

# The City Record

Official Publication of the City of Cleveland

May the Twenty-Ninth, Nineteen Hundred and Ninety-Six


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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

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

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

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

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

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

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

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

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

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

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

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

**DEPT. OF COMMUNITY DEVELOPMENT - Terri Hamilton, Director,**  
3rd Floor, City Hall.

**DIVISIONS - Administrative Services - Terrence Ross, Commissioner.**  
Neighborhood Services - Festus Cassels, Commissioner.  
Neighborhood Development - Terri Hamilton, Commissioner.  
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

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

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

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

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

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

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

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

**BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room**  
516, J. F. Denk, Chairman; J. 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 Guzmán, Service Director;**  
Law Director, Sharon Sobol Jordan, Councilman Roosevelt Coats.

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

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

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

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

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

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

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

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

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



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WEDNESDAY, MAY 29, 1996

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## CITY COUNCIL

MONDAY, MAY 27, 1996

### The City Record

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### ARTHA WOODS

Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

#### MONDAY—Alternating

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

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

The following Committee is subject to Call of the Chairman:

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

May 22, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 22, 1996, at 11:00 a.m., with Mayor White presiding.

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

Absent: None.

Others: William Moon, Commissioner, Purchases and Supplies, Alvin Fore, Acting Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

#### Resolution No. 325-96.

By Director Konicek.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of G-S Ford, Inc. for the following: three (3) tractors with front end loaders, backhoes and impactors (all items) (Rammer S-25) for the Division of Water, Department of Public Utilities, received on the 29th day of March, 1996, pursuant to the authority of Ordinance No. 1911-94, passed March 6, 1995, which on the basis of the order quantities would amount to One Hundred Ninety Three Thousand Five Hundred Dollars

((\$193,500.00) (Net), 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 by the Board of Control of the City of Cleveland that the employment of the following subcontractor by G-S Ford, Inc., for the abovementioned standard purchase is hereby approved:

SUBCONTRACTORS	WORK
Independent Brokers Ltd.	Inspection and Delivery (\$7,550.00, MBE)

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

Nays: None.  
Absent: None.

#### Resolution No. 326-96.

By Director Konicek.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of Underground Pipe and Valve, Inc. for the following: copper pipe (items 1, 2, 3 and 4) for the Division of Water, Department of Public Utilities, received on the 3rd day of April, 1996, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the order quantities would amount to Thirty Six Thousand Two Hundred Seventy Two Dollars (\$36,272.00) (Net 30 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.

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

Nays: None.  
Absent: None.

#### Resolution No. 327-96.

By Director Konicek.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Inc. for the following: two (2) cabs and chassis with 18 ft. Flat bed bodies (proposal #1 with Smith equipment — no exceptions) for the Division of Water, Department of Public Utilities, received on the 12th day of April, 1996, pursuant to the authority of Ordinance No. 1228-95, passed January 29, 1996, which on the basis of the order quantities would amount to One Hundred Sixty Six Thousand Nine Hundred Thirty Six Dollars (\$166,936.00) (Net 30 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.

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

Nays: None.  
Absent: None.

**Resolution No. 328-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Markie Construction Co., Inc. for the public improvement of West 14th Street sewer replacement for the Division of Water Pollution Control, Department of Public Utilities, received on April 11, 1996, pursuant to the authority of Ordinance No. 394-95, passed May 15, 1995, upon a unit basis for the improvement in the aggregate amount of Seventy Nine Thousand Two Hundred Nine and 13/100 (\$79,209.13) Dollars, is hereby affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following subcontractor(s) to Markie Construction Co., Inc. for the above-mentioned public improvement hereby is approved:

**SUBCONTRACTORS**

**TYPE OF WORK**

Julian Supply Co.	Manholes/frames/pipe (FBE)
Perk Co.	Paving (MBE)
Lito Trucking	Backfill and trucking (MBE)

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

Nays: None.  
Absent: None.

**Resolution No. 329-96.**

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that all bids received on April 3, 1996 for labor and materials to paint roadways, runways, and other paved areas (item Nos. 14 and 15) for the various divisions of the Department of Port Control, pursuant to the authority of Ordinance No. 2182-95 passed by the Council of the City of Cleveland on January 29, 1996, be and the same are hereby rejected.

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

Nays: None.  
Absent: None.

**Resolution No. 330-96.**

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Trafftech, Inc. for an estimated quantity of Labor and materials for painting roadways, runways, and other paved areas (Item Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 16) for the various divisions of the

Department of Port Control, for the period of two (2) years commencing with execution of contract received on the 3rd day of April, 1996, pursuant to the authority of Ordinance No. 2182-95, passed January 29, 1996, which on the basis of the estimated quantity would amount to Three Hundred Eighty Eight Thousand Six Hundred Twenty and no/100 Dollars, (\$388,620.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81403 which shall be certified against such contract in the sum of Seventy Eight Thousand and no/100 (\$78,000.00) Dollars.

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

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

Nays: None.  
Absent: None.

**Resolution No. 331-96.**

By Director Cunningham.

Resolved, by the Board of Control of the City of Cleveland that the bid of Accent Stripe, Inc. for an estimated quantity of labor and materials for the removal of rubber and paint from paved surfaces for the various divisions of the Department of Port Control, for the period commencing August 9, 1996 and ending August 8, 1998 received on the 24th day of April, 1996, pursuant to the authority of Ordinance No. 2183-95, passed January 29, 1996, which on the basis of the estimated quantity would amount to One Hundred Sixteen Thousand and no/100 Dollars, (\$116,000.00) (2%/30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 81419 which shall be certified against such contract in the sum of Twenty Three Thousand and no/100 Dollars, (\$23,000.00).

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

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

Nays: None.  
Absent: None.

**Resolution No. 332-96.**

By Director Denihan.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 181.19 (b), Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby directed to offer to sell to the police officers listed below, at their fair market value, the service revolvers bearing the serial numbers listed to the right of the respective officer's name.

Baker, Alan D. #1776 Model Smith & Wesson 5943, Serial #TVH4872
Bartch, Richard #2477 Model Smith & Wesson 5943, Serial #TVB0443
Betley, William, Sergt. Model Smith & Wesson 5903, Serial #TCZ2276
Cobb, Arthur #791 Model Smith & Wesson 5943, Serial #TVB0321
Cummings, Michael #9609 Model Smith & Wesson 5943, Serial #TVB0292
Evans, Billy #2103 Model Smith & Wesson 5943, Serial #TVH4820
Fluth, Anthony K. #2 Model Smith & Wesson 5943, Serial #TVH4812
Harrington, Andrew #2380 Model Smith & Wesson 5943, Serial #TVH5979
Norman, James, Sergt. Model Smith & Wesson 5903, Serial #TCZ2084
Kordich, Paul #1924 Model Smith & Wesson 5943, Serial #TVR4951
Leonard, William #1519 Model Smith & Wesson 6906, Serial #TCV9033
Meyke, Walter #2284 Model Smith & Wesson 5903, Serial #TCP9386
Miezin, Stanley #1603 Model Smith & Wesson 5943, Serial #TVB0426
Moon, James, Lieut. Model Smith & Wesson 5943, Serial #TVH5920
McGreer, Gary #950 Model Smith & Wesson 5903, Serial #TCZ2245
Parrish, Phillip #8289 Model Smith & Wesson 5943, Serial #TFL6611
Pettiti, Michael, Sergt. Model Smith & Wesson 5943, Serial #TFK5084
Potocar, Gene, Sergt. Model Smith & Wesson 5943, Serial #TFK5107
Rood, Daniel E. #1283 Model Smith & Wesson 6906, Serial #TCU6672
Schafle, Lester #2241 Model Smith & Wesson 5943, Serial #TVA6765
Sobolinski, Ronald A. #2157 Model Smith & Wesson 5903, Serial #TCZ2299
Stacho, Leslie #2153 Model Smith & Wesson 5943, Serial #TVB0299
Stefancic, Richard P. #1895 Model Smith & Wesson 5943, Serial #TFR3690
Stevens, Dennis #9648 Model Smith & Wesson 6906, Serial #TCL0602
Stockey, Charles #2253 Model Smith & Wesson 6906, Serial #TCV6402
Walter, George, Sergt. Model Smith & Wesson 6906, Serial #TCN5114
Weston, Louis #968 Model Smith & Wesson 5943, Serial #TFK5146

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

**Resolution No. 333-96.**

By Director Spellman.

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

the bid of Taner Brothers Contracting and Supply, Inc., including deduct Alternate Nos. 1, 2 and 3, for the public improvement of constructing a meeting room addition at the John F. Kennedy Recreation Center, for the Division of Recreation, Department of Parks, Recreation and Properties, received on April 4, 1996, pursuant to the authority of Ordinance Nos. 807-93 and 1113-92, passed June 14, 1993 and June 15, 1992, respectively, for a gross price for the improvement in the aggregate amount of Three Hundred Eighteen Thousand Two Hundred and no/100 Dollars (\$318,200.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved, that the employment of the following subcontractor to Taner Brothers Contracting and Supply, Inc., is hereby approved:

G. E. Construction      FBE      10%

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Cunningham, Acting Director Wasik, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.  
Nays: None.  
Absent:None.

**Resolution No. 334-96.**

By Director Spellman.  
Resolved, by the Board of Control of the City of Cleveland that the bid of Hillcrest Food Service for an estimated quantity of various foods (Package I and II) for the Division of Recreation, Department of Parks, Recreation and Properties, for the period of nine (9) months, beginning with the date of execution of a contract received on April 24, 1996, pursuant to the authority of Ordinance No. 33-96, passed February 12, 1996, which on the basis of the estimated quantity would amount to Eighty Seven Thousand Two Hundred Three and 35/100 Dollars, (\$87,203.35) (1%/10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 82559 which shall be certified against such contract in the sum of Twenty Thousand and no/100 Dollars, (\$20,000.00).

