

The City Record

Official Publication of the City of Cleveland

May the Fifteenth, Nineteen Hundred and Ninety-Six

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL-LEGISLATIVE President of Council-Jay Westbrook

Ward	Name	Residence	
1	Charles L. Patton, Jr.	2986 Ripley Road	44120
2	Robert J. White	3760 East 126th Street	44105
3	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 Guzman, 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 Nobile, 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 Guzman, Service Director;
Law Director, Sharon Sobol Jordan, Councilman Roosevelt Coats.

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

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

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

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

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

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

CLEVELAND LANDMARKS COMMISSION - Room 519 ,
Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert
Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison,
Kenneth Nobile, 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 Connolly	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A

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

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 83

WEDNESDAY, MAY 15, 1996

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CITY COUNCIL

MONDAY, MAY 13, 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, Paulenske, Zone.

WEDNESDAY—Alternating

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

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

The following Committee is subject to Call of the Chairman:

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio May 13, 1996.

The regular meeting of the Council was called to order, the President, Jay Westbrook in the chair.

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

Also present were Directors Sobol Jordan, Axelrod, Denihan, Hamilton, Hyer, Konicek, Cunningham, Guzman, Nolan, Staib, Spellman, Warren, Willis and Acting Directors Brown, Daniely.

Absent: Mayor White, Directors Morrison, Thomas.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Minister Michele Barnes, Associate Minister of The Greater Love Missionary Baptist Church, Pledge of Alliance.

MOTION

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

COMMUNICATIONS

File No. 844-96.
From the Division of Purchases and Supplies re: Sales Request No. 90145 for the sale or lease of property located at Union Avenue, S.E. and East 82nd Street. Received.

File No. 845-96.
From the Division of Purchases and Supplies re: Sales Request No. 90146 for the sale or lease of property located at West 49th Street, north of Tillman Avenue. Received.

File No. 846-96.
From the Department of Parks, Recreation and Properties re: Franz Pastorious Drive Parking. Received.

File No. 847-96.
From the Division of Purchases and Supplies re: Emergency Requisition (RE-86590) for the purchase

of a Custom Collator for the Division of Printing and Reproduction. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 848-96.
Re: Transfer of Ownership Application - 6479128 - Nuri Co. dba Corlett Mini Stop, 12401 Corlett Avenue, first floor only. (Ward 2). Received.

File No. 849-96.
Re: Stock Application - 1574215 - Club 91, Inc. dba Club 91, 3880 Martin Luther King, Jr., Drive. (Ward 2). Received.

File No. 850-96.
Re: New Application - 8773165 - T & J Beverage Co. dba T & J Beverage Store, 12916 Forest Avenue. (Ward 4). Received.

File No. 851-96.
Re: Transfer of Ownership Application - 9122362 - 2474 Inc. dba Plaza Beverage, 2474 East 40th Street. (Ward 5). Received.

File No. 852-96.
Re: Stock Application - 7658201 - Sabrina, Inc. dba Kwik Shop, 7001 Hough Avenue. (Ward 7). Received.

File No. 853-96.
Re: Transfer of Ownership Application - 8332491 - SNNY, Inc. dba Sunoco Food Market, 15610 Lakeshore Blvd. (Ward 11). Received.

File No. 854-96.
Re: Stock Application - 4290451 - Jim's Steak House, Inc., 1800 Scranton Road. (Ward 14). Received.

File No. 855-96.
Re: Transfer of Ownership Application - 1617689 - Linda Coleman dba Dairy Mart 5-4827, 4920 Memphis Avenue. (Ward 15). Received.

File No. 856-96.
Re: Transfer of Ownership Application - 80430310005 - Sharabi, Inc. dba Dairy Mart #5-4819, 4621 Broadview Road. (Ward 15). Received.

File No. 857-96.
Re: Transfer of Ownership Application - 4424392 - K.W. Cafe & Tavern, Inc., 17908-10 St. Clair Avenue. (Ward 11). Received.

COMMUNICATIONS

File No. 135-96-A.

May 13th, 1996

To The Honorable Council of
the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee selected to consider the Mayor's appointment to the Community Relations Board.

We have before us in the Mayor's letter of January 19, 1996 wherein he names his appointment to the Community Relations Board as follows:

Ms. Kathryn Hall
(Term expires March 31, 1998)

The Committee hereby recommends that Council approve the appointment as stated above.

Edward W. Rybka, Chairman
Charles L. Patton
Craig Willis
Michael D. Polensek
Patricia Britt

Received.
Without objection, appointment approved.

File No. 301-96-A.

To The Honorable Council of
the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee selected to consider the Mayor's re-appointment to the Greater Cleveland Regional Transit Authority Board.

We have before us in the Mayor's letter of February 7, 1996 wherein he names his re-appointment to the Greater Cleveland Regional Transit Authority Board as follows:

Mr. Jesse Anderson
(three year term)

(Term expires March 5, 1999)

The Committee hereby recommends that Council approve the appointment as stated above.

Craig Willis, Chairman
Edward W. Rybka
Roosevelt Coats
Michael D. Polensek
Patricia Britt

Received.
Without objection, appointment approved.

File No. 302-96-A.

To The Honorable Council of
the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee selected to consider the Mayor's re-appointment to the Greater Cleveland Regional Transit Authority Board.

We have before us in the Mayor's letter of February 7, 1996 wherein he names his re-appointment to the Greater Cleveland Regional Transit Authority Board as follows:

Mr. George F. Dixon
(three year term)

(Term expires March 5, 1999)

The Committee hereby recommends that Council approve the appointment as stated above.

Craig Willis, Chairman
Edward W. Rybka
Roosevelt Coats
Michael D. Polensek
Patricia Britt

Received.
Without objection, appointment approved.

File No. 699-96-A.

May 13, 1996

To The Honorable Council of
the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee selected to consider the Mayor's appointment to the Police Review Board.

We have before us in the Mayor's letter of March 21, 1996 wherein he names his appointment to the Police Review Board as follows:

Mr. Tverner Collier
(Term expires August 8, 1996)

The Committee hereby recommends that Council approve the appointment as stated above.

Craig Willis, Chairman
Edward W. Rybka
Roosevelt Coats
Michael D. Polensek
Patricia Britt

Received.
Without objection, appointment approved.

File No. 700-96-A.

May 13, 1996

To The Honorable Council of
the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee selected to consider the Mayor's appointment to the City Planning Commission.

We have before us in the Mayor's letter of April 9, 1996 wherein he names his appointment to the City Planning Commission as follows:

Mr. David Bowen
(Term expires November 2, 2000)

The Committee hereby recommends that Council approve the appointment as stated above.

Craig Willis, Chairman
Edward W. Rybka
Roosevelt Coats
Michael D. Polensek
Patricia Britt

Received.
Without objection, appointment approved.

File No. 755-96-A.

May 13, 1996

To The Honorable Council of
the City of Cleveland:

Ladies and Gentlemen:

Report of the Committee selected to consider the Mayor's appointment to the Community Relations Board.

We have before us in the Mayor's letter of April 23, 1996 wherein he names his appointment to the Community Relations Board as follows:

Mr. Larry Liou
(Term expires March 31, 2000)

The Committee hereby recommends that Council approve the appointment as stated above.

Craig Willis, Chairman
Edward W. Rybka
Roosevelt Coats

Michael D. Polensek
Patricia Britt

Received.
Without objection, appointment approved.

CONDOLENCE RESOLUTIONS

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

Res. No. 889-96. Norman Henley, Jr.

Res. No. 890-96. Russell Bray, Sr.

Res. No. 891-96. Kevin DeCrane.

Res. No. 892-96. Dorothy Smith.

CONGRATULATORY RESOLUTIONS

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

Res. No. 893-96. 6th Annual Family Reunion.

Res. No. 894-96. Pastor Michael Exum, Full Gospel Evangelistic Center.

Res. No. 895-96. Inductees of the George F. Mills Gallery of Excellence.

Res. No. 896-96. Collinwood High School.

Res. No. 897-96. Lincoln West High School Chess Team.

Res. No. 898-96. Harry E. Davis Middle School Chess Team.

RESOLUTIONS OF RECOGNITION

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

Res. No. 899-96. Lewis Hawthorne.

Res. No. 900-96. Melvin Pye, Jr.

Res. No. 901-96. Herman Kammerman.

Res. No. 902-96. George Mayo, III.

Res. No. 903-96. Hunger Network of Greater Cleveland.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 858-96.

By Councilmen Lewis, 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 7508 Superior Avenue rear of 7508 Superior Avenue, 7502 Superior Avenue, rear of 7502 Superior Avenue, 7510 Superior Avenue, 7516 Superior Avenue, 1320 East 76 Place, 1316 East 76 Place and 1314 East 76 Place to Auto Zone, Incorporated.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 106-04-015, 106-04-096, 106-04-099, 106-04-097, 106-05-001, 106-05-002, 106-05-134, 106-05-135, and 106-05-136, more fully described in Section 2 below, to Auto Zone, Inc.

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

P.P. No. 106-04-015

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 345, and bounded and described as follows: Beginning on the Southerly line of Superior Avenue, N. E. at its intersection with the Westerly line of James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records; thence Westerly 46 feet along the said Southerly line of Superior Avenue, N. E. to a point; thence Southerly 126 feet parallel with the Westerly line of the said James Decker's Subdivision to a point; thence Easterly 46 feet parallel with the said Southerly line of Superior Avenue, N. E. to a point in the Westerly line of the said James Decker's Subdivision; thence Northerly 126 feet along the Westerly line of the said James Decker's Subdivision to the place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 106-04-096

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot Number 345 and bounded and described as follows: Beginning on the Southerly line of Superior Avenue, N. E. at its intersection with the Westerly line of James Decker's Subdivision of part of Original 100 Acre Lot Number 345 as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records; thence Southerly 126 feet along the Westerly line of the said James Decker's Subdivision to a point for the principal place of beginning; thence Westerly 46 feet parallel with the said Southerly line of Superior Avenue, N. E. to a point; thence Southerly about 55.91 feet parallel with the Westerly line of the said James Decker's Subdivision to a point in the Southerly line of a parcel of land conveyed to Edward V. Matiska by deed dated June 30, 1947, and recorded in Volume 6296, Page 55 of Cuyahoga County Records; thence Easterly about 46.03 feet along the Southerly line of land so conveyed to Edward V. Matiska to a point in the Westerly line of said James Decker's Subdivision; thence Northerly about 57.35 feet along the Westerly line of the said James Decker's Subdivision to the principal place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 106-04-099

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot Number 345

and bounded and described as follows: Beginning on the Southerly line of Superior Avenue N. E. at its intersection with the Westerly line of James Decker's Subdivision of part of Original 100 Acre Lot Number 345 as shown by the recorded plat in volume 20 of Maps, Page 10 of Cuyahoga County Records; thence Westerly 46 feet along the said Southerly line of Superior Avenue, N. E. to a point for the principal place of beginning; thence Westerly 40 feet along the said Southerly line of Superior Avenue N. E. to a point thence Southerly 120 feet parallel with the Westerly line of said James Decker's Subdivision to a point; thence Easterly 40 feet parallel with the said Southerly line of Superior Avenue N. E. to a point; thence Northerly 120 feet parallel with the Westerly line of said James Decker's Subdivision to the principal place of beginning, be the same more or less, but subject to all legal highways.

P.P. No. 106-04-097

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 345, and bounded and described as follows: Beginning on the Southerly line of Superior Avenue, N. E. at the Northwesterly corner of a parcel of land conveyed to Edward V. Matiska by deed dated June 30, 1947 and recorded in Volume 6296, Page 55 of Cuyahoga County Records; thence Southerly 120 feet along the Westerly line of land so conveyed to Edward V. Matiska, to a point for the principal place of beginning; thence Easterly about 82.31 feet parallel with the said Southerly line of Superior Avenue, N. E. to a point distant Westerly 46 feet at right angles from the Westerly line of James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records; thence Southerly about 61.91 feet parallel with the Westerly line of said James Decker's Subdivision to a point in the Southerly line of land conveyed to Edward V. Matiska, as aforesaid; thence Westerly about 82.63 feet along the Southerly line of land so conveyed to Edward V. Matiska to the Southwesterly corner thereof; thence Northerly about 59.32 feet along the Westerly line of land so conveyed to Edward V. Matiska to the principal place of beginning, be the same more or less, but subject to all legal highways the Southerly line of Superior Avenue, N. E. at the Northwesterly corner of a parcel of land conveyed to Edward V. Matiska by deed dated June 30, 1947 and recorded in Volume 6296, Page 55 of Cuyahoga County Records; thence Southerly 120 feet along the Westerly line of land so conveyed to Edward V. Matiska, to a point for the principal place of beginning; thence Easterly about 82.31 feet parallel with the said Southerly line of Superior Avenue, N. E. to a point distant Westerly 46 feet at right angles from the Westerly line of James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records; thence Southerly about 61.91 feet parallel with the Westerly line of said James Decker's Subdivision to a point in the Southerly line of land

conveyed to Edward V. Matiska, as aforesaid; thence Westerly about 82.63 feet along the Southerly line of land so conveyed to Edward V. Matiska to the Southwesterly corner thereof thence Northerly about 59.32 feet along the Westerly line of land so conveyed to Edward V. Matiska to the principal place of beginning, be the same more or less, but subject to all legal highways

P.P. No. 106-05-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 69 in James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records, and being 42.50 feet front on the Southerly side of Superior Avenue, N. E., and extending back 110 feet on the Westerly line, 110 feet on the Easterly line and having a rear line of 41.99 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 106-05-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 68 in James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records, and being 42.50 feet front on the Southerly side of Superior Avenue, N. E., and extending back of equal width 110 feet along the Westerly line of East 76th Street, (formerly Superior Place), as appears by said plat, be the same more or less, but subject to all legal highways.

P.P. No. 106-05-134

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio (Parcel No. 1) and known as being Sublot No. 73 in James Decker's Subdivision of part of Original 100 Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records and being 26.76 feet front on the Westerly side of East 76th Place (formerly Superior Place) and extending back 84.13 feet on the Northerly line; 84.50 feet on the Southerly line and having a rear line of 17.86 feet, as appears by said plat. (Parcel No. 2) and known as being part of Sublot No. 72 in James Decker's Subdivision of part of Original 100 Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records and bounded and described as follows: Beginning on the Westerly line of East 76th Place at the Southeasterly corner of said Sublot No. 72; thence Northerly along said Westerly line of East 76th Place 12.04 feet; thence Westerly on a line parallel with the Southerly line of said Sublot No. 72, 84.18 feet to the Westerly line of said Sublot No. 72, thence Southerly along said Westerly line of said Sublot No. 72, 12.04 feet to the Southwesterly corner of said Sublot No. 72; thence Easterly along the Southerly line of said Sublot No. 72 to the place of beginning, be the same more or less but subject to all legal legal highways.

P.P. No. 106-05-135

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 15.76 feet of Sublot No. 71

and the Northerly part of Sublot No. 72 in James Decker's Subdivision of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records and together forming a parcel of land, bounded and described as follows:

Beginning on the Westerly side of East 76th Place at a point distant Northerly measured along said Westerly side, 12.04 feet from the Southeasterly corner of Sublot No. 72; thence Northerly along the Westerly side of East 76th Place, 30.46 feet to a point distant Northerly measured along said Westerly side, 15.75 feet from the Southeasterly corner of Sublot No. 71; thence Westerly parallel with the Southerly line of Sublot No. 71, 84.25 feet to the Westerly line of Sublot No. 72; thence Southerly along said Westerly line and along the Westerly line of Sublot No. 72, 30.46 feet to its intersection with a line drawn Westerly and parallel with the Southerly line of Sublot No. 72 from the place of beginning; thence Easterly along said parallel line 84.18 feet to the place of beginning, as appears by the survey of Robert H. Krause, Sr., Registered Surveyor, dated September 10, 1952 be the same more or less, but subject to all legal highways.

P.P. No. 106-05-136

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 70 and the Northerly 11 feet of Sublot No. 71, in James Decker's Allotment of Part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 20 of Maps, Page 10 of Cuyahoga County Records, and together forming a parcel of land 37.75 feet front on the Westerly side of East 76th Place, (formerly known as Superior Place,) 84.49 feet deep on the Northerly line, 84.30 feet deep on the Southerly line and 37.75 feet wide in the rear, as appears by said plat, be the same more or less but subject to all legal highways.

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

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

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

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

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

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

Ord. No. 859-96.

By Councilmen Jackson and Rokakis (by departmental request). An emergency ordinance authorizing the Director of Economic Development to enter into a contract with ACME Express, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of property at 3821 Prospect Avenue and financing the acquisition of equipment, Cleveland, Ohio.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with ACME Express, Inc., or its designee, to provide economic development assistance to partially finance the acquisition of property at 3821 Prospect Avenue, and financing the acquisition of equipment, Cleveland, Ohio.

Section 2. That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 859-96-A.

Section 3. That the costs of said contract shall not exceed Two Hundred Ten Thousand Six Hundred Dollars (\$210,600.00), and shall be paid from Fund No. 18 SF 001, Request No. 22259.

Section 4. That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

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

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

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

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

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

Ord. No. 860-96.

By Councilmen Jackson and Rokakis (by departmental request). An emergency ordinance authorizing the Director of Economic Development to employ one or more professional consultants to provide construction management services for projects funded through HUD Section 108 Loans under the Cleveland Supplemental Empowerment Zone.

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

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

Section 1. That the Director of Economic Development is hereby authorized and directed to employ by contract one or more construction managers or one or more construction management firms, 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 provide construction management services and supervise construction projects funded through HUD Section 108 Loans under the Cleveland Supplemental Empowerment Zone.

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

Section 2. That the costs for such services herein contemplated shall be paid from Fund No. 18 SF 004, Request No. 22261.

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

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

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 Westerly 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 Westerly 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 Easterly 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.

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

Ord. No. 862-96.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property for the development of townhouses at the northeast corner of Tillman Avenue and West 49th Street for the Department of Community Development; and authorizing the Commissioner of Purchases and Supplies to convey said property to the Detroit-Shoreway Community Development Organization, or its designee.

Whereas, the Director of Community Development has requested the purchase of property, which is located at the northeast corner of Tillman Avenue and West 49th Street, for development of sixteen townhouses; and

Whereas, the Director of Community Development has requested the sale of said property to the Detroit-Shoreway Community Development Organization, or its designee, for the public purpose of development of said property; and

Whereas, the Detroit-Shoreway Community Development Organization, or its designee, has submitted a proposal which the Director of Community Development has determined to be a satisfactory means of achieving redevelopment of said 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 notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby autho-

rized to purchase the following described property for the development of sixteen townhouses:

0.6883 Acres on
Tillman Avenue N.W.
owned by The Board of
Education of the Cleveland
City School District
(Parcel "B")

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublots Nos. 70, 71, 72, 73 and 74 in the S. S. Stones Subdivision, of part of Brooklyn Township Lot No. 50, as shown by the recorded plat in Volume 2 of Maps, Page 19 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northerly line of Tillman Avenue N.W., 66 feet wide, at its intersection with the Easterly line of West 49th Street, 66 feet wide;

Thence North 0° 28' 08" West, along the Easterly line of West 49th Street, a distance of 139.38 feet to the Northwesterly corner of said Sublot No. 74;

Thence North 70° 39' 12" East, along the Northerly line of said Sublot No. 74, and along the Northerly lines of Sublots Nos. 73, 72, 71 and 70, a distance of 204.71 feet to the Northeastly corner of said Sublot No. 70;

Thence South 19° 25' 48" East, along the Easterly line of said Sublot No. 70, a distance of 131.88 feet to the Northerly line of Tillman Avenue N.W.;

Thence South 70° 39' 12" West, along the Northerly line of Tillman Avenue N.W., a distance of 250.00 feet to the place of beginning, and containing 0.6883 acres of land, according to a survey by the Henry G. Reitz Engineering Company, by James T. Saylor, Registered Surveyor No. S-7425, dated 3/26/96, be the same more or less, but subject to all legal highways.

All bearings are to an assumed meridian and are used to denote angles only.

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

Section 3. That all costs of acquisition of land shall be paid from Fund No. 14 SF 021.

Section 4. That notwithstanding and as an exception to the provisions of Title V of the Community Development Code in the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development may enter into and execute a project agreement for and on behalf of the City of Cleveland with the Detroit-Shoreway Community Development Organization, or its designee, for the acquisition, disposition and private redevelopment for the property which is described in Section 1.

Section 5. That this Council finds that the conveyance to the Detroit-Shoreway Community Development Organization, or its designee, constitutes a public use of said property for the purposes of redevelopment.

Section 6. That by and at the direction of the Board of Control, the Commissioner of Purchases and

Supplies is authorized to convey the property herein described in this section to the Detroit-Shoreway Community Development Organization, or its designee, at a price not less than fair market value of the property taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed or deeds of conveyance:

Proposed Housing Development
on Tillman Avenue N.W.
and West 49th Street
excluding the Corner Park
(Parcel "C")

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublots Nos. 73, 74, 90 and 91 and part of Sublots Nos. 70, 71, 72, and 89 in the S. S. Stone's Subdivision, of part of Brooklyn Township Lot No. 50, as shown by the recorded plat in Volume 2 of Maps, Page 19 of Cuyahoga County Records, and part of Herman Avenue N.W., 80 feet wide, as vacated in the Bulkley Boulevard Dedication Plat, as shown by the recorded plat in Volume 130 of Maps, Page 702 - 704 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northerly line of Tillman Avenue N.W., 66 feet wide, at its intersection with the Easterly line of West 49th Street, 66 feet wide;

Thence North 0° 28' 08" West, along the Easterly line of West 49th Street, a distance of 31.96 feet to the principal place of beginning;

Thence North 0° 28' 08" West, along the Easterly line of West 49th Street, a distance of 244.82 feet to the Southeasterly line of Herman Avenue N.W., 80 feet wide;

Thence North 53° 45' 02" East, along the Southeasterly line of Herman Avenue, N.W., a distance of 81.13 feet;

Thence South 29° 03' 28" East, a distance of 74.52 feet;

Thence South 0° 28' 08" East, a distance of 116.83 feet;

Thence North 70° 39' 12" East, a distance of 107.90 feet to the Easterly line of said Sublot No. 70;

Thence South 19° 25' 48" East, along the Easterly line of said Sublot No. 70, a distance of 101.48 feet to the Northerly line of Tillman Avenue N.W.;

Thence South 70° 39' 12" West, along the Northerly line of Tillman Avenue, N.W., a distance of 218.04 feet;

Thence North 34° 54' 28" West, a distance of 37.18 feet to the principal place of beginning, and containing 0.9331 acres of land, according to a survey by the Henry G. Reitz Engineering Company, by James T. Sayler, Registered Surveyor No. S-7425, dated 03/26/96, be the same more or less, but subject to all legal highways.

All bearings are to an assumed meridian and are used to denote angles only.

Section 7. That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such necessary provisions (including such restrictive reversionary interests as may be specified by the Board of Control or Director of Law) which shall protect the parties as their respective interests require and shall specifically contain a provision against

the erection of any advertising signs or billboards except permitted identification signs.

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

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

Ord. No. 863-96.

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

An emergency ordinance to appropriate property for the redevelopment and/or rehabilitation of the blighted premises located at 10700 Helena Avenue, Cleveland, Ohio.

Whereas, the Council of the City of Cleveland, by Resolution No. 561-96, passed March 25, 1996, declared the necessity and intention of appropriating the fee simple property interests of the blighted premises herein described for the elimination of spot blight and for redevelopment and/or rehabilitation of the blighted premises; and

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

Whereas, this ordinance constitutes an emergency measure required for the immediate preservation of the public health and safety, in that the existing conditions constitute a menace to public property, health and safety; now, therefore,

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

Section 1. That for the public purpose of eliminating blight and preventing the recurrence of blight in the neighborhood surrounding the blighted premises located at 10700 Helena Avenue, Cleveland, Ohio, through acquisition and redevelopment and/or rehabilitation, the following described fee simple interests be and the same hereby are appropriated:

10700 HELENA AVENUE
PPN: 108-29-068

PARCEL 1

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

PARCEL 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 97 in the Linn and Issel Subdivision of part of Original One Hundred Acre Lot No. 362, as shown by the

recorded plat in Volume 38 of Maps, Page 16 of Cuyahoga County Records and being 101-90/100 feet front on the Southerly side of Helena Avenue N.E., 105 feet deep on the Easterly line, 124-64/100 feet on the Southwesterly line and 34-74/1000 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 2. That the Director of Law be and she hereby is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests in and to the blighted premises herein before described.

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

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

Ord. No. 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.

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

Ord. No. 865-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4032 West 23rd Street to Carol A. Santora.

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. 009-03-013, as more fully described in Section 2 below, to Carol A. Santora.

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. 009-03-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 7 in the Hannah Estate Company and Bridgeview Park Allotment No. 2 of part of Original Brooklyn Township Lot No. 64, as shown by the recorded plat in Volume 95 of Maps, Page 8 of Cuyahoga County Records, and being 40 feet front on the Westerly side of West 23rd Street and extending back 115.95 feet deep on the Northerly line, 120.74 feet deep on the Southerly line and being 40.29 feet wide in the rear as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance

shall be repealed and shall be of no further force or effect.

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

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

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

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

Ord. No. 866-96.

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

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

Whereas, the Council of the City of Cleveland, by Resolution No. 560-96, passed March 25, 1996, declared the necessity and intention of appropriating the fee simple property interests of the blighted premises herein described for the elimination of spot blight and for redevelopment and/or rehabilitation of the blighted premises; and

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

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

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

Section 1. That for the public purpose of eliminating blight and preventing the recurrence of blight in the neighborhood surrounding the blighted premises located at 1846 West 50th Street, Cleveland, Ohio, through acquisition and redevelopment and/or rehabilitation, the following described fee simple interests be and the same hereby are appropriated:

1846 West 50th Street

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

same more or less, but subject to all legal highways.

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

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

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

Ord. No. 867-96.

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

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

Whereas, the Council of the City of Cleveland, by Resolution No. 721-96, passed _____, declared the necessity and intention of appropriating the fee simple property interests herein described for the clearance and redevelopment, according to the West 25th-Lorain Community Development Plan, of the blighted area designated as Bridge/Carroll Action Area; and

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

Whereas, this ordinance constitutes an emergency measure required for the immediate preservation of the public health and safety, in that the existing conditions constitute a menace to public property, health and safety; now, therefore,

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

Section 1. That for the public purpose of carrying out the West 25th-Lorain Community Development Plan for the elimination of blight and the prevention of the recurrence of blight in the Bridge/Carroll Action Area, through clearance and redevelopment, the following described fee simple interests be and the same hereby are appropriated:

2600 Carroll Avenue

Permanent Parcel No. 003-38-058
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 456 and 457 in Barber and Lord's Subdivision of part of Original Brooklyn Township Lots Nos. 51, 52, 69 and 70, as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records, and together forming a parcel of land, bounded and described as follows:

Beginning in the Northwesterly side of Carroll Avenue, N.W. (50 feet wide) at a point distant Northeasterly, measured along said Northwesterly side, 1.14 feet from the most Southerly corner of Sublot No. 457;

Thence Northeasterly along the Northwestern side of Carroll Avenue, N.W., 95.06 feet to the most Easterly corner of a parcel of land conveyed to Elsie Young and Robert S. Young by deed dated November 23, 1949, and recorded in Volume 6860, Page 235 of Cuyahoga County Records;

Thence Northwesterly along the Northeasterly line of said parcel so conveyed to Elsie Young and Robert S. Young, 107.50 feet to the South-easterly side of Carroll Court N.W.;

Thence Southwesterly along said Southeasterly side, 95.05 feet to a point distant Northeasterly measured along said Southeasterly side, 1.15 feet from the most Westerly corner of Sublot No. 457;

Thence Southeasterly 107.50 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

Ord. No. 868-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3606 East 61st Street to Broadway Area Housing Coalition.

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. 132-01-106, as more fully described in Section 2 below, to Broadway Area Housing Coalition.

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. 132-01-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 328 in Hubbard Cook, Trustee Subdivision of part of Original One Hundred Acre Lot Nos. 317 and 321 as shown by the recorded plat in Volume 6 of Maps, Page 21 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 61st Street and extending back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

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

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

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

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

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

Ord. No. 869-96.

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

An emergency ordinance to levy special assessments for the repairing or improvement of underground vaults encroaching upon the public right-of-way on Old River Road from St. Clair Avenue extending north to Front Street in the City of Cleveland.

Whereas, the Council of the City adopted Resolution No. 1337-94 on July 20, 1994, declaring the necessity of the improvements therein and hereinafter described; and

Whereas, the Council of the City adopted Resolution No. 530-95 on April 10, 1995, adopting the estimated assessments theretofore filed with respect to said improvements; and

Whereas, the Council of the City

passed Ordinance No. 519-95 on April 10, 1995, determining to proceed with said improvements; and

Whereas, the actual cost of said improvement has now been ascertained and placed on file in the office of the Clerk of Council in File No. 869-96-A; and

Whereas, the estimated assessments for said improvements heretofore adopted by Resolution No. 1337-94 have been adjusted so that said assessments, as adjusted, are in the same proportion to said estimated assessments as the actual cost of said improvements are to the estimated cost of said improvements; 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 revised assessment of the cost and expense of providing for the repair or otherwise improving underground vaults encroaching upon the public right-of-way on Old River Road from St. Clair Avenue extending north to Front Street in the City of Cleveland, as set forth in Resolution No. 1337-94, adopted on July 20, 1994, and amounting in the aggregate to \$48,736.00, as reported to this Council by the Commissioner of Licenses and Assessments, be and the same is hereby adopted and conformed, and that there be and are hereby levied and assessed upon the lots and lands containing underground vaults encroaching upon the public right-of-way on Old River Road from St. Clair Avenue extending north to Front Street, the several amounts reported as aforesaid, which assessments and the description of said lots and lands are now on file in the office of the Clerk of Council and which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 2. That this Council hereby finds and determines that the revised assessments as now on file in the office of said Clerk are in the same proportion to the estimated assessments as originally filed as the actual cost of the above-described improvement is to the estimated cost of the improvement as originally filed.

Section 3. That the assessment against each lot or parcel of land shall be payable in cash within forty (40) days after the passage of this ordinance or at the option of the owner in ten (10) annual installments, with interest on deferred payments at the rate of 7.0% per annum. All cash payments shall be made to the Commissioner of Licenses and Assessments of this City. All assessments and installments thereof remaining unpaid at the expiration of said forty (40) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 4. That the Clerk of Council is authorized and directed to keep said adjusted assessments on file in the Clerk's Office for so long as any assessment remains unpaid.

Section 5. That the Clerk of Council is hereby directed to file a certified copy of this ordinance with the Auditor of Cuyahoga County

within twenty (20) days of the date of its passage as required by Section 319.61, Ohio Revised Code.

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

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

Ord. No. 870-96.

By Councilmen Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Natural Resources for the 1996 NatureWorks - Round 3 Grant; and to enter into contract with the Cleveland Bicentennial Commission 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 Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the amount of \$408,000, from the Ohio Department of Natural Resources, to conduct the 1996 NatureWorks - Round 3 Grant, for the purposes set forth in the application and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 870-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized to enter into or amend contracts with the Cleveland Bicentennial Commission to implement said program; provided, however, that said contractor shall provide the necessary matching funds in the approximate sum of \$136,000.00.

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

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

Ord. No. 871-96.

By Councilmen Robinson and Rokakis (by departmental request).

An emergency ordinance to amend Section 2 of Ordinance No. 1140-95, passed July 19, 1995, relating to the purchase by contract of a computer

system chassis and necessary components.

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

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

Section 1. That Section 2 of Ordinance No. 1140-95, passed July 19, 1995, is hereby amended to read as follows:

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. **13 SF 426**, Request No. 20988.

Section 2. That existing Section 2 of Ordinance No. 1140-95, passed July 19, 1995, is hereby repealed.

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

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

Ord. No. 872-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Byrne Memorial for the Teen Court Program.

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

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

Section 1. That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$35,701.50, from the Byrne Memorial, to conduct the Teen Court Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

Section 2. That the application for said grant, File No. 872-96-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$11,900.50 from Fund No. 01-60-01-0901, is hereby approved in all respects.

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

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

Ord. No. 873-96.

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

An emergency ordinance to levy

special assessments for the repair or improvement of underground vaults encroaching upon the public right-of-way on Prospect Avenue from East 9th Street extending east to East 55th Street, and on East 4th Street from Euclid Avenue extending south to Prospect Avenue in the City of Cleveland.

Whereas, in Resolution No. 1428-93, adopted June 14, 1993, the Council of the City declared it necessary to repair or otherwise improve underground vaults encroaching upon the public right-of-way on Prospect Avenue from East 9th Street extending east to East 55th Street, and on East 4th Street from Euclid Avenue extending south to Prospect Avenue in accordance with plans, specifications and profiles in File No. 1428-93-A in the Office of the Clerk of Council, which plans, specifications and profiles the Council approved; and

Whereas, in Ordinance No. 1506-93, passed August 11, 1993, the Council of the City determined to proceed to repair or otherwise improve underground vaults encroaching upon the public right-of-way on Prospect Avenue from East 9th Street extending east to East 55th Street, and on East 4th Street from Euclid Avenue extending south to Prospect Avenue in accordance with plans, specifications and profiles and the estimate of cost of improvements approved and filed in the office of the Clerk of Council; and

Whereas, in Resolution No. 451-94, adopted March 7, 1994, the Council of the City amended Resolution No. 1428-93, to modify the plans, specifications and profiles and the estimate of the cost of improvements; and

Whereas, in Resolution No. 882-95, adopted July 19, 1995, the Council of the City amended Resolution No. 1428-93 to modify the plans, specifications and profiles and the estimate of the cost of improvements; and

Whereas, in Resolution No. 1536-93, adopted July 14, 1993, and Resolution No. 569-94, adopted March 28, 1994 adopted the estimated assessments theretofore filed with respect to the improvements; and

Whereas, the actual cost of said improvement has now been ascertained and placed on file in the office of the Clerk of Council in File No. 873-96-A; and

Whereas, the estimated assessments for said improvements heretofore adopted by Resolution No. 1428-93, as amended by Resolution Nos. 451-94, and 882-95, have been adjusted so that said assessments, as adjusted, are in the same proportion to said estimated assessments as the actual cost of said improvements are to the estimated cost of said improvements; 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 revised assessment of the cost and expense of providing for the repair or otherwise improving underground vaults encroaching upon the public right-of-way on Prospect Avenue from E. 9th Street extending east to East 55th Street, and on East 4th Street from Euclid Avenue extending south to Prospect Avenue in the City of Cleveland, as set forth in Resolution No. 1428-93, adopted on June 14, 1993, as amended by Reso-

lution No. 451-95, adopted March 7, 1994, and Resolution No. 882-95, adopted July 19, 1995, and amounting in the aggregate to \$743,272.46, as reported to this Council by the Commissioner of Licenses and Assessments, be and the same is hereby adopted and conformed, and that there be and are hereby levied and assessed upon the lots and lands containing underground vaults encroaching upon the public right-of-way on Prospect Avenue from East 9th Street extending east to East 55th Street, and on East 4th Street from Euclid Avenue extending south to Prospect Avenue, the several amounts reported as aforesaid, which assessments and the description of said lots and lands are now on file in the office of the Clerk of Council and which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 2. That this Council hereby finds and determines that the revised assessments as now on file in the office of said Clerk are in the same proportion to the estimated assessments as originally filed as the actual cost of the above-described improvement is to the estimated cost of the improvement as originally filed.

Section 3. That the assessment against each lot or parcel of land shall be payable in cash within forty (40) days after the passage of this ordinance or at the option of the owner in ten (10) annual installments, with interest on deferred payments at the rate of 6.90% per annum. All cash payments shall be made to the Commissioner of Licenses and Assessments of this City. All assessments and installments thereof remaining unpaid at the expiration of said forty (40) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 4. That the Clerk of Council is authorized and directed to keep said adjusted assessments on file in the Clerk's Office for so long as any assessment remains unpaid.

Section 5. That the Clerk of Council is hereby directed to file a certified copy of this ordinance with the Auditor of Cuyahoga County within twenty (20) days of the date of its passage as required by Section 319.61, Ohio Revised Code.

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

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

Ord. No. 874-96.

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

An emergency ordinance to levy special assessments for the repair or improvement of underground vaults encroaching upon the public right-of-way on Prospect Avenue from Ontario Street extending east to East 9th Street, except for the south side of Prospect Avenue between East 4th Street and East 6th Street, and on Huron Road from approximately 100 feet east of East 6th

Street extending east to approximately 200 feet east of East 9th Street in the City of Cleveland.

Whereas, in Resolution No. 1152-93, adopted May 17, 1993, the Council of the City declared it necessary to repair or otherwise improve underground vaults encroaching upon the public right-of-way on Prospect Avenue from Ontario Street extending east to East 9th Street and on Huron Road from East 6th Street extending east to approximately 200 feet east of East 9th Street in accordance with plans, specifications and profiles in File No. 1152-93-A in the Office of the Clerk of Council, which plans, specifications and profiles the Council approved; and

Whereas, in Ordinance No. 1386-93, passed July 14, 1993, the Council of the City determined to proceed to repair or otherwise improve underground vaults encroaching upon the public right-of-way on Prospect Avenue from Ontario Street extending east to East 9th Street and on Huron Road from East 6th Street extending east to approximately 200 feet east of East 9th Street in accordance with plans, specifications and profiles and the estimate of cost of improvements approved and filed in the office of the Clerk of Council; and

Whereas, in Resolution No. 2180-93, adopted October 25, 1993, the Council of the City amended Resolution No. 1152-93, to modify the plans, specifications and profiles and the estimate of the cost of improvements; and

Whereas, in Resolution No. 452-94, adopted March 7, 1994, the Council of the City amended Resolution No. 1152-93 to modify the plans, specifications and profiles and the estimate of the cost of improvements; and

Whereas, in Resolution No. 881-95, adopted July 19, 1995, the Council of the City amended Resolution No. 1152-93 to modify the plans, specifications and profiles and the estimate of the cost of improvements; and

Whereas, in Resolution No. 1427-93, adopted June 14, 1993, Resolution No. 2425-93, adopted November 29, 1993, and Resolution No. 570-94, adopted March 28, 1994, the Council adopted the estimated assessments theretofore filed with respect to the improvements; and

Whereas, the actual cost of said improvement has now been ascertained and placed on file in the office of the Clerk of Council in File No. 874-96-A; and

Whereas, the estimated assessments for said improvements heretofore adopted by Resolution No. 1152-93, as amended by Resolution Nos. 2180-93, 452-94 and 881-95, have been adjusted so that said assessments, as adjusted, are in the same proportion to said estimated assessments as the actual cost of said improvements are to the estimated cost of said improvements; 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 revised assessment of the cost and expense of providing for the repair or otherwise improving underground vaults encroaching upon the public right-of-way on Prospect Avenue from Ontario Street extending east to

East 9th Street, except for the south side of Prospect Avenue between East 4th Street and East 6th Street, and on Huron Road from approximately 100 feet east of East 6th Street extending east to approximately 200 feet east of East 9th Street, in the City of Cleveland, as set forth in Resolution No. 1152-93, adopted on May 17, 1993, as amended by Resolution No. 2180-93, adopted October 25, 1993, Resolution No. 452-94, adopted March 7, 1994, and Resolution No. 881-95, adopted July 19, 1995, and amounting in the aggregate to \$1,123,978.16, as reported to this Council by the Commissioner of Licenses and Assessments, be and the same is hereby adopted and conformed, and that there be and are hereby levied and assessed upon the lots and lands containing underground vaults encroaching upon the public right-of-way on Prospect Avenue from Ontario Street extending east to East 9th Street, except for the south side of Prospect Avenue between East 4th Street and East 6th Street, and on Huron Road from approximately 100 feet east of East 6th Street extending east to approximately 200 feet east of East 9th Street, the several amounts reported as aforesaid, which assessments and the description of said lots and lands are now on file in the office of the Clerk of Council and which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 2. That this Council hereby finds and determines that the revised assessments as now on file in the office of said Clerk are in the same proportion to the estimated assessments as originally filed as the actual cost of the above-described improvement is to the estimated cost of the improvement as originally filed.

Section 3. That the assessment against each lot or parcel of land shall be payable in cash within forty (40) days after the passage of this ordinance or at the option of the owner in ten (10) annual installments, with interest on deferred payments at the rate of 6.90% per annum. All cash payments shall be made to the Commissioner of Licenses and Assessments of this City. All assessments and installments thereof remaining unpaid at the expiration of said forty (40) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 4. That the Clerk of Council is authorized and directed to keep said adjusted assessments on file in the Clerk's Office for so long as any assessment remains unpaid.

Section 5. That the Clerk of Council is hereby directed to file a certified copy of this ordinance with the Auditor of Cuyahoga County within twenty (20) days of the date of its passage as required by Section 319.61, Ohio Revised Code.

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

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

Ord. No. 875-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of labor and materials needed to upgrade the electric meter equipment for terminal sites, for the various divisions of the Department of Port Control.

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

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

Section 1. That the Director of Port Control is hereby authorized and directed to make a written 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 upgrade the electric meter equipment for interior terminal and exterior terminal sites, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106, 60 SF 210, Request No. 20852.

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

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

FIRST READING ORDINANCES REFERRED

Ord. No. 876-96.
By Councilmen Miller and Rokakis (by departmental request).
An ordinance authorizing the Director of Port Control to enter into agreements with parking lot operators located off airport property, in order to assess fees to such companies for use of airport property in the conduct of the companies' business at Cleveland Hopkins International Airport, and to issue permits for the use of airport property pursuant to said agreements.

Whereas, there are a number of parking lot operators located off airport property, which provide services to customers by regularly entering airport property to pick-up and drop-off customers; and

Whereas, imposition of an off airport user fee would increase revenue for, and provide fairer distribution of costs of airport operations, maintenance and airport growth; 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 agreement(s) with off-airport parking lot operators whereby the off-airport operator, in exchange for use of airport property, shall be assessed a monthly user fee of 8%

of gross revenues for its use of airport property in the conduct of such operator's business in providing transportation to customers to and from the operator's facilities and the airport. Further, said Director is authorized to issue permits to said off-airport operators for use of airport property pursuant to such user fee agreements. Such agreement and permit shall contain such provisions as shall be deemed necessary by the Director of Law.

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

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

Ord. No. 877-96.
By Councilman Paulenske.
An ordinance to change the Use, Area and Height Districts of lands on the northerly side of Lakeside Avenue, N.E., to the Shoreway between E. 13 Street and E. 23 Street. (Map Change No. 1905, Sheet Nos. 1, 4 & 5)

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

Section 1. To change the Use, Area, and Height Districts of lands bounded and described as follows,

Beginning at the intersection of the center line of East 22 Street and the center line of Lakeside Avenue, N.E.; thence southwesterly along said center line of Lakeside Avenue, N.E. to the center line of East 13 Street; thence northwesterly along said center line of East 13 Street and along its northwesterly extension to the center line of the New York Central Railroad tracks; thence southwesterly along said center line of said New York Central Railroad tracks to its intersection with the northwesterly extension of the center line of East 12 Street; thence northwesterly along said northwesterly extension of East 12 Street to the center line of the Memorial Shoreway; thence northeasterly along said center line of said Memorial Shoreway to the center line of the access ramp extending northwest from the South Marginal Road to I-90 West; thence southeasterly along said center line of said access ramp which extends northwest from the South Marginal Road to I-90 West to the center line of the South Marginal Road; thence southwesterly along said center line of said South Marginal Road to its intersection with the northwesterly prolongation of the center line of East 22 Street; thence southeasterly along said northwesterly prolongation and along said center line of said East 22 Street to the place of beginning,

and as outlined in red on the map hereto attached, be and the same are hereby changed to a Residence-Industry Use District, a 'C' Area District and a '3' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1905, Sheets Nos. 1, 4 and 5 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 878-96.
By Councilmen Jackson, Rybka and Rokakis (by departmental request).

An emergency ordinance to amend the title, the second and third whereas clauses, Sections 1, 2, 3, and 5 of Ordinance No. 1887-95, passed November 20, 1995; and to supplement said ordinance to add new Sections 9 and 10, relating to the sale of City-owned land no longer needed for public use to Chelm Management Company and authorizing the Director of Economic Development to provide economic development loan assistance to Chelm Management Company for the development of the property.

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

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

Section 1. That the title, the second and third whereas clauses, Sections 1, 2, 3, and 5 of Ordinance No. 1887-95, passed November 20, 1995, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located east of Rocky River Drive and south of the northerly lot line of Westport Avenue to Cleveland Business Park, Ltd.; authorizing the Commissioner of Purchases and Supplies to provide an option to sell City-owned property no longer needed for public use located east of Rocky River Drive between the northerly lot line of Westport Avenue and the northerly lot line of Brysdale Avenue to Cleveland Business Park, Ltd.; and authorizing the Director of Economic Development to provide economic development loan assistance to Cleveland Business Park, Ltd. for said development.

Whereas, the City of Cleveland has land available for the development of a business park by Cleveland Business Park, Ltd. pending City Council approval; and

Whereas, the City of Cleveland will now sell a portion of this land, as described below, to Cleveland Business Park, Ltd. for the exclusive use and development by ACTRON for constructing a new 90,000 square foot manufacturing facility, thereby retaining approximately 200 jobs in the City of Cleveland; and

Section 1. That notwithstanding and as an exception to the Provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the property described in Council File No. 1887-95-B is no longer needed for public use.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized and directed to sell the following property to Cleveland Business Park, Ltd. at a price not less than fair market

value as determined by the Board of Control; the property designated "ACTRON-Phase 1" in Council File No. 1887-95-B, solely for the purpose of developing a new manufacturing facility for ACTRON Manufacturing Company, and the property designated as "Phase 2" in Council File No. 1887-95-B, for the purpose of developing it for additional companies and improving a portion of it with the public infrastructure improvements, including a roadway and utilities.

Section 3. That **Cleveland Business Park, Ltd.** shall have the option to acquire from the City the property designated "Phase 3" in Council File No. 1887-95-B, and that by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell said property to **Cleveland Business Park, Ltd.** at a price not less than fair market value as determined by the Board of Control.

Section 5. That the Director of Economic Development is hereby authorized to enter into a contract with **Cleveland Business Park, Ltd.**, or its designee, to provide **financial assistance for certain project improvements and site-development costs, including a road system, lighting and traffic signals, public sidewalks and curbs, and water and sewer lines**, necessary for the development of the property described in Council File No. 1887-95-B.

Section 2. That the existing title, the second and third whereas clauses, Sections 1, 2, 3, and 5 of Ordinance No. 1887-95, passed November 20, 1995, are hereby repealed.

Section 3. That Ordinance No. 1887-95, passed November 20, 1995, is hereby supplemented by adding new Sections 9 and 10 to read, respectively, as follows:

Section 9. That the Director of Economic Development is hereby authorized to enter into such agreements and acquire such interests in property as necessary related to the State Highway lands located on the property described in Council File No. 1887-95-B, and to pay for the costs of such agreements and property interests from funds appropriated for the use of the Department of Economic Development. The proceeds received by the City from any transfer of this property shall be deposited into the fund used for its acquisition.

Section 10. That the proceeds from the sale of any property authorized by this ordinance which was acquired by the City with federal funds as part of an airport noise compatibility program shall be used solely to fund future airport noise compatibility programs.

Section 4. That existing Sections 9 and 10 of Ordinance No. 1887-95, passed November 20, 1995, are hereby renumbered, respectively, to new "Section 11" and "Section 12."

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.

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

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

Ord. No. 884-96.

By Councilman Jackson.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Gust Galucci Co. to stretch a banner in front of 6610 Euclid Avenue for the period from June 15, 1996 to July 15, 1996, inclusive, publicizing a Sale to Benefit the Cleveland Public Schools.

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 Gust Galucci Co. to install, maintain and remove a banner in front of 6610 Euclid Avenue for the period from June 15, 1996 to July 15, 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.

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

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

Ord. No. 885-96.

By Councilman Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Ward 6 Multi-Cultural Festival Committee to stretch banners on Martin Luther King Blvd. near Fairhill Road and on Martin Luther King Blvd. at the intersection of Woodland Avenue for the period from July 12, 1996 to August 12, 1996, inclusive, publicizing its Multi-Cultural Community 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 the

Ward 6 Multi-Cultural Festival Committee to install, maintain and remove banners on Martin Luther King Blvd. near Fairhill Road and on Martin Luther King Blvd. at the intersection of Woodland Avenue for the period from July 12, 1996 to August 12, 1996, inclusive. Said banners shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 886-96.

By Councilmen Melena, Westbrook and Smith.

An emergency ordinance consenting and approving the issuance of a permit for a 15, 30 and 50 Mile Tour De Cleveland Bike Race on June 15, 1996, sponsored by the American Lung Association.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a 15, 30 and 50 Mile Tour De Cleveland Bike Race, sponsored by the American Lung Association, on June 15, 1996, with the 15, 30 and 50 Mile bike riders beginning at Edgewater Park to West Blvd., West Blvd. to Desmond, Desmond to Lake Road, Lake Road to Detroit, Detroit to West 74th St., West 74th St. to W. Clifton, W. Clifton to West 58th St., West 58th St. to Franklin, Franklin to West 25th St., West 25th St. to Franklin, Franklin to Columbus, Columbus to Center, Center to the top of the hill (turn right at stop sign), stay on Center to Carter, Carter "turns into Eagle" to Ontario, Ontario to Eagle "working with Gateway for access to this street", Eagle to East 6th St., East 6th St. to Huron, Huron to Prospect, Prospect to Huron, Huron to East 13th St. straight through to Chester, Chester to East 12th St., East 12th St. to Lakeside, Lakeside to East 9th St., East 9th St. to Erieside (by the Rock & Roll Hall of Fame), Erieside to West 3rd St., West 3rd St. to W. Superior, W. Superior to East 9th St., East 9th St. to Eagle, Eagle to Ontario, Ontario to Eagle which "turns into Carter",

veer right across the drawbridge (still on Carter) to the stop sign, continue on Carter to Columbus, Columbus to Franklin, Franklin to West 25th St., West 25th St. to Franklin, Franklin to West 58th St., West 58th St. to W. Clifton, W. Clifton to West 74th St., West 74th St. to Detroit, Detroit to Lake, Lake to West Blvd. and continue to Edgewater Park; the 30 Mile bike riders will continue on Lake Road out of the Cleveland limits into the City of Lakewood and will return into the City of Cleveland by way of Lake Road to West 117th St., West 117th St. to Edgewater, Edgewater to Cliff, Cliff to West Blvd., turn left at Edgewater Park and finish; and the 50 Mile bike riders will begin at Edgewater Park to West Blvd., West Blvd. to Desmond, Desmond to Lake Road, Lake Road to Detroit, Detroit to West 74th St., West 74th St. to W. Clifton, W. Clifton to West 58th St., West 58th St. to Franklin, Franklin to West 25th St., West 25th St. to Franklin, Franklin to Columbus, Columbus to Center, Center to the top of the hill (turn right at stop sign), stay on Center to Carter, Carter "turns into Eagle" to Ontario, Ontario to Eagle "working with Gateway for access to this street", Eagle to East 6th St., East 6th St. to Huron, Huron to Prospect, Prospect to Huron, Huron to East 13th St. straight through to Chester, Chester to East 12th St., East 12th St. to Lakeside, Lakeside to East 9th St., East 9th St. to N. Marginal, N. Marginal to East 55th St., East 55th St. to the Marina sign and continue on the bike path to Martin Luther King Dr., Martin Luther King Dr. to Lakeshore Blvd. and turn right at the "Bratenahl sign", Lakeshore Blvd. to Neff Road, Neff Road to the Neff Road Park, Neff Road Park back to Lakeshore Blvd., Lakeshore Blvd. to Martin Luther King Dr. (continue straight), Martin Luther King Dr. to N. Marginal, N. Marginal to East 55th St., East 55th St. to N. Marginal, N. Marginal becomes Erieside by the Rock & Roll Hall of Fame, Erieside to West 3rd St., West 3rd St. to W. Superior, W. Superior to East 9th St., East 9th St. to Eagle, Eagle to Ontario, Ontario to Eagle which turns into Carter, veer right across the drawbridge (still on Carter) to the stop sign, continue on Carter to Columbus, Columbus to Franklin, Franklin to West 25th St., West 25th St. to Franklin, Franklin to West 58th St., West 58th St. to W. Clifton, W. Clifton to West 74th St., West 74th St. to Detroit, Detroit to Lake, continue on Lake Road out of the Cleveland limits into the City of Lakewood and will return into the City of Cleveland by way of Lake Road to West 117th St., West 117th St. to Edgewater, Edgewater to Cliff, Cliff to West Blvd., turn left at Edgewater Park and finish in the Park, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency

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

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

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

Ord. No. 888-96.
By Councilmen Willis and Britt.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to University Circle Inc. to stretch banners on Martin Luther King Jr. Blvd. (east of the Cleveland Museum of Natural History) and on Cedar Hill for the period from May 20, 1996 to June 10, 1996, inclusive, publicizing its Parade the Circle Celebration.

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 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 to install, maintain and remove banners on Martin Luther King Jr. Blvd. (east of the Cleveland Museum of Natural History) and on Cedar Hill for the period from May 20, 1996 to June 10, 1996, inclusive. Said banners shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

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

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

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

Res. No. 879-96.
By Councilman Patmon.
An emergency resolution objecting to the issuance of a D4 Liquor Permit to 1270 East 105th Street.

Whereas, Council has been notified by the Director of Liquor Con-

trol of an application for the issuance of a D4 Liquor Permit to Permit No. 9970344-0005, Zulus Motorcycle Club Inc., Chapter II, dba Zulus M.C., 1270 East 105th Street, Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a D4 Liquor Permit to Permit No. 9970344-0005, Zulus Motorcycle Club Inc., Chapter II, dba Zulus M.C., 1270 East 105th Street, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 880-96.**By Councilman Patmon.**

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 10929 St. Clair Avenue, and repealing Res. No. 1523-95, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 10929 St. Clair Avenue by Res. No. 1523-95, 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 D1, D2, D3, D3A and D6 Liquor Permit to 10929 St. Clair Avenue be and the same is hereby withdrawn and Res. No. 1523-95, 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.

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

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

Res. No. 881-96.**By Councilman Patmon.**

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 9021 St. Clair Avenue, first floor and basement, and repealing Res. No. 1522-95, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 9021 St. Clair Avenue, first floor and basement, by Res. No. 1522-95, adopted August 23, 1995; and

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

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

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

Section 1. That objection to the renewal of a C1 and C2 Liquor Permit to 9021 St. Clair Avenue, first floor and basement, be and the same is hereby withdrawn and Res. No. 1522-95, 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.

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

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

Res. No. 882-96.**By Councilman Patmon.**

An emergency resolution withdrawing objection to the renewal of a D4 Liquor Permit to 1073 East 79th Street, and repealing Res. No. 1479-95, objecting to said renewal.

Whereas, this Council objected to the renewal of a D4 Liquor Permit to 1073 East 79th Street by Res. No. 1479-95, 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 D4 Liquor Permit to 1073 East 79th Street be and the same is hereby withdrawn and Res. No. 1479-95, 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.

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

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

Res. No. 883-96.**By Councilman Robinson.**

An emergency resolution objecting to the issuance of a C1 Liquor Permit to 3501 East 93rd Street.

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 0311124-0010, Faddie S. Attallah, dba Mickey's Mini Mart, 3501 East 93rd Street, Cleveland, Ohio 44104; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement

officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

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

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

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

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

Section 1. That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 0311124-0010, Faddie S. Attallah, dba Mickey's Mini Mart, 3501 East 93rd Street, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 887-96.**By Councilman Melena.**

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 5404 Storer Avenue, first floor, basement and front, and repealing Res. No. 329-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 5404 Storer Avenue, first floor, basement and front, by Res. No. 329-96, adopted February 26, 1996; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 Liquor Permit to 5404 Storer Avenue, first floor, basement and front, be and the same is hereby withdrawn and

Res. No. 329-96, 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.

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

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

SECOND READING EMERGENCY ORDINANCES

Ord. No. 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.

Approved by to Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning, Finance, when amended as follows:

1. Insert new Section 3 to read as follows:

"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."

2. Renumber existing Section 3, 4, 5, and 6, respectively, to new "Section 4", "Section 5", "Section 6", and "Section 7".

3. Strike new "Section 4" in its entirety and insert in lieu thereof the following:

"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.

Amendments agreed to.

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.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance, when amended as follows:

1. In Section 1, at the end, insert the following new sentence:

"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."

Amendment agreed to.

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.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance, when amended as follows:

1. In Section 1, at the end, insert the following new sentence:

"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."

Amendment agreed to.

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.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 528-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

Ord. No. 529-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials necessary to repair or replace the fuel dispensing pumps and systems necessary for fuel operations, fuel tankers, hydraulic lifts, oil and grease dispensing equipment, stationary air compressor, and for emergency cleanup and replacement of leaking underground storage tanks and systems, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

Ord. No. 530-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to enter into contract with Clean-Land, Ohio to implement the City's Recycling, Litter Prevention Education, and Recycling Public Awareness Program and waste reduction activities for 1996.

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

1. In Section 1, lines 5 and 6, strike "in the total sum of \$133,032.00" and insert in lieu thereof the following: **"for an amount not to exceed \$137,304.00"**.

Amendment agreed to.

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.

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

Ord. No. 532-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

Ord. No. 533-96.

By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by

requirement contract of replacement parts for Leach packers, including labor if necessary, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

Ord. No. 534-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

Ord. No. 540-96.

By Councilmen Patton and Rokakis (by departmental request).

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

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

Ord. No. 541-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials necessary to make safety modifications to escalators, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 542-96.

By Councilmen Miller and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of labor and materials needed to replace the overhead doors at tie 5-Point garage facility at the Cleveland Hopkins International Airport, Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 544-96.

By Councilmen Miller and Rokakis (by departmental request).

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

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

Ord. No. 547-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by

contract of not to exceed twenty five hand held meter reading devices, for the Division of Cleveland Public Power, Department of Public Utilities.

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

Ord. No. 548-96.

By Councilmen Patton and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by contract of one four station folding inserting system, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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.

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

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 non-profit subrecipients for the cost of the audits required by OMB Circular A-133. CDBG Year XXII.

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

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.

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

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.

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

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.

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

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.

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

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.

Approved by Directors of Port Control, Finance, Law; Recommended by Committees on Aviation and Transportation, Finance.

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.

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

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.

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

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.

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

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.

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

Ord. No. 711-96.

By Councilmen Patton 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.

Approved by Directors of Personnel and Human Resources, Finance, Law; Relieved of Committee on Employment, Affirmative Action and Training; Recommended by Committee on Finance, when amended as follows:

1. In Section 1, line two, strike "two-year"; and in line 9, strike "\$65,000; and insert in lieu thereof "\$32,500".

Amendment agreed to.

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.

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

SECOND READING EMERGENCY ORDINANCE PASSED

Ord. No. 80-96.

By Mayor White and Councilman Rybka.

An emergency ordinance to change the name of Chester Commons to Ralph J. Perk Plaza.

Approved by Directors of Public Service, City Planning Commission, Finance, Law; Recommended by Committees on Public Service, City Planning, Finance, when amended as follows:

1. In Section 2, line 4, strike "playground" and insert in lieu thereof "plaza".

Amendment agreed to.

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

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

THIRD READING EMERGENCY ORDINANCES PASSED

Ord. No. 1084-95.

By Councilman McGuirk.

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

tion 401.501 thereof relating to definition of rollerskates.

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

Ord. No. 251-96.

By Councilmen Polensek and Rokakis (by departmental request).

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

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

Ord. No. 315-96.

By Councilmen Patton and Rokakis (by departmental request).

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

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

Ord. No. 317-96.

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

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

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

Ord. No. 318-96.

By Councilmen Polensek and Rokakis (by departmental request).

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

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

Ord. No. 319-96.

By Councilmen Polensek and Rokakis (by departmental request).

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

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

Ord. No. 321-96.

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

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

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

Ord. No. 369-96.

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

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

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

Ord. No. 371-96.

By Councilmen Polensek and Rokakis (by departmental request).

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

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

Ord. No. 373-96.

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

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

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

Ord. No. 535-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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

Ord. No. 636-96.

By Councilman Rokakis (by departmental request).

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

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

Ord. No. 637-96.

By Councilman Rokakis (by departmental request).

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

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

Ord. No. 638-96.

By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the procure-

ment by requirement contract of the rental and laundry service of work clothing, for the various divisions of City Government, for a period of two years.

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

Ord. No. 639-96.

By Councilman Rokakis (by departmental request).

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

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

Ord. No. 640-96.

By Councilman Rokakis (by departmental request).

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

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

Ord. No. 641-96.

By Councilman Rokakis (by departmental request).

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

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

Ord. No. 642-96.

By Councilman Rokakis (by departmental request).

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

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

Ord. No. 643-96.

By Councilman Rokakis (by departmental request).

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

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

Ord. No. 644-96.

By Councilman Rokakis (by departmental request).

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

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

**THIRD READING
ORDINANCES PASSED**

Ord. No. 95-96.

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

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

Ord. No. 165-96.

By Councilman Coats.

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

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

THIRD READING EMERGENCY RESOLUTIONS ADOPTED**Res. No. 2156-95.**

By Councilman Rybka (by request).

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

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

Res. No. 263-96.

By Councilman Johnson (by request).

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

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

Res. No. 322-96.

By Councilman Paulenske (by request).

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

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

Res. No. 376-96.

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

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

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

Res. No. 561-96.

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

An emergency resolution declaring the necessity and intention to appropriate property for redevelopment and/or rehabilitation of the blighted premises located at 10700 Helena Avenue, Cleveland, Ohio.

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

Res. No. 580-96.

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

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

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

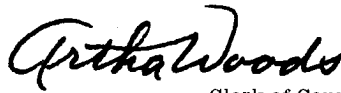
MOTION

By Councilman Coats, seconded by Councilman Polensek and unani-

mously carried, that the absence of Councilman David M. McQuirk be and is hereby authorized.

MOTION

The Council adjourned at 8:45 p.m. to meet on Monday, May 20, 1996 at 7:00 p.m.



Clerk of Council

THE CALENDAR

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

ORDINANCES**Ord. No. 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 agree-

ments 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.

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:

Branded Food	10%
Nonbranded Food	
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%

Nonbranded Beverage

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%

Cheers Beverage

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.

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.

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.

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.

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.

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.

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.

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.

Ord. No. 533-96.

By Councilmen Coats and Rokakis (by departmental request).

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

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.

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.

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.

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 tie 5-Point garage facility at the Cleveland Hopkins International Airport, Department of Port Control.

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.

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.

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.

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.

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 non-profit subrecipients for the cost of the audits required by OMB Circular A-133. CDBG Year XXII.

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.

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.

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.

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.

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.

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.

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.

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.

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.

Ord. No. 711-96.

By Councilmen Patton 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.

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.

BOARD OF CONTROL

May 8, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 8, 1996, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Acting Director Ross, Directors Nolan, Warren.

Absent: Directors Axelrod.

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

On motion, the following resolutions were adopted.

Resolution No. 297-96.

By Director Konicek.

Whereas, pursuant to the authority of Ordinance No. 2236-93, passed by the Council of the City of Cleveland on March 28, 1994, and Board of Control Resolution No. 842-94, adopted November 16, 1994, the City through its Director of Public Utilities entered into City Contract No. 48210 with Vista Consulting Group, Inc., ("Consultant") for professional services required for a comprehensive financial assessment study, for the Division of Water; and

Whereas, the Division of Water requires additional services to be performed to study the current financial and operational characteristics of the East Cleveland Water System; and

Whereas, by its March 20, 1996 proposal, Consultant has proposed to perform such additional services for an increased total contract amount not to exceed \$23,834.15; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is hereby authorized to enter a first modification to Contract No. 48210 with Vista Consulting Group, Inc., based upon its proposal dated March 20, 1996 which amendment shall increase the total contract amount from \$266,763.64 to \$290,597.79.

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Acting Director Ross, Director Nolan.

Nays: None.

Absent: Director Warren.

Resolution No. 298-96.

By Director Cunningham.

Resolved by the Board of Control of the City of Cleveland that all bids received on March 28, 1996 for labor and materials to calibrate and/or replace electric meters (Item No. 1) for the Various Divisions of the Department of Port Control, pur-

suant to the authority of Ordinance No. 245-96, passed by the Council of the City of Cleveland on April 1, 1996, be and the same are hereby rejected.

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Acting Director Ross, Director Nolan.

Nays: None.

Absent: Director Warren.

Resolution No. 299-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kahm Services, Inc., for an estimated quantity of Repair Rear Loading Packer Bodies (All Items) (Hourly Labor rate \$33.50) for the Division of Waste Collection and Disposal, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 22nd day of March, 1996, pursuant to the authority of Ordinance No. 2280-95, passed February 12, 1996, which on the basis of the estimated quantity would amount to approximately Seventy Thousand and no/100 Dollars, (\$70,000.00), (NET), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 87480

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, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Acting Director Ross, Director Nolan, Warren.

Nays: None.

Absent: None.

Resolution No. 300-96.

By Director Denihan.

Whereas by Resolution No. 168-96, adopted March 20, 1996, pursuant to the authority of Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Board of Control approved the bid of J & R Accessories, Inc., as the lowest and best for the purchase of Fire Uniform Clothing, items 46, 53, and 54, for the Division of Fire, Department of Public Safety; and

Whereas, J & R Accessories, Inc. has notified the City that it has changed its name effective March 1, 1996 to Cleveland Fire Distributors, Inc.; and

Whereas, in said Resolution No. 168-96, the base requisition number was incorrect; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 168-96, adopted March 20, 1996, affirming and approving the bid of J & R Accessories, Inc. as the lowest and best for the purchase of Fire Uniform Clothing, items 46, 53, and 54,

hereby is amended by changing "J & R Accessories, Inc." to read "Cleveland Fire Distributors, Inc.", where appearing, and changing the requisition number from "80813" to Requisition No. "80811".

Be it further resolved that all other provisions of said Resolution No. 168-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Acting Director Ross, Director Nolan, Warren.

Nays: None.

Absent: None.

Resolution No. 301-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Aexcel Corporation for an estimated quantity of Traffic Paint and Reflective Glass Beads - items 1, 2, 3, 4, 5, 6, 9, 10 and 11 for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on March 21, 1996, pursuant to the authority of Ordinance No. 2191-95, which was passed by City Council on February 5, 1996, which on the basis of the estimated quantity would amount to Thirty seven thousand, five hundred sixteen and 75/100 Dollars (\$37,516.75), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

REQUISITION NO. 86692

440 gallons of Item #1 Rapid Dry (White) pavement Marking paint, as specified in 55 gallon drums. 1,475 gallons of Item #3, Rapid Dry (White) pavement Marking paint, in 5 gallon pails, as specified.

which shall be certified against such contract in the sum of Ten thousand eighty-three and 15/100 Dollars (\$10,083.15).

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

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Acting Director Ross, Director Nolan, Warren.

Nays: None.

Absent: None.

Resolution No. 302-96.

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cataphote Corporation, Inc. for an estimated quantity of Traffic Paint and Reflective Glass Beads - items 7 and 8 for the Division of Traffic Engineering and Parking, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on March 21, 1996, pursuant to the authority of Ordinance No. 2191-95, which was passed by City Council on February 5, 1996,

which on the basis of the estimated quantity would amount to Twenty six thousand, eight hundred ten and no/100 Dollars (\$26,810.00), (2% 30 days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

REQUISITION NO. 86695

5,000 lbs. Thermoplastic Marking Material - Item #8, as specified. which shall be certified against such contract in the sum of One thousand, nine hundred eighty-five and no/100 Dollars (\$1,985.00).

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

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Acting Director Ross, Director Nolan, Warren.

Nays: None.

Absent: None.

Resolution No. 303-96.

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of E-Z Electric Motor Service, Inc., for an estimated quantity of Electric Motors and Pumps (All Items) (Portion "A" less 30%, Portion "B" less 20%, Portion "C" list price and Portion "D") Normal labor rate \$30.00 per hour; Emergency labor rate \$45.00 per hour; On-site service alignment \$45.00 per hour, for the Division of Property Management, Department of Parks, Recreation and Properties, for the period of three (3) years beginning with the date of execution of a contract received on the 29th day of March, 1996, pursuant to the authority of Ordinance No. 1237-95, passed November 20, 1995, which on the basis of the estimated quantity would amount to One Hundred Sixty Thousand and 00/100ths Dollars, (\$160,000.00), (2% 10 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 83414

which shall be certified against such contract in the sum of Twenty-Five Thousand and 00/100ths Dollars, (\$25,000.00).

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, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Acting Director Ross, Director Nolan, Warren.

Nays: None.

Absent: None.

Resolution No. 304-96.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of B.P. Oil Company for an estimated quantity of Gasoline (Item 1 "A" and "B") (Item 2 "A" and "B") for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 26th day of April, 1996, pursuant to the authority of Ordinance No. 136-96, passed May 6, 1996, which on the basis of the estimated quantity would amount to approximately One Million Two Hundred Twenty-Four Thousand Seven Hundred Ninety and no/100 Dollars, (\$1,224,790.00), (NET), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 70752

which shall be certified against such contract in the sum of Seventy Thousand and no/100 Dollars, (\$70,000.00).

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.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractor to B.P. Oil Company for the purchase of Gasoline (Item #1 "A" and "B") (Item #2 "A" and "B"), hereby is approved:

Hightower Petroleum
\$1,020.00
MBE

Yeas: Mayor White, Acting Director Marks, Directors Hyer, Konicek, Acting Director Sheehan, Directors Guzman, Staib, Denihan, Spellman, Acting Director Ross, Director Nolan, Warren.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

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

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

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the

names of those candidates who have been successful in all parts of the examination.

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS**TUESDAY, MAY 28, 1996****9:30 A.M.**

Calendar No. 96-60: 4701 Gifford Ave., S.W.

Steven Neal, owner, to erect a 22' x 22' one story frame private garage on the rear of a 50' x 135' lot located in a Two Family District with a dwelling house known as 4701 Gifford Ave., also on the rear of said lot, said proposed garage to be located 6' from the dwelling house on the adjoining lot to the west at 4705 Gifford Ave. contrary to the 10' requirement of Section 337.23 of the Codified Ordinances.

Calendar No. 96-61: 3015-35 E. 61 St.

Richard Chambers, owner, and James Ownbey, tenant, to use for retail sales of new and used furniture the 30' x 80' one story steel and frame shop building on the northwest part of the 285' x 167' corner lot located in a Two Family District on the northeast corner of E. 61 St. and Waterman Ave., at 3015-35 E. 61 St.; said use for retail sales being contrary to the residence use limitations of Section 337.03 but subject to the substitution provisions of Section 359.01 of the Codified Ordinances.

Calendar No. 96-63: 3153-61 W. 40 St.

The Ohio Pipe Valve & Equipment Co., owner, c/o Michael Resch, to erect a 100' x 100' manufacturing building on a 125' x 120' corner lot located in a Two Family District on the northeast corner of W. 40 St. and Trent Ave. at 3153-61 W. 40 St.; said manufacturing use being contrary to the residence use limitations of Section 337.03 and the residential floor area and rear yard requirements of Sections 355.04 and 357.08 and said use to be contrary to the off-street parking number, location and access requirements of Sections 349.04 and 349.05 and 349.07 and said building to be located less than 3' from the alley line to the alley line to the north contrary to Section 357.09 and said premises not to conform to the landscaping requirements of Sections 352.10 and 352.11 of the Codified Ordinances.

Calendar No. 96-64: 704 E. 127 St.

Allen Callahan, owner, to enclose the 25' x 7' second floor open front porch of the 25' x 38' two story frame two family dwelling house on a 40' x 104' lot located in a Two Family District at 704 E. 127 St.; said enclosure to be contrary to the encroachment and setback requirements of Section 357.13 of the Codified Ordinances.

Calendar No. 96-65: 2323 Denison Ave., S.W.

Savra One Limited Liability Co., owner, c/o Sol Savransky, and Gregory Moore dba B & A Garage, tenant, to convert to an auto repair garage the 60' x 30' one story masonry former nonconforming service station building located in a Local Retail Dis-

trict on an 80' x 80' corner lot on the southeast corner of W. 24 St. and Denison Ave. at 2323 Denison Ave.; said use as an auto repair garage being contrary to the local retail use limitations of Section 343.01, but subject to the substitution provisions of Section 359.01 and said premises not conforming to the landscaping provisions of Section 352.09 nor the trash enclosure requirements of Section 347.08 of the Codified Ordinances.

Calendar No. 96-66: 9008 Edmunds Ave., N.E.

Mattie Harris, owner, to erect 60' of 4' high board-on-board fence to partially enclose the 166' x 96' irregular shaped corner lot located in a Multi-Family District on the southeast corner of E. 90 St. and Edmund Ave. and occupied by a dwelling known as 9008 Edmund Ave.; said fence to be located at the street lines at the corner contrary to the 30' maximum height permitted by Section 357.13 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS**MONDAY, MAY 13, 1996**

At the Meeting of the Board of Zoning Appeals, on Monday, May 6, 1996, the following appeals were heard by the Board, and decided on Monday, May 13, 1996.

The following appeals were **Granted:**

Calendar No. 96-49: 4370 W. 140th St. Bishop Anthony Pilla, owner, and Bellaire Puritas Development Corp., tenant, to convert to business offices the first floor of the 31' x 72' two story masonry convent building.

Calendar No. 96-50: 11300 Miles Ave., S.E.

YMCA of Greater Cleveland, owner, c/o John P. Greenauer, and Community United Head Start & Day Care Inc., tenant, c/o Patricia Vaughan, to use as a day care center.

Calendar No. 96-53: 4341 Rocky River Dr., S.W.

Mavroidis Mavroