name —Drake Park to Brookfield Park (O 555-96) 544

Grant — 1996 Youth Sports — Parks, Recreation and Properties Department
(O 2241-95) 557

Permits

Amend Section 1 of ordinances No. 100-96 — relating to the issuance — permit for 1996
Cleveland Walk — April 28, 1996 (O 564-96) 547

Personnel and Human Resources Department

Amend Section 1 of Ordinance No. 97-95 — passed June 19, 1995 relating to — amendments
of contracts — Training Services for — Disadvantaged and Employment and Training
Assistance — Dislocated Workers (O 353-96)..... 560

Amend the title — second clause and section 1 and 2 of Ordinance No. 936-95 — passed
June 12, 1995 — relating to agreement between — City and Youth (O 358-96)..... 560

Amend title — Clause and Section 3 of Ordinances No. 1762-95 passed November 20, 1995 — accepting additional grant — Youth fair Chance National Program — Quantum Opportunities project — enter into second amendment contract No. 47909 (O 354-96)	560
Authorizing the Director — Personnel — accept grant — Ohio Department of Development — implement a High unemployment Program — authorize appropriations — provide administration program (O 359-96)	560
Authorizing the Director — Personnel — enter into — contracts for training services — disadvantaged under the job training partnership act (O 356-96).....	560
Authorizing the Director of Personnel — enter into contract for delivery of Summer Youth Employment and Training program — under partnership act — verification fund — State of Ohio (O 361-96)	560
Authorizing the Director of Personnel — enter into contract — Commission on Catholic Community Action (O 360-96)	560
Lease agreement — Maxine G. Levin and Robert M. Levine — Trustees for the use and occupancy — Department of Personnel and Human Resources — located in the 1021 Euclid Building (O 563-96).....	547

Plats

Grace Point Resubdivision (F 476-96).....	526
---	-----

Port Control Department

Amend title and Section 1 of Ordinance No. 2055-95 — passes November 13, 1995 — tow unattended vehicles (O 543-96).....	537
Authorizing and Directing — Director of Port Control — alterations and modifications — Contract No. 47146 — underground storage tank — installation aboveground storage tank (O 34-96)	557
Authorizing and Directing — Director of Port Control — enter into contract — without competitive bidding — labor and materials — needed to install a system — maintain and manage leases (O 242-96)	559
Authorizing and Directing — Port Control — apply grant from — United States of America — Federal Aviation Administration — reconstruction of West Concourse apron (O 352-96)	560
Authorizing and Directing — purchase by requirement — contract of labor and material — needed to calibrate and repair existing — electric meters (O 245-96).....	559
Authorizing and Directing — purchase by contract — not to exceed — two light towers (O 244-96)	559
Authorizing and Directing — purchase by contract — identification badge management system (O 243-96)	559
Authorizing and Directing — purchases by requirement — contract of work uniforms — not exceed two years (O 350-96)	560
Determining the method — public improvement of repairing — rehabilitating roofs — authorizing the Director — Port Control — enter into contract — making improvement (O 351-96).....	560
Installing a HVAC unit — associated appurtenances — Cleveland Hopkins International Airport (O 545-96).....	537
Repair and maintain speedwalks, for — Cleveland Hopkins International Airport (O 544-96)	537
Replace overhead doors — 5-Point garage — Cleveland Hopkins International Airport (O 542-96)	537
Safety modifications to escalators — Cleveland Hopkins International (O 541-96)	536
Supplement Ordinance No. 1091-95 — passed June 19, 1995 — United States construction — disposal facility — Burke Lakefront Airport — existing Section 3 to Section 4 (O 422-96)	561
Uarmed uniformed — security guard services — Port Control Department — Cleveland Hopkins International Airport (CHIA) (O 2243-95)	557

Purchases/Contracts

Uarmed uniformed — security guard services — Port Control Department — Cleveland Hopkins International Airport (CHIA) (O 2243-95)	557
--	-----

Recognitions

East Tech Student Engineering Team (R 592-96)	526
Harris, Willie Ruth (R 593-96)	526
Joyce, Dottie C. (R 596-96).....	526
Malloy, Helen C. (R 595-96)	526
Neighborhood Veterans Inc. (R 594-96).....	526

Resolutions — Miscellaneous

Urging Governor to rescind — affirmative action — state of Ohio (R 574-96).....	551
---	-----

Safety Department

Authorizing and Directing — Director of Public Safety — enter into requirement contract — without competitive — bidding with Eagle International — purchase of replacement parts and labor (O 250-96)..... 559

Authorizing and Directing — Secretary of Civil Service Commission — enter into contract — Barrett and Associates — administer grade and prepare final eligible — police promotional positions (O 252-96) 559

Authorizing and Directing — Secretary of Civil Service Commission — enter into contract with Norman D. Henderson ph.D — administer grade and prepare final — patrol officer positions (O 253-96) 559

Authorizing and Directing the Director of Public Safety — enter into requirement contract — without bidding — Minit-Man Inc. — purchase labor and materials — service and maintain helicopters (O 152-96) 558

Establish no right turn at — St. Clair Avenue and E. 26th — W. 140th and Puritas — Puritas and W. 168th (O 2245-95)..... 557

Establishing no right turn — East 93rd St. & Miles and Harvard Avenue and East 93rd (O 2246-95) 557

Salaries

Establishing salary and wage schedules — effective April 1, 1996 repealing existing — Ordinance No. 2114-95 — passed November 27, 1995 (O 486-96)..... 561

Service Department

Agreement — improvement of installing decorative lighting — Veterans Memorial Bridge — Service Department — Public Utilities Department (O 702-94)..... 553

Amend Agreement No. 34570 — payment of electric power for operation of decorative lighting — Hope Memorial Bridge — Service Department — Utilities Department (O 704-94) 553

Authorizing and Directing — procurement by requirement — contract of the rental — large capacity truck and operators (O 239-96) 558

Authorizing and Directing — purchase by requirement — contract of gutter broom and gutter broom sets (O 236-96)..... 558

Authorizing and Directing — purchase by requirement — contract virgin and reclaimed asphalt (O 199-96)..... 558

Authorizing and Directing — purchase by requirement — contract SSI tack coat (O 200-96) 558

Authorizing and Directing — purchase by requirement — contract of rock salt (O 240-96) 559

Authorizing and Directing — purchase by requirement — contract of traffic cones and safety drums (O 238-96)..... 558

Authorizing and Directing — purchase by requirement — contract of plow blades and curb bumpers (O 237-96)..... 558

Authorizing and Directing — purchase by requirement — contract of guard rail elements, posts, end wings, bolts and washers (O 235-96) 558

Authorizing and Directing — purchases by requirement — contract high flow — rapid setting emulsion (O 198-96) 558

Barber Greene and Miller asphalt pavers — Ingram Hyster and Huber rollers and C.S. Johnson — Cement mixer (O 534-96) 534

Blaw Knox paver equipment (O 532-96) 534

Chrysler, Dodge, Plymouth and Jeep — light duty trucks and vans (O 528-96)..... 533

Contract Clean-Land Ohio — City's recycling Litter Prevention Education — and recycling public awareness program and waste reduction (O 530-96) 533

Declaring intention to vacate — Girard Street (R 562-96)..... 546

Declaring intention to vacate — Indianola Avenue S.E. (R 558-96) 545

Elgin sweepers — including labor necessary (O 531-96) 533

Purchases by requirement contract — replacement parts for leach packers (O 533-96) 534

Repair or replace fuel dispensing pumps — fuel operations fuel tankers hydraulic lifts — oil and grease dispensing (O 529-96) 533

Repairing Fulton Road Bridge — enter contract — Osborn Engineering Company (O 535-96) 534

Resurfacing of Turney Road — County of Cuyahoga — enter agreements — apply for accept — allocation of County Motor Vehicle License Tax Funds (O 567-96) 548

Statement of Work Acceptance

Contract No. 48261 — Kowalski Park Ball Diamond Fencing (F 523-96) 525

Utilities Department

Agreement — improvement of installing decorative lighting — Veterans Memorial Bridge — Service Department — Public Utilities Department (O 702-94)..... 553

Amend Agreement No. 34570 — payment of electric power for operation of decorative lighting — Hope Memorial Bridge — Service Department — Utilities Department (O 704-94)	553
Amend Section 543.02 — as amended by Ordinance No. 2643-91, passed March 23, 1992 — sewerage service charges within Cleveland (O 2012-95).....	553
Authoring and Directing — purchase by requirement contract — labor and materials needed to inspect — high voltage levels and repair bucket and derrick trucks (O 365-96).....	561
Authorizing and Directing — Director of Public Utilities — enter into — contract without competitive bidding — IBM for purchase of direct access storage device (O 203-96)	558
Authorizing and Directing — Purchases — contracts — one payment processor — envelope extractor machine (O 35-96)	557
Authorizing and Directing — purchase by requirement contract — labor and materials — interior and exterior — motor vehicle body repair (O 364-96).....	561
Authorizing and Directing — purchase by requirement contract — billing forms and envelopes (O 366-96).....	561
Authorizing and directing — purchase by requirement contract — labor and materials — clean and test insulators bushings and lighting arrestors (O 363-96)	561
Cleveland Housing Network — install water saving — devices in homes of low-income (O 578-96)	549
Contract Hauling and Disposing — Debris at landfills (O 540-96)	536
Contracts — BancTec Service Corp. (O 2240-95).....	557
One four station folding — inserting system (O 548-96)	538
Provide executive management search services — Cleveland Public Power — Utilities Department (O 1004-95).....	553
Twenty five hand held — meter reading devices (O 547-96)	538

Water Division

Amend Sections 535.04, 535.05, 535.06 and 535.18, as amended by Ord. No. 1148-91, passed June 10, 1991 — Section 535.21, as amended by Ord. No. 990-85, passed June 12, 1985 — water service regulations for water service — Utilities De (O 2013-95).....	554
--	-----

Welcome

Fuller, Curtis (R 598-96)	526
Golson, Benny (R 597-96)	526
Horn, Shirley (R 600-96)	526
Torme, Mel (R 599-96)	526

Zoning—Public Hearings—City Planning Committee

Change Use and Area — East of Rocky River Drive — North of I-480 — to South I-480 — Midvale Ave., S.W. — Change No. 1896 sheet No. 13 — (O 41-96).....	561
Southwesterly side of Bradley Road, S.W. between Jennings Road, S.W. and north of South Ridge Drive (O 1252-95)	561