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

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Cunningham, Acting Director Wasik, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 335-96.**

By Director Hamilton and Director Spellman.  
Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. DiLillo & Co. for the public improvement of Fairfax Recreation Center Site Improvements for bid items 1-58, 60-84, including the adjusted 5% contingency line item, for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on April 10, 1996, pursuant to the authority of Ordinance No. 1455-94 and 683-95, passed November 21, 1994 and June 12, 1995 respectively, upon a unit basis for the improvement in the aggregate amount of Four Hundred Thirty Seven Thousand Nine Hundred Thirty Three and 18/100 (\$437,933.18) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation & Properties and Director of Community Development is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors for R. DiLillo & Co. on the public improvement contract for Fairfax Recreation Center Site Improvements hereby are approved:

SUBCONTRACTORS	RESPONSIBILITY
United Ready Mix Concrete & Related Materials	(MBE)
Cook Paving	Asphalt (MBE)
Crawford Fence	Bollards (MBE)
Barrow Sign	Signage (FBE)
Alexa Trucking	Trucking & Dry Materials (MBE)
A & L Sewer	Sewer Work (MBE)

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Cunningham, Acting Director Wasik, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.  
Nays: None.  
Absent:None.

**Resolution No. 336-96.**

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 Nos. 108-22-035, 108-22-036, 108-22-037, 108-22-038, 108-22-060, 108-22-061 and 108-22-062, under said Land Reutilization Program; and

Whereas, Ordinance No. 88-96 passed April 1, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Colejon Development Corporation or Designee has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 88-96 passed April 1,

1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel Nos. 108-22-035, 108-22-036, 108-22-037, 108-22-038, 108-22-060, 108-22-061, 108-22-062, as further described in said Ordinance, to Colejon Development Corporation or Designee, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Cunningham, Acting Director Wasik, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.  
Nays: None.  
Absent:None.

**Resolution No. 337-96.**

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 Nos. 103-31-098, 103-31-099, 103-31-100, under said Land Reutilization Program; and

Whereas, Ordinance No. 83-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Estelle Robinson 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. 83-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel Nos. 103-31-098, 103-31-099, 103-31-100, as further described in said Ordinance, to Estelle Robinson, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Cunningham, Acting Director Wasik, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.  
Nays: None.  
Absent:None.

**Resolution No. 338-96.**

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. 108-08-053 under said Land Reutilization Program; and

Whereas, Ordinance No. 147-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Eleanor Walker 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. 147-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 108-08-053 as further described in said Ordinance, to Eleanor Walker, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

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

Nays: None.  
Absent: None.

**Resolution No. 339-96.**

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 Nos. 118-33-006 and 118-33-008 under said Land Reutilization Program; and

Whereas, Ordinance No. 139-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Stanley Jackson 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. 139-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel Nos. 118-33-006 and 118-33-008 as further described in said Ordinance, to Stanley Jackson, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$400.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

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

Nays: None.  
Absent: None.

**Resolution No. 340-96.**

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. 118-25-003 under said Land Reutilization Program; and

Whereas, Ordinance No. 142-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Annie Delores Wooden and Demella Y. Wooden 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. 142-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 118-25-003, as further described in said Ordinance, to Annie Delores Wooden and Demella Y. Wooden, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

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

Nays: None.  
Absent: None.

**Resolution No. 341-96.**

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. 136-26-003 under said Land Reutilization Program; and

Whereas, Ordinance No. 161-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Henry and Diane Wilson 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. 161-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 136-26-003, as further described in said Ordinance, to Henry and Diane Wilson, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the

consideration for said parcel shall be \$400.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

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

Nays: None.  
Absent: None.

**Resolution No. 342-96.**

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. 138-10-110 under said Land Reutilization Program; and

Whereas, Ordinance No. 160-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Percy Mitchell 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. 160-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 138-10-110, as further described in said Ordinance, to Percy Mitchell, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$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: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Cunningham, Acting Director Wasik, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 343-96.**

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. 118-28-029 under said Land Reutilization Program; and

Whereas, Ordinance No. 140-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Syretha McConnell 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. 140-96 passed April 29, 1996 by the Cleveland City Council,

the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 118-28-029, as further described in said Ordinance, to Syretha McConnell, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$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: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Cunningham, Acting Director Wasik, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 344-96.**

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. 135-16-100 under said Land Reutilization Program; and

Whereas, Ordinance No. 159-96 passed April 29, 1996 authorized the Commissioner of Purchases and Supplies to sell said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Diana L. Robinson 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. 159-96 passed April 29, 1996 by the Cleveland City Council, the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland to transfer and sell Permanent Parcel No. 135-16-100, as further described in said Ordinance, to Diana L. Robinson, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$580.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

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

Nays: None.  
Absent: None.

**Resolution No. 345-96.**

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. 125-34-067 located at 3423 East 72 Street in Ward 12; 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, Francis J. Zuppert and Marilyn A. Zuppert, 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 12 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 Francis J. Zuppert and Marilyn A. Zuppert for the sale and development of Permanent Parcel No. 125-34-067 located at 3423 East 72 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

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

Nays: None.  
Absent: None.

**Resolution No. 346-96.**

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. 011-13-085 located at 4411 Buechner Avenue in Ward 16; and

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

Whereas, Dennell Lynn and Fred Jay Frost, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

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

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Dennell Lynn and Fred Jay Frost for the sale and development of Permanent Parcel No. 011-13-085 located at 4411 Buechner 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: Acting Mayor Hyer, Acting Director Terry, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Director Spellman, Acting Director Ross, Directors Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 347-96.**

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. 118-31-028 located at 2378 East 69 Street in Ward 5; 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, Thankful Missionary Baptist Church, 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 5 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 Thankful Missionary Baptist Church for the sale and development of Permanent Parcel No. 118-31-028 located at 2378 East 69 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

Be it further resolved the consideration for said parcel shall be \$100.00, 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: None.

Nays: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Cunningham, Acting Director Wasik, Director Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Absent: None.

**Resolution No. 348-96.**

By Director Cunningham.

Whereas, pursuant to the Ordinance No. 1887-95 passed on November 20, 1995 by the Council of the City of Cleveland, as amended by Ordinance No. 878-96 passed on May 13, 1996, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to sell certain City-owned properties, no longer needed for public use, Permanent Parcel Nos. 028-09-009 thru 024, 028-10-057 thru 061, 028-10-063 thru 070, 029-26-001 thru 005, 029-26-021 thru 025, 029-26-027 thru 033, 029-26-035, 029-26-039, 042, 029-26-051, 029-27-001 thru 018, 029-27-033 thru 066, 029-28-001 thru 013, 029-28-017 thru 030, to Cleveland Business Park Ltd.; and

Whereas, said Ordinance No. 1887-95 as amended, provided that the consideration to be paid for the properties shall be at a price not less than fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authorization of Ordinance No. 1887-95 passed on November 20, 1995 by the Council of the City of Cleveland, as amended by Ordinance No. 878-96 passed on May 13, 1996, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned properties, no longer needed for public use, described therein as Permanent Parcels Nos. 028-09-009 thru 024, 028-10-057 thru 061, 028-10-063 thru 070, 029-26-001 thru 005, 029-26-021 thru 025, 029-26-027 thru 033, 029-26-035, 029-26-039, 042, 029-26-051, 029-27-001 thru 018, 029-27-033 thru 066, 029-28-001 thru 013, 029-28-017 thru 030, to Cleveland Business Park, Ltd. The consideration to be paid for said properties is hereby fixed at not to exceed Three Hundred Ninety-One Thousand and Five Hundred Twenty-Seven Dollars (\$391,527), which amount is determined to be not less than the fair market value.

Be it further resolved, that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said properties.

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

Nays: None.

Absent: None.

**Resolution No. 349-96.**

By Director Guzman

Whereas, pursuant to the Ordinance No. 1887-95 passed on November 20, 1995 by the Council of the City of Cleveland, as amended by Ordinance No. 878-96 passed on May 13, 1996, the Commissioner of Pur-

chases and Supplies is authorized by and at the direction of the Board of Control to sell certain City-owned properties, no longer needed for public use, Permanent Parcel No. 029-26-026, 029-28-030, and 029-26-006 to Cleveland Business Park Ltd.; and

Whereas, said Ordinance No. 1887-95 as amended, provided that the consideration to be paid for the properties shall be at a price not less than fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the authorization of Ordinance No. 1887-95 passed on November 20, 1995 by the Cleveland City Council, as amended by Ordinance No. 878-96 passed on May 13, 1996, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned properties, no longer needed for public use, described therein as Permanent Parcels Nos. 029-26-026, 029-28-030, and 029-26-006, to Cleveland Business Park, Ltd. The consideration to be paid for said properties is hereby fixed at One Hundred Forty-Nine Thousand and Forty-Six Dollars (\$149,046), which amount is determined to be not less than the fair market value.

Be it further resolved, that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property.

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

Nays: None.

Absent: None.

JEFFREY B. MARKS,

Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

FREDDIE J. FENDERSON,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, JUNE 10, 1996**

**9:30 A.M.**

Calendar No. 96-73: 15255 Triskett Rd. S.W.

Ohio Leitina Co., owner, c/o Bruce E. Meade, and Cailin Development L.L. Co., prospective purchaser, to erect an 84' x 27' self-service automobile wash station on the 178' x 100' irregular shaped corner lot located in a General Retail District on the southwest corner of Triskett Rd. and Warren Rd. at 15255 Triskett Rd.; said auto wash use being immediately adjacent to a Residence District to the south and east instead of being 100' therefrom as required by Section 343.11 and the access drive to Triskett Rd. on west portion of lot being located less than 15' from the west property line as required by Section 343.18 and a portion of the auto stackup area to be located within the specific setback area along Triskett Rd. contrary to Section 357.14 of the Codified Ordinances.

Calendar No. 96-74: 2188 E. 85 St.

Annie B. Cowan, owner, to convert to a rooming house/boarding house the 24' x 35' two and one-half story frame one family dwelling house on a 34' x 92.5' lot located in a B-Two-Family District at 2188 E. 85 St.; said use as a rooming house/boarding house being contrary to the two family use limitations of Section 337.03 and the north sideyard being 3' instead of 8' wide as required by Section 357.09 and the premises not to conform to the landscaping provisions (4' strip along the north, south and west lines) of Sections 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 96-75: 10721 Amor Ave. N.E.

Belinda Hughes, owner, to erect a 17' 6" x 18' 6" frame private garage attached to the northwest corner of the existing 22' x 38' frame two story one family dwelling house on a 40' x 67.8' lot located in a Two Family District at 10721 Amor Ave.; said addition to reduce the west sideyard to 2.5' and the aggregate sideyards to 6.5' contrary to the 3' and 10' minimum requirement of Section 357.09 and the rear yard to be reduced to 1.5' instead of the 20' required by Section 357.08 of the Codified Ordinances.

Calendar No. 96-76: 2285 Ashland Rd. S.E.

Lucious Coffey, appeals, under authority of Section 76-6 of the Charter, from the "Notice to Abate Waste Tire Nuisance" issued on March 28, 1996 by Robert O. Staib, Director, Department of Public Health, and relating to the premises at 2285 Ashland Rd.; said order being issued pursuant to Sections 203.02 and 203.07 of the Codified Ordinances.

Calendar No. 96-78: 11875 Putnam Ave. S.E.

Marvin Butler dba Butler's Towing, owner, to use the 70' x 40' masonry one story shop building (on the west end of the parcel) as an auto repair garage and to use the exterior area as a storage yard for towed autos, all on the 550' x 244' irregular shaped lot located in a Semi-Industry District at 11875



Putnam Ave.; said proposed auto repair garage being located 25' from the Residence District to the south instead of 100' therefrom as required by Section 345.03 of the Codified Ordinances.

Calendar No. 96-79: 3203 Natchez Ave. S.W.

Paul Scheuerman, owner, to enclose the 24' x 8' second floor open front porch of the 24' x 35' two story frame two family dwelling house on a 40' x 107' lot located in a Two Family District at 3203 Natchez Ave.; said proposed enclosure to be contrary to the setback encroachment provisions of Section 357.13 of the Codified Ordinances.

ANTHONY COSTANZO,  
Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**TUESDAY, MAY 28, 1996**

At the Meeting of the Board of Zoning Appeals, on Monday, May 20, 1996, the following appeals were heard by the Board, and on Tuesday, May 28, 1996 were decided.

The following appeals were **Refused:**

Calendar No. 96-34: 3001 Bridge Ave., N.W.

Roy Pogalies, owner, and John Jefferson, prospective purchaser, to convert to office (advertising agency) and one suite the 22' x 35' two and one story 3 dwelling unit building located in a B-Two-Family District.

Calendar No. 96-59: 1132 E. 98th Street

William Sims, owner, to erect 12' x 30' carport to the south side of the 32' x 30' two story frame one family dwelling house.

The following appeal was **Withdrawn:**

Calendar No. 96-60: 4701 Gifford Ave.

The following appeals were **Postponed** to June 10, 1996.

Calendar No. 96-61: 3015-35 E. 61st St.  
Calendar No. 96-63: 3153-61 W. 40th St.

ANTHONY COSTANZO,  
Secretary

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

NO MEETING

**PUBLIC NOTICE**

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

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

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

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing By the Council Committee on City Planning**

**In Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, June 5, 1996  
1:30 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in Room 217, City Hall, Cleveland, Ohio, on Wednesday, June 5, 1996 at 1:30 P.M., to consider the following ordinances now pending in the Council:

**Ord. No. 491-96.  
By Councilman Jackson.  
An ordinance to change the Use District of lands located between E. 40 Street and E. 46 Street approximately 154.50' south of Carnegie Avenue, S.E. (Map Change No. 1899, Sheet No. 5)**

**Ord. No. 557-A-96.  
By Councilman Smith.  
An ordinance to establish a Planned Unit Development Overlay District and approve the corresponding Planned Unit Development project on properties located at 1448 Dexter Place. (Map Change No. 1901, Sheet No. 1)**

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

Edward W. Rybka,  
Chairman  
Committee on City Planning

May 22 and May 29, 1996

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing By the Commissioner of Environment, Department of Public Health**

**In Room 217  
City Hall, Cleveland, Ohio  
On Friday, June 28, 1996  
11:00 A.M.**

Notice is hereby given that a public hearing will be held in Room 217, City Hall, Cleveland, Ohio, on Friday, June 28, 1996 at 11:00 A.M., before the Commissioner of Environment, Department of Public Health, City of Cleveland, to consider the following ordinance to amend Section 241.05 of the Codified Ordinances.

**Ord. No. 932-96.  
An ordinance to amend Section 241.05 of the Codified Ordinances to reduce the temporary food service license fee (maximum 5 days) from \$48.90 per day to \$20.00 per event for both commercial and noncommercial (i.e. nonprofit) organizations and businesses.**

All interested persons are encouraged to attend or be represented at the public hearing in order to be heard and present their views.

Carolyn Wallace,  
Commissioner  
Division of Environment  
Department of Public Health

May 29 and June 5, 1996

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing By the Council Committee on Community and Economic Development**

**In Room 217  
City Council Committee Room  
601 Lakeside Avenue  
Tuesday, June 11, 1996  
10:00 a.m.**

Notice is hereby given in accordance with Chapter 324 of the Codified Ordinances of Cleveland, Ohio that the Council Committee on Community and Economic Development will hold a Public Hearing on Tuesday, June 11, 1996 at 10:00 a.m., in Room 217, City Council Committee Room, Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio to consider Ordinances Nos. 144-96, 312-96 and 632-96 relating to the existence of blight at the following properties and the necessity of acquiring said properties to eliminate the blight and prevent its recurrence: 2654 Lisbon Road, 9813-15 North Boulevard and 9817-19 North Boulevard. All interested persons are encouraged to attend or be represented at the Public Hearing in order to be heard and present their views.

Frank G. Jackson,  
Chairman  
Committee on Community and Economic Development

May 29 and June 5, 1996

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

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

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

contract or other civil or criminal penalties."

**THURSDAY, JUNE 6, 1996**

**Unitized Breakfasts, Lunches and Snacks**, for the Division of Research, Planning and Development, 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.

May 22 and May 29, 1996

**WEDNESDAY, JUNE 12, 1996**

**Computer Equipment and Supplies**, for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 2106-95, passed by the Council of the City of Cleveland, December 18, 1995.

\*\*THIS PROJECT IS A MINORITY SET-ASIDE.\*\*

**One (1) Payment Processor Envelope Extractor Machine**, for the Division of Fiscal Control, Department of Public Utilities, as authorized by Ordinance No. 35-96, passed by the Council of the City of Cleveland, April 1, 1996.

**Sewer Test Tee Installation and Snaking**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 643-90, passed by the Council of the City of Cleveland, June 11, 1990.

A **MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JUNE 5, 1996, AT 10:00 A.M., AT 12302 KIRBY AVENUE.**

\*\*THIS PROJECT IS A MINORITY SET-ASIDE.\*\*

May 22 and May 29, 1996

**FRIDAY, JUNE 14, 1996**

**Two (2) Six-Passenger Crew Cab Heavy Duty Dump Trucks**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1006-95, passed by the Council of the City of Cleveland, June 19, 1995.

**Four (4) Insulated Aerial Bucket Trucks**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1006-95, passed by the Council of the City of Cleveland, June 19, 1995.

**Three (3) 65' Insulated Aerial Bucket Trucks with Material Handling Capabilities**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1006-95, passed by the Council of the City of Cleveland, June 19, 1995.

**Three (3) 47' Digger Derrick and Line Construction Body Trucks**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1006-95, passed by the Council of the City of Cleveland, June 19, 1995.

**Four (4) Cargo Vans**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1006-95, passed by the Council of the City of Cleveland, June 19, 1995.

**Two (2) Cab and Chassis with Stake Body**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1006-95, passed by the Council of the City of Cleveland, June 19, 1995.

**Automotive and Truck Batteries**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 477-96, passed by the Council of the City of Cleveland, April 29, 1996.

May 22 and May 29, 1996

**WEDNESDAY, JUNE 19, 1996**

**Natural Gas**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 50-95, passed by the Council of the City of Cleveland, February 13, 1995.

May 22 and May 29, 1996

**THURSDAY, JUNE 20, 1996**

**SSITack Coat**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 200-96, passed by the Council of the City of Cleveland, April 1, 1996.

**Traffic Cones and Safety Drums**, for the Division of Streets, Department of Public Service, by the Council of the City of Cleveland, April 1, 1996.

**Plow Blades and Curb Bumpers**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 237-96, passed by the Council of the City of Cleveland, April 1, 1996.

May 22 and May 29, 1996

**FRIDAY, JUNE 21, 1996**

**Four (4) Ambulances**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 811-96.

**Paint and Paint Supplies**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 642-96.

**Lumber**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 640-96.

May 22 and May 29, 1996

**WEDNESDAY, JUNE 19, 1996**

**Asphalt Concrete and Tack Coat and including Labor to Repair Roadways, Runaways, and Taxiways**, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 818-96.

May 29 and June 5, 1996

**THURSDAY, JUNE 20, 1996**

**Personal Computer System**, for the Department of Finance, on behalf of the Office of the Clerk of Courts, as authorized by Ordinance No. 647-96, passed by the Council of the City of Cleveland, April 29, 1996.

**Exterminating Services**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 31-96, passed by the Council of the City of Cleveland, February 12, 1996.

**Rental of Large Capacity Trucks and Operators**, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 239-96, passed by the Council of the City of Cleveland, April 1, 1996.

May 29 and June 5, 1996

**FRIDAY, JUNE 21, 1996**

**Ford Tractor Mower Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 479-96, passed by the Council of the City of Cleveland, April 29, 1996.

**Cushman Equipment Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 478-96, passed by the Council of the City of Cleveland, April 29, 1996.

**Four (4) Utility Service Vans**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1006-95, passed by the Council of the City of Cleveland, June 19, 1995.

**Four (4) Step Vans**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1006-95, passed by the Council of the City of Cleveland, June 19, 1995.

**Nine (9) Intermediate Size Station Wagons**, 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.

May 29 and June 5, 1996

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 955-96.**

**By Councilman Polensek.**

**An emergency resolution urging the City to develop a program designed to provide specially trained nurses to provide assistance to victims of rape.**

Whereas, New Jersey, Massachusetts and other states are developing statewide programs in which certain designated nurses are specially trained to examine victims of rape; and

Whereas, these programs are based upon the City of Tulsa's Sexual Assault Nurse Examiners ("SANE") program which seeks to provide more compassionate care for

victims of rape through specially trained nurses; and

Whereas, these nurses are trained to respond to the victim's physical trauma and become experienced in evidence collection to help law enforcement officers in locating the rapists; and

Whereas, such programs provide needed comfort to rape victims and have increased the conviction rate against their assailants;

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that the victims of rape need immediate assistance in dealing with their trauma with compassion and understanding; now, therefore,

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

**Section 1.** That the Council supports and urges the City to develop a program designed to provide specially trained nurses to examine victims of rape based upon Tulsa's SANE program.

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

Adopted May 20, 1996.  
Effective May 29, 1996.

**Res. No. 956-96.**  
**By Councilman Rybka.**  
**An emergency resolution in support of State Senator Dennis Kucinich's proposed legislation relating to the use of guns in the commission of a crime.**

Whereas, the life of Cleveland resident Robin Kasper of Slavic Village was violently taken on December 13, 1995 at an automated teller machine at East 71st Street and Broadway Avenue by a criminal pointing a gun; and

Whereas, the defendant, Vincent Wright, claimed that the gun that killed Ms. Kasper went off accidentally; and

Whereas, it is an intentional decision to use a gun in conjunction with the commission of a crime; and

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

**Section 1.** That Council does hereby support the legislation to be introduced by State Senator Dennis Kucinich which will eliminate the requirement that the State prove that the defendant had the requisite intent to kill in cases where defendants use guns in the commission of a crime.

**Section 2.** That the Clerk of Council be hereby directed to transmit four certified copies of this resolution to State Senator Dennis Kucinich, the Speaker of the State House of Representatives, the Minority Leader of the State House of Representatives and the Governor Volinovich.

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

from and after the earliest period allowed by law.

Adopted May 20, 1996.  
Effective May 29, 1996.

**Res. No. 957-96.**  
**By Councilman Polensek.**  
**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 15610 Lake Shore Blvd.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 7152011, Raad Inc., dba Sunoco Food Market, 15610 Lake Shore Blvd., Cleveland, Ohio 44110, to Permit No. 8332591, SNNY Inc., dba Sunoco Food Market, 15610 Lake Shore Blvd., Cleveland, Ohio 44110; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 7152011, Raad Inc., dba Sunoco Food Market, 15610 Lake Shore Blvd., Cleveland, Ohio 44110, to Permit No. 8332591, SNNY Inc., dba Sunoco Food Market, 15610 Lake Shore Blvd., Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

Adopted May 20, 1996.  
Effective May 28, 1996.

**Res. No. 958-96.**  
**By Councilman Rokakis.**  
**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4920 Memphis Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 91361820005, Herbert E. Uffman, dba Dairy Mart 5-4827, 4920 Memphis Avenue, Cleveland, Ohio 44109, to Permit No. 1617689, Linda Coleman, dba Dairy Mart 5-4827, 4920 Memphis Avenue, 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 C1 and C2 Liquor Permit from Permit No. 91361820005, Herbert E. Uffman, dba Dairy Mart 5-4827, 4920 Memphis Avenue, Cleveland, Ohio 44109, to Permit No. 1617689, Linda Coleman, dba Dairy Mart 5-4827, 4920 Memphis Avenue, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

Adopted May 20, 1996.

Effective May 28, 1996.

**Res. No. 959-96.**  
**By Councilman Rokakis.**  
**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4621 Broadview Road.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 50663260100, Lawson Milk Co. 4819, 4621 Broadview Road, Cleveland, Ohio 44109, to Permit No. 8043031-0005, Sharabi Inc., dba Dairy Mart #5-4819, 4621 Broadview Road, Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 50663260100, Lawson Milk Co. 4819, 4621 Broadview Road, Cleveland, Ohio 44109, to Permit No. 8043031-0005, Sharabi Inc., dba Dairy Mart #5-4819, 4621 Broadview Road, Cleveland, Ohio 44109, and requests

the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 20, 1996.

Effective May 28, 1996.

**Res. No. 960-96.**  
**By Councilman Rybka.**  
**An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 7001 Union Avenue, and repealing Res. No. 109-96, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 7001 Union Avenue by Res. No. 109-96, adopted January 22, 1996; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C1 Liquor Permit to 7001 Union Avenue be and the same is hereby withdrawn and Res. No. 109-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted May 20, 1996.

Effective May 28, 1996.

**Res. No. 962-96.**  
**By Councilman Rybka.**  
**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3628 Independence Road, first floor and basement.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 8116642, Elham Shuhaiber, dba Independence Market, 3628 Independence Road, first floor and basement, Cleveland, Ohio 44105, to Permit No. 3486408, Hadeel Market, Inc., 3628

Independence Road, first floor and basement, Cleveland, Ohio 44105; 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 C1 and C2 Liquor Permit from Permit No. 8116642, Elham Shuhaiber, dba Independence Market, 3628 Independence Road, first floor and basement, Cleveland, Ohio 44105, to Permit No. 3486408, Hadeel Market, Inc., 3628 Independence Road, first floor and basement, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 20, 1996.

Effective May 28, 1996.

**Res. No. 963-96.**  
**By Councilman Willis.**  
**An emergency resolution withdrawing objection to the transfer of ownership and location of a C1 and**

**C2 Liquor Permit to 10509 Ashbury Avenue, and repealing Res. No. 212-96, objecting to said transfer of ownership and location.**

Whereas, this Council objected to the transfer of ownership and location of a C1 and C2 Liquor Permit to 10509 Ashbury Avenue by Res. No. 212-96, adopted February 5, 1996; and

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

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

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

**Section 1.** That objection to the transfer of ownership and location of a C1 and C2 Liquor Permit to 10509 Ashbury Avenue be and the same is hereby withdrawn and Res. No. 212-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership and location thereof.

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

Adopted May 20, 1996.  
Effective May 28, 1996.

**Res. No. 964-96.  
By Councilman White.  
An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 3658 East 108th Street, first floor, and repealing Res. No. 1504-95, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 3658 East 108th Street, first floor, by Res. No. 1504-95, adopted August 23, 1995; and

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

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

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

**Section 1.** That objection to the renewal of a C2 and C2X Liquor Permit to 3658 East 108th Street, first floor, be and the same is hereby withdrawn and Res. No. 1504-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted May 20, 1996.  
Effective May 28, 1996.

**Res. No. 965-96.**

**By Councilman White.**

**An emergency resolution objecting to the stock transfer of a D5 and D6 Liquor Permit to 3880 Martin Luther King Jr. Drive.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a D5 and D6 Liquor Permit to Permit No. 1574215, Club 91 Inc., dba Club 91, 3880 Martin Luther King Jr. Drive, Cleveland, Ohio 44105; 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 stock transfer of a D5 and D6 Liquor Permit to Permit No. 1574215, Club 91 Inc., dba Club 91, 3880 Martin Luther King Jr. Drive, Cleveland, Ohio 44105, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 2285-95.**

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

**An emergency ordinance authorizing the Director of Public Service to enter into an agreement with Conrail and such other agreements as are necessary to construct the improvements to East 9th Street and to authorize the Commissioner of Purchases and Supplies to acquire such interests in real property as are necessary to make such improvements.**

Whereas, pursuant to Ordinance No. 1092-94, passed June 13, 1994, as amended by Ordinance No. 1466-94, passed November 21, 1994, Council authorized the Director of Public Service to enter into certain agreements necessary to construct public improvements for rehabilitating East 9th Street from Lakeside Avenue to the northerly dedication line, the East 9th Street Pier, and the parking area adjacent to the East 9th Street Pier on Pier Park; and

Whereas, it is necessary to supplement these ordinances in order to authorize the Director of Public Service to enter into additional agreements and to authorize the Commissioner of Purchases and Supplies to acquire property; and

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

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

**Section 1.** That this Council hereby authorizes the Director of Public Service to enter into and execute an agreement with the Consolidated Rail Corporation for the construction of the public improvement for the rehabilitation of East Ninth Street, as described in Ordinance No. 1092-94, passed June 13, 1994, as amended by Ordinance No. 1466-94, passed November 21, 1994, which agreement shall contain such terms and conditions as the Director of Law deems necessary or appropriate to best protect the interests of the City.

**Section 2.** That the Director of Public Service is further authorized to enter into such other agreements and to execute such documents or instruments as are necessary or appropriate to complete the planning and construction of the above public improvement, which agreements may be prepared by the Director of Law, and which shall contain such terms and conditions as the Director of Law deems necessary or appropriate to best protect the interests of the City.

**Section 3.** That the agreement or agreements shall provide for review by the City Planning Commission of the scope of the work and the designs for the bridge and sidewalk improvements.

**Section 4.** That the Commissioner of Purchases and Supplies is hereby authorized to acquire from the Consolidated Rail Corporation the following described real property for the purposes of making the above public improvement. The consideration to be paid for such real property and interests therein shall not exceed the fair market value.

**Parcel 2R (Aerial Easement)**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of O.L. 24 and being more fully described as follows:

Commencing at the intersection of the centerline of Lakeside Avenue with the centerline of survey of East 9th Street;

Thence, North 33° 53' 08" West on the centerline of survey of E. 9th Street a distance of 516.81 feet to a point;

Thence, South 56° 06' 52" West a distance of 49.50 feet to a point on the existing right of way line of East 9th Street and the true place of beginning of the parcel herein described;

Thence, South 58° 04' 12" West a distance of 14.00 feet to a point;

Thence, North 33° 53' 08" West a distance of 112.97 feet to a point;

Thence, North 58° 36' 36" East a distance of 14.01 feet to a point;

Thence, South 33° 53' 08" East on the existing right of way line of East 9th Street a distance of 112.84 feet to the true place of beginning containing 1,580 square feet;

The above described property area is a part of Auditor's Parcel No. 101-3-4.

The bearings used in the above description are to an assumed meridian and are used to delineate angles only.

This description is based on the survey made by URS Consultants under the direction and supervision of Richard E. Rockich Registered Surveyor No. 5680.

**Parcel 2 (Footing Easement)**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of O.L. 24 and being more fully described as follows:

Commencing at the intersection of centerline of Lakeside Avenue with the centerline of survey of East 9th Street:

Thence, North 33° 53' 08" West on the centerline of survey of E. 9th Street a distance of 564.89 feet to a point;

Thence, South 56° 06' 52" West a distance of 49.50 feet to a point on the existing right of way line of East 9th Street and the true place of beginning of the parcel herein described;

Thence, South 58° 14' 01" West a distance of 11.23 feet to a point;

Thence, North 31° 45' 59" West a distance of 12.00 feet to a point;

Thence, North 58° 14' 01" East a distance of 10.78 feet to a point;

Thence, South 33° 53' 08" East on the existing right of way line of East 9th Street a distance of 12.01 feet to the true place of beginning containing 132 square feet;

The above described area is a part of Auditor's Parcel No. 101-3-4.

The bearings used in the above description are to an assumed meridian and are used to delineate angles only.

This description is based on the survey made by URS Consultants under the direction and supervision of Richard E. Rockich Registered Surveyor No. 5680.

**Section 5.** That the Commissioner of Purchases and Supplies and the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such real property and interests in real property, and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of such real property and interests in real property.

**Section 6.** That the costs for such agreements and real property acquisition shall be paid from Fund No.

20 SF 302, 20 SF 312, and 20 SF 322, Request No. 21790.

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

Passed May 20, 1996.  
Effective May 29, 1996.

**Ord. No. 163-96.  
By Councilmen Miller and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Port Control to amend and restate the Lease By Way of Concession with Host International, City Contract No. 33958, for food and beverage concessions 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, any provision of the Codified Ordinances of the City of Cleveland, 1976, to the contrary notwithstanding, the Director of Port Control is hereby authorized to amend and restate the Lease By Way of Concession ("Lease"), City Contract No. 33958, with Host International ("Lessee") for food and beverage concessions at Cleveland Hopkins International Airport ("Hopkins Airport"). The terms and conditions of the Lease shall be amended and restated in their entirety and shall be substantially similar to the terms and conditions set forth in File No. 163-96-A. Lessee shall have the right and obligation to establish, maintain, and operate a non-exclusive food and beverage concession throughout the Terminal Building at Hopkins Airport. The term of the Lease shall commence upon execution by the Director and, unless sooner terminated or cancelled shall expire January 15, 2009. Lessee shall pay the City as a concession fee for each year of the term a minimum annual guarantee of \$450,000.00 or the following percentage, whichever is greater:

<b>Branded Food</b>	10%
<b>Nonbranded Food</b>	
Sales of 0 - 1.0M	12%
Sales of 1.0M - 1.5M	13%
Sales of 1.5M - 2.0M	14%
Sales of 2.0M +	15%
<b>Nonbranded Beverage</b>	
Sales of 0 - 0.5M	17%
Sales of 0.5 - 1.0M	18%
Sales of 1.0M - 1.5M	19%
Sales of 1.5M +	22%
<b>Cheers Beverage</b>	
Sales of 0 - 0.304M	12%
Sales of 0.304M - 0.608M	13%
Sales of 0.608M - 0.913M	14%
Sales of 0.913M +	17%

The Lease authorized by this ordinance shall contain the following terms and conditions:

(a) The Lessee shall operate a coffee shop in Concourse C with proposals taken in such a way as to encourage participation by a local operator;

(b) The Investment Minimum

made by Lessee to construct, furnish and equip the premises shall be not less than \$3,750,000;

(c) The Director of Port Control shall obtain consultation and advice from the City Planning Department on all renovation plans related to the Lease prior to commencement of work; and

(d) Lessee and its subtenants shall price food, merchandise and services the same or as directly comparable to prices for the same or comparable brand name retailers located at other store locations within the Cleveland metropolitan area plus no more than 10%. The City may survey prices at identical brand name locations of subconcessionaires or at comparable retailers, but shall exclude special promotions, sales, clearances, and mark-downs from the comparison. The surveys shall be done at neighborhood locations where available, and otherwise at mall locations. The City may survey any or all of the items sold under the Lease as frequently as needed to effectively monitor the pricing policy contained in this division (d) and shall maintain and provide the Lessee a schedule of survey results and the dates on which they were obtained. The Lessee shall notify the City in writing of the prices of all items sold at its concessions and subconcessions at the time those prices are established and shall notify the City in writing in advance of any changes in these prices. For sixty (60) days following completion of a price survey on any items, the price of that item may not exceed the survey price by more than 10%. From sixty-one (61) to one hundred eighty (180) days following the completion of a survey on any item, the price of that item may be raised above the survey price plus 10% only after fourteen (14) days written notice to the City. During that 14 day period, the City may resurvey prices on that item, and determine a new survey price, which may not be exceeded by more than 10%. The Lessee will be notified of the results of that survey, and it is subject to appeal and final determination in the same manner as described in the Lease. If events occur as described in the section on force majeure in the Lease which have a substantial and immediate impact on prices charged for goods and services in the Cleveland metropolitan area, the Lessee may request, and the City shall not unreasonably deny, a determination that survey prices previously determined shall no longer be in effect. The City may then conduct new surveys according to the procedure described above in order to monitor compliance with the pricing policy.

**Section 2.** That the Lease herein authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions 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.

Passed May 20, 1996.  
Effective May 29, 1996.

**Ord. No. 164-96.**  
**By Councilmen Miller and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Port Control to amend and restate the Lease By Way of Concession with Host International, City Contract No. 42575, for merchandise concessions 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, any provision of the Codified Ordinances of the City of Cleveland, 1976, to the contrary notwithstanding, the Director of Port Control is hereby authorized to amend and restate the Lease By Way of Concession ("Lease"), City Contract No. 42575, with Host International ("Lessee") for merchandise concessions at Cleveland Hopkins International Airport ("Hopkins Airport"). The terms and conditions of the Lease shall be amended and restated in their entirety and shall be substantially similar to the terms and conditions set forth in File No. 164-96-A. Lessee shall have the right and obligation to establish, maintain, and operate a non-exclusive merchandise concession throughout the Terminal Building at Hopkins Airport. The term of the Lease shall commence upon execution by the Director and, unless sooner terminated or cancelled, shall expire August 31, 2007. Lessee shall pay the City as a concession fee for each year of the term a minimum annual guarantee of \$425,000.00 or the following percentage, whichever is greater:

- Branded concession sales - 10% of gross revenues;
- Unbranded concession sales, Category I merchandise - 13% of gross revenues; and
- Unbranded concession sales, Category II merchandise - 26.4% of gross revenues.

The Lease authorized by this ordinance shall contain the following terms and conditions:

- (a) The Director of Port Control shall obtain consultation and advice from the City Planning Department on all renovation plans related to the Lease prior to commencement of work; and
- (b) Lessee and its subtenants shall price food, merchandise and services the same or as directly comparable to prices for the same or comparable brand name retailers located at other store locations within the Cleveland metropolitan area plus no more than 10%. The City may survey prices at identical brand name locations of subconcessionaires or at comparable retailers, but shall exclude special promotions, sales, clearances, and mark-downs from the comparison. The surveys shall be done at neighborhood locations where available, and otherwise at mall locations. The City may survey any or all of the items sold under the Lease as frequently as needed to effectively monitor the pricing policy contained in this division (d) and shall maintain and provide the Lessee a schedule of survey results and the dates on which they were obtained. The Lessee shall

notify the City in writing of the prices of all items sold at its concessions and subconcessions at the time those prices are established and shall notify the City in writing in advance of any changes in these prices. For sixty (60) days following completion of a price survey on any items, the price of that item may not exceed the survey price by more than 10%. From sixty-one (61) to one hundred eighty (180) days following the completion of a survey on any item, the price of that item may be raised above the survey price plus 10% only after fourteen (14) days written notice to the City. During that 14 day period, the City may resurvey prices on that item, and determine a new survey price, which may not be exceeded by more than 10%. The Lessee will be notified of the results of that survey, and it is subject to appeal and final determination in the same manner as described in the Lease. If events occur as described in the section on force majeure in the Lease which have a substantial and immediate impact on prices charged for goods and services in the Cleveland metropolitan area, the Lessee may request, and the City shall not unreasonably deny, a determination that survey prices previously determined shall no longer be in effect. The City may then conduct new surveys according to the procedure described above in order to monitor compliance with the pricing policy.

**Section 2.** That the Lease herein authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions 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.

Passed May 20, 1996.  
 Effective May 29, 1996.

**Ord. No. 484-96.**  
**By Councilmen Miller and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and material needed to repair cracks, seal joints and seal coating paved areas of the various divisions of the Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and material needed to repair cracks, seal joints and seal coating paved areas in the estimated sum of \$100,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control.

Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20832)

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

Passed May 20, 1996.  
 Effective May 28, 1996.

**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 pur-

chase, 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.

Passed May 20, 1996.

Effective May 28, 1996.

**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.

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

Passed May 20, 1996.

Effective May 28, 1996.

(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.

Passed May 20, 1996.

Effective May 28, 1996.

**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, for an amount not to exceed \$137,304.00 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.

Passed May 20, 1996.

Effective May 29, 1996.

**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 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.

Passed May 20, 1996.

Effective May 28, 1996.

**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.

Passed May 20, 1996.

Effective May 28, 1996.

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**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 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.

Passed May 20, 1996.

Effective May 28, 1996.

**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.

Passed May 20, 1996.

Effective May 28, 1996.

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**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.

Passed May 20, 1996.

Effective May 28, 1996.

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**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 contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to 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.

Passed May 20, 1996.  
Effective May 28, 1996.

**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.

Passed May 20, 1996.  
Effective May 28, 1996.

**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.

Passed May 20, 1996.  
Effective May 28, 1996.

**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.

Passed May 20, 1996.  
Effective May 28, 1996.

**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.

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 619-96.**  
**By Councilmen Jackson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and Federal HOME Program funds for administration of the Housing Rehabilitation Programs, CDBG Year XXII.**

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

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$1,210,000 from Fund Nos. 14 SF 022 and Federal HOME Program funds from Fund No. 13 SF 855, for the administration of the Housing Rehabilitation Programs in conjunction with the Community Development Block Grant Program, Year XXII, and pursuant to the following schedule:

Personnel . . . . .	\$1,165,000
Other . . . . .	45,000

**Section 2.** That the Director of Community Development is authorized to enter into one or more contracts for professional services related to inspecting properties to comply with Section 8 Housing Quality Standards (HQS).

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

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 620-96.**  
**By Councilmen Jackson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Department of Community Development; and for reimbursement of nonprofit subrecipients for the cost of the audits required by OMB Circular A-133, CDBG Year XXII.**

Whereas, the City of Cleveland has received Community Development Block Grants, Year XXII, from the United States Government; and

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$4,232,000 from Fund No. 14 SF 022, for the administrative expenses of the Department of Community Development in conjunction with the Community Development Block Grant Program, Years XXII, and pursuant to the following schedule:

Personnel . . . . .	\$3,510,000
Other . . . . .	.722,000

**Section 2.** And that the Director of Community Development is authorized to expend funds listed in the above schedule under "Other" for reimbursement of nonprofit subrecipients for the cost of the audits required by OMB Circular A-133.

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

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 621-96.**  
**By Councilmen Jackson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds for administrative expenses of the Code Enforcement and Demolition Programs, CDBG Year XXII.**

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

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$3,550,000 from Fund No. 14 SF 022, for the Administrative expenses of the Code Enforcement and Demolition Programs in conjunction with the Community Development Block Grant Program, Year XXII, and pursuant to the following schedule:

Personnel . . . . .	\$3,485,000
Other . . . . .	.65,000

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

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 622-96.**  
**By Councilmen Jackson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts to provide for the demolition, removal or the boarding up of structures within the City of Cleveland, CDBG Year XXII.**

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

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into one or more contracts for the demolition, removal or the boarding up of structures within the City of Cleveland.

**Section 2.** That the cost of said contract or contracts shall be in an amount not to exceed \$2,000,000.00 and shall be paid from Fund No. 14 SF 022.

**Section 3.** That the Director of Community Development is authorized to accept monies in repayment under said program and to utilize said repayments and other program income in a revolving fund for making additional expenditures under this program.

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

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 623-96.**  
**By Councilmen Jackson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and**

**UDAG Repayment funds for the operation of the Storefront Renovation Program and Neighborhood Commercial Hub Program, CDBG Year XXII.**

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

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

**Section 1.** That the Director of the Department of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$470,000 from Fund No. 14 SF 022, Request No. 21675 for the operation of the Storefront Renovation Program for all related services including: to enter into rebate contracts with program applicants and to reimburse eligible administrative costs to local development corporations for implementation of the program.

**Section 2.** That the Director of Community Development is authorized to accept program income monies in repayment from local development corporations under the Storefront Renovation Program and to deposit it in Fund No. 14 where it will be treated as a revolving fund account to finance Storefront Renovation Program projects on an on-going basis.

**Section 3.** That the Director of Community Development is authorized to enter into one or more contracts with various local development corporations for the implementation of Phase II of the Neighborhood Commercial Hub Program.

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

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 624-96.**  
**By Councilmen Jackson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Community Development to expend Community Development Block Grant funds and Federal Home funds for the operation of the Low Interest Loan Grant Programs and Paint Refund Program and to enter into contract with various agencies to implement these programs, CDBG Year XXII.**

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

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

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

**Section 1.** That the Director of Community Development is hereby authorized to expend Community Development Block Grant funds in the amount of \$6,368,000 from Fund No. 14 SF 022 and Federal Home Program funds from Fund No. 13 SF 855, for the operation of the Low Interest Loan Programs and grants, including all related services, and to enter into contracts under those pro-

grams. The Low Interest Loan and Grant Programs include Housing Emergency Loan Program (HELP), Repair-A-Home (RAH), Afford-A-Home (AAH), Senior Home Owners Assistance Program (SHAP), Paint Refund Program, Housewarming, Furnace Repair and Home Maintenance Assistance Program (HMAP).

**Section 2.** That the Director of Community Development is authorized to accept monies in repayment under said programs and to utilize said repayments and other program income in a revolving fund for making additional expenditures under these programs.

**Section 3.** That the Director of Community Development is authorized to expend and to enter into one or more contracts with various non-profit agencies to implement the Paint Refund Program in the City of Cleveland.

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

Passed May 20, 1996.

Effective May 28, 1996.

**Ord. No. 625-96.**  
By Councilmen Johnson and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into contract with Clean-Land Ohio, to conduct a vacant lot maintenance program for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

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

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

**Section 1.** That, notwithstanding and as an exception to any ordinance of the City to the contrary, the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into a contract with Clean-Land Ohio, for professional services necessary to conduct a vacant lot maintenance program with city residents, for a period not to exceed one (1) year, on the basis of its proposal dated April 12, 1996, payable from Fund No. 01-70-12-0380, Request No. 21685, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, with the compensation to be fixed by the Board of Control with prior written notice of the amount to the chairman of Council's Committee on Public Parks, Property and Recreation. The contract shall provide that Clean-Land Ohio shall consult with the member of Council in whose ward a particular City resident resides prior to contracting with said City resident to conduct vacant lot maintenance.

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

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

Passed May 20, 1996.

Effective May 29, 1996.

**Ord. No. 630-96.**  
By Councilmen Miller and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Cereal Food Processors, Inc. for use and occupancy of certain City-owned property located on the Cuyahoga River, for the Department of Port Control.

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

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

**Section 1.** That the Director of Port Control is hereby authorized to enter into a Lease Agreement ("Lease") with Cereal Food Processors, Inc. ("Lessee") for use and occupancy of approximately 23,716 feet of City-owned land generally located between the Cuyahoga River and Merwin Avenue ("Leased Property"), for use only as a parking facility for adjacent land owner's flour mill trucks. The Lease shall be for a term of ten (10) years beginning September 1, 1995. The annual rent for years 1 through 5 shall be \$6,000. The annual rent for years 6 through 10 shall be the greater of \$6,000 or an amount calculated as follows:

CPI-U (All cities)	
for December of	
the 5th year of	
the term	x \$6,000
CPI-U (All cities)	
in effect at the	
commencement of	
the lease term	

**Section 2.** That the Lease hereby authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions 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.

Passed May 20, 1996.

Effective May 28, 1996.

**Ord. No. 631-96.**  
By Councilmen Patton and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the procurement by requirement of the rental of one vermeer concrete saw, 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 the rental of one vermeer concrete saw in the estimated sum of \$40,000.00, to be procured 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 procurement thereunder, which procurement, together with all subsequent procurements, 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 20943)

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

Passed May 20, 1996.

Effective May 28, 1996.

**Ord. No. 633-96.**  
By Councilmen Patton and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide professional services necessary for enhancements to the Division of Water's waterworks plants.

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 employ by contract a facilities plan consultant or firm of facilities plan consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to recommend a comprehensive enhancement program plan for the Division of Water's Baldwin, Crown, Morgan and Nottingham Waterworks Plants and their appurtenances, for purposes, including but not limited to, addressing current and foreseeable regulatory requirements, enhancing water quality and reliability of service, utilizing sites, acreage and existing facilities to their best use, providing functional, safe working environments for operations personnel, and improving plant operation organizational structure.

**Section 2.** That the Director of

Public Utilities is further authorized and directed to employ by contract a program management consultant or firm of program management consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to aid in the procurement, administration and management of the professionals that will be contracted to design the work as established from the recommendation of the facilities plan consultant, to establish a project management information control system, prepare requests for proposals, assist in the bidding, award and administration of construction and purchase contracts, and provide all other services necessary for comprehensive program management of all aspects of the facilities enhancement program.

**Section 3.** The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

**Section 4.** That the costs for such services herein contemplated shall be paid from Fund Nos. 52 SF 217 and 52 SF 219, Request No. 20921, and from the fund and subfunds to which are credited the proceeds of the sale of future waterworks revenue bonds.

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

Passed May 20, 1996.

Effective May 29, 1996.

**Ord. No. 645-96.**  
**By Councilman Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of fasteners, for the various divisions of City government, 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 Finance 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 fasteners, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City govern-

ment. 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 21515)

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

Passed May 20, 1996.

Effective May 28, 1996.

**Ord. No. 646-96.**  
**By Councilman Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of long distance telephone service for all City exchanges and a concession agreement for long distance service to coin operated telephones for a period of three years, for the Division of Information System Services, Department of Finance.**

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

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

**Section 1.** That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three years for the necessary items of long distance telephone service for all City exchanges in the approximate amount as purchased during the preceding three-year period, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Information System Services, Department of Finance. 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 three-year period may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire three-year period.

**Section 2.** That the Director of Finance is also hereby authorized and directed to enter into a conces-

sion agreement in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for a period of three years, for long distance telephone service for coin operated telephones, including a rate of commissions to be set by agreement at no less than 18% of revenues.

**Section 3.** That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21543)

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

Passed May 20, 1996.

Effective May 28, 1996.

**Ord. No. 701-96.**  
**By Councilmen Jackson and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into a contract with the Federation for Community Planning, fiscal agent for the Summer Sprout Program, to operate a community gardening program. CDBG Year XXII.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into contract with the Federation for Community Planning, fiscal agent for the Summer Sprout Program, to operate a community gardening program.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$50,000.00, and shall be paid from Fund No. 14 SF 022 Request No. 22363.

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

Passed May 20, 1996.

Effective May 28, 1996.

**Ord. No. 711-96.**  
**By Councilmen Patmon and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the Director of Personnel and Human Resources to enter into contract with DAC Services to provide employee background and criminal checks.**

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

therefore,

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

**Section 1.** That the Director of Personnel and Human Resources is hereby authorized and directed to enter into a contract with DAC Services for the professional services necessary to administer employee background and criminal checks including automated criminal records checks; automated national wanted felon checks; automated motor vehicle license and points checks; automated workers' compensation checks; automated social security trace and automated credit checks, based on its proposal dated January 5, 1996, in the estimated sum of \$32,500 payable from Fund No. 01-04-02-0320, Request No. 20220, for the Department of Personnel and Human Resources.

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

Passed May 20, 1996.

Effective May 29, 1996.

**Ord. No. 712-96.**  
By Councilmen Patton and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the purchase by contract of one electric scissor lift, for the Division of Water, Department of Public Utilities.

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) electric scissor lift, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20946.

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

Passed May 20, 1996.

Effective May 28, 1996.

**Ord. No. 713-96.**  
By Councilmen Patton and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the purchase by requirement contract of office furniture, for the Division of Cleveland Public Power, Department of Public Utilities.

Whereas, this ordinance constitutes an emergency measure pro-

viding 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 office furniture, in the estimated sum of \$25,000.00, 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. 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 22103)

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

Passed May 20, 1996.

Effective May 28, 1996.

**Ord. No. 715-96.**  
By Councilmen Paulenske, Johnson, Rybka and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to execute an easement granting to the Greater Cleveland Transit Authority certain easement rights in property located at South Marginal Road from west of East 9th Street to East 18th Street and declaring said easement rights no longer needed for public use.

Whereas, the Greater Cleveland Transit Authority ("RTA") requested the Director of Parks, Recreation and Properties to convey certain easement rights in property located at South Marginal Road from west of East 9th Street to East 18th Street; and

Whereas, RTA requires the easement rights to provide transportation to the public from Tower City to the North Coast Harbor Area; and

Whereas, the easement rights to be granted are no longer needed for public use; and

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

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

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

**WATERFRONT TRANSIT  
LINE EASEMENT  
WEST OF EAST 9TH STREET  
CLEVELAND, OHIO**

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

Commencing at the intersection of the centerline of Erieside Avenue N.E. with the centerline of East 9th Street, 99.00 feet wide;

Thence South 34° 00' 00" East, along the said centerline of East 9th Street a distance of 540.24 feet to a point therein;

Thence South 56° 00' 00" West, a distance of 49.50 feet to a point in the Westerly right-of-way line of East 9th Street, also the Principal Place of Beginning for the parcel herein described;

Thence South 34° 00' 00" East, along the said Westerly right-of-way line a distance of 14.00 feet to a point therein;

Thence along an arc of curve deflecting to the right, a distance of 132.26 feet to a point. Said curve having a radius of 261.50 feet, a delta angle of 28° 58' 43", a tangent of 67.58 feet and a chord of 130.85 feet that bears South 69° 11' 09" West;

Thence South 53° 56' 17" West a distance of 77.41 feet to a point;

Thence North 31° 39' 14" West a distance of 14.04 feet to a point;

Thence North 53° 56' 17" East a distance of 76.48 feet to a point;

Thence North 07° 53' 28" West a distance of 14.05 feet to a point;

Thence North 49° 18' 33" East a distance of 122.41 feet to a point in the westerly right-of-way line of East 9th Street, as aforesaid;

Thence South 34° 00' 00" East along the said westerly right-of-way line a distance of 14.10 feet to a point therein;

Thence South 49° 18' 33" West a distance of 113.13 feet to a point;

Thence South 07° 53' 28" East a distance of 4.92 feet to a point;

Thence along an arc of curve deflecting to the left a distance of 118.35 feet to a point. Said curve having a radius of 247.50 feet, a delta angle of 27° 23' 55", a tangent of 60.33 feet and a chord of 117.23 feet that bears North 68° 19' 20" East to a point in the Westerly right-of-way line of aforesaid East 9th Street and the Principal Place of Beginning and containing 0.1080 acre (4,705 square feet) of land, more or less, but subject to all legal highways.

This description was prepared by Adache-Ciuni-Lynn Associates, Inc. April 18, 1996.

**WATERFRONT TRANSIT  
LINE EASEMENT  
EAST OF EAST 9TH STREET  
CLEVELAND, OHIO**

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

Commencing at the intersection of the centerline of Erieside Avenue N.E. with the centerline of East 9th Street, 99.00 feet wide;

Thence South 34° 00' 00" East,

along said centerline of East 9th Street a distance of 545.03 feet to a point therein;

Thence North 58° 27' 42" East, a distance of 49.55 feet to a point in the Easterly right-of-way line of East 9th Street, also the Principal Place of Beginning for the parcel herein described;

Thence North 58° 27' 42" East a distance of 116.75 feet to a point;

Thence North 55° 20' 20" East a distance of 2193.54 feet to a point;

Thence North 51° 35' 08" East a distance of 146.31 feet to a point;

Thence South 33° 42' 34" East a distance of 46.03 feet to a point in the Northerly line of land owned by Conrail;

Thence South 56° 29' 49" West along said Northerly line a distance of 14.00 feet to a point therein;

Thence North 33° 42' 34" West a distance of 30.78 feet to a point;

Thence South 51° 35' 08" West a distance of 131.57 feet to a point;

Thence South 55° 20' 20" West a distance of 1018.32 feet to a point;

Thence South 35° 06' 23" East a distance of 39.92 feet to a point in the Northerly line of land owned by Conrail;

Thence South 56° 04' 56" West along said Northerly line a distance of 14.00 feet to a point therein;

Thence North 35° 06' 23" West a distance of 39.74 feet to a point;

Thence South 55° 20' 20" West a distance of 1162.06 feet to a point;

Thence South 58° 27' 42" West a distance of 116.53 feet to a point in the Easterly right-of-way line of East 9th Street as aforesaid;

Thence North 34° 00' 00" West along said Easterly right-of-way line a distance of 14.01 feet to a point therein and the Principal Place of Beginning and containing 0.8124 acres (35,389 square feet) of land more or less, but subject to all legal highways.

This description was prepared by Adache-Ciuni-Lynn Associates, Inc. May 16, 1996.

**Section 2.** That the easement shall be non-exclusive and the purpose of the easement shall be to construct, operate, repair, maintain, renew and remove one underground duct bank and other related items necessary for the provision of Grantee's Waterfront Rail Line.

**Section 3.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described (non-exclusive) easement interest to RTA at a price of One Dollar (\$1.00).

**Section 4.** That the duration of the easement shall be until such time as said easement should no longer be utilized solely for the purpose of providing electrical service to the Waterfront Line; that the easement shall include reasonable access, ingress and egress rights; that the easement shall not be assignable without the consent of the Director; that the easement shall require that the City be indemnified, and that the Grantee cause the maintenance of the improvements located within the easement, and cause payment of any applicable real property taxes and assessments.

**Section 5.** That the conveyance referred to above shall be made by Official Deed of Easement prepared by Director of Law and executed by the Director of Parks, Recreation and Properties on behalf of the City of Cleveland. The Deed of Easement shall contain such additional terms and conditions as are required to

protect the interest of the parties. The Directors of Parks, Recreation and Law are authorized to execute such other documents, including without limitation, contracts for right of entry, as may be necessary to effect the construction of the road improvements within the property described in Section 1.

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

Passed May 20, 1996.

Effective May 22, 1996.

**Ord. No. 717-96.**  
By Councilman Rokakis (by departmental request).

**An emergency ordinance authorizing the Director of Finance to apply for and accept grants from the Cleveland Foundation and the Gund Foundation for the Housing Court Grant - Legal Assistance Work, on behalf of the Cleveland Municipal Court; and to enter into contract with Housing Advocates to implement the program.**

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

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

**Section 1.** That the Director of Finance is hereby authorized to apply for and accept a grant in the amount of \$30,000 from the Cleveland Foundation and a grant in the amount of \$30,000 from the Gund Foundation, to conduct the Housing Court Grant - Legal Assistance Work, on behalf of the Cleveland Municipal Court for the purposes set forth in the application and according thereto; that the Director of Finance is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 717-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Director of Finance, on behalf of the Cleveland Municipal Court, is hereby authorized to enter into contract with Housing Advocates, for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

Passed May 20, 1996.

Effective May 28, 1996.

**Ord. No. 762-96.**  
By Councilmen Miller, McGuirk, Robinson, Johnson and Rokakis (by departmental request).

**An emergency ordinance determining the method of making the public improvement of installing landscape and urban forest enhancements at Gunning Park and Luke Easter Park, and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement.**

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

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

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

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

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

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

Passed May 20, 1996.

Effective May 28, 1996.

**Ord. No. 764-96.**  
By Councilmen Patton and Rokakis (by departmental request).

**An emergency ordinance authorizing and directing the purchase by requirement contract of office forms, paper and envelopes, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of office forms, paper and envelopes

in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20945)

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

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 765-96.**

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

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

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

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

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

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

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

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

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

Council.

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

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 766-96.**

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

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a contract with Salvation Army, for administering and facilitating recreational services in the Collinwood community in Ward 11, for the Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to enter into a contract with Salvation Army (Temple Corps), 17625 Groveswood Avenue, Cleveland, Ohio, or its designee, for professional services necessary to administer and facilitate recreational services in the Collinwood Community in Ward 11, in the total sum of Fifty Thousand Dollars (\$50,000.00), payable from Fund No. 01-70-04-0380, Request No. 21399, for the Department of Parks, Recreation and Properties.

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

Passed May 20, 1996.  
Effective May 28, 1996.

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

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

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a concession agreement with Innovative Foods, Inc. for the dispensing of food and beverages at various City parks, for the Department of Parks, Recreation and Properties and upon expiration of the agreement with Innovative Foods, to authorize said director to enter into a concession agreement(s) for the operation of food and beverage concession(s) at various city parks.**

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

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

**Section 1.** That notwithstanding and as an exception to any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is

hereby authorized to enter into a concession agreement with Innovative Foods, Inc. for the dispensing of food and beverages at Gordon, Brookside and Morgana Parks for a term of one year, commencing upon the date of execution of the agreement.

**Section 2.** That the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into a concession agreement with the highest and best bidder or bidders after competitive bidding pursuant to Section 108 of the Charter of the City of Cleveland, for the operation of a food and beverage concession at any or all of Gordon, Brookside, Morgana, Luke Easter and Kirtland Parks, each of which agreement shall be for a term not to exceed three (3) years commencing after expiration of the agreement authorized in Section 1 with respect to Gordon, Brookside and Morgana Parks, and upon execution of an agreement with respect to Luke Easter and Kirtland Parks.

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

Passed May 20, 1996.  
Effective May 29, 1996.

**Ord. No. 861-96.**

**By Councilmen Polensek, 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 677, 679 East 160 Street and 16015 Midland Avenue to Floyd T. Owens.**

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. 116-11-061, 116-11-062 and 116-11-063, as more fully described in Section 2 below, to Floyd T. Owens.

**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. 116-11-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the West-



erly 70 feet of Sublot No. 72 in Crosby's Allotment of part of Original Euclid Township Tract No. 16 as shown by the recorded plat in Volume 9 of Maps, Page 25 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 160th Street (formerly Harlem Street) and extending back of equal width 70 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.

P.P. No. 116-11-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the West-erly 70 feet of Sublot No. 73 in Crosby's Allotment of part of Original Euclid Township Tract No. 16 as shown by the recorded plat in Volume 9 of Maps, Page 25 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 160th Street (formerly Harlem Street) and extending back of equal width 70 feet along the Northerly line of Midland Avenue, N.E., as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 116-11-063

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the East-erly 68 feet of Sublots Nos. 72 and 73 in Crosby's Allotment of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 9 of Maps, Page 25 of Cuyahoga County Records, and together forming a parcel of land 68 feet front on the Northerly side of Midland Avenue N.E., and extending back of equal width 80 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 864-96.**

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

**An emergency ordinance to amend Sections 1 and 3 of Ordinance No. 1457-95, passed September 25, 1995, relating to establishing a Community Reinvestment Area in the area of 1200 West Ninth Street.**

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

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

**Section 1.** That Sections 1 and 3 of Ordinance No. 1457-95, passed September 15, 1995 are hereby amended to read, respectively, as follows:

**Section 1.** That based upon information and data presented to this Council and the information contained in Council File No. 1457-95-A, it is hereby found and determined that the area located at 1200 West Ninth Street, as more fully described in the above mentioned file, 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 3.** That the development of housing in the National Terminal Building in the Community Reinvestment Area 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 housing construction activities described above.

**Section 2.** That existing Sections 1 and 3 of Ordinance No. 1457-95, passed September 15, 1995 are hereby repealed.

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

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 947-96.**

**By Councilman Smith.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to San Juan Bautista Church to stretch banners at Fulton Road and Bridge Avenue and at Lorain Avenue and West 33rd Street for the period from June 1, 1996 to June 24, 1996, inclusive, publicizing its Patron Festival.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland,

Ohio, 1976, the Director of Public Service is hereby authorized and directed to issue a permit to San Juan Bautista Church to install, maintain and remove banners at Fulton Road and Bridge Avenue and at Lorain Avenue and West 33rd Street for the period from June 1, 1996 to June 24, 1996, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed May 20, 1996.  
Effective May 28, 1996.

**Ord. No. 948-96.**

**By Councilman Westbrook.**

**An emergency ordinance authorizing and directing the purchase by contract for computer hardware and software and related computer services for the Clerk of City Council.**

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 Clerk of Cleveland City Council 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: computer hardware, software, installation and training as necessary for the design, development, installation and implementation of computer upgrade, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Cleveland City Council.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 006, and such other funds that may be appropriated for such use.

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

Passed May 20, 1996.  
Effective May 29, 1996.

**Ord. No. 949-96.**

**By Councilman Robinson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 3. (Rodney Cammon)**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 3; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 3: Rodney Cammon.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

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

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

Passed May 20, 1996.

Effective May 28, 1996 without the signature of the Mayor.

**Ord. No. 950-96.**

**By Councilman Johnson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 4. (Rodney Cammon)**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 4; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 4: Rodney Cammon.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted herein may be revoked at

any time by this Council.

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

Passed May 20, 1996.

Effective May 28, 1996 without the signature of the Mayor.

**Ord. No. 951-96.**

**By Councilman Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Philip Alexander - East 40th Street and Carnegie Avenue).**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 5, at the locations specified: Philip Alexander at East 40th Street and Carnegie Avenue.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

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

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

Passed May 20, 1996.

Effective May 28, 1996 without the signature of the Mayor.

**Ord. No. 952-96.**

**By Councilman Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Elaine Parker).**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the

Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 5: Elaine Parker.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

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

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

Passed May 20, 1996.

Effective May 28, 1996 without the signature of the Mayor.

**Ord. No. 953-96.**

**By Councilman Jackson.**

**An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Rodney Cammon).**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to mobile peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

**Section 1.** That this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow each person named below to engage in mobile peddling in the public rights of way of Ward 5: Rodney Cammon.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

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

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

allowed by law.

Passed May 20, 1996.

Effective May 28, 1996 without the signature of the Mayor.

**Ord. No. 961-96.**

**By Councilman Rybka.**

**An emergency ordinance granting permission and authority to the Merchant's Guild of Slavic Village to sell and dispense alcoholic beverages at Morgana Park on Sunday, June 30, 1996, in connection with their 4th of July Picnic.**

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 anything to the contrary contained in the Codified Ordinances of Cleveland, Ohio, 1976, permission and authority is hereby granted to the Merchant's Guild of Slavic Village to sell and dispense alcoholic beverages at Morgana Park on Sunday, June 30, 1996, in connection with their 4th of July Picnic, provided said selling and dispensing meets all requirements of state law.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed May 20, 1996.

Effective May 28, 1996.

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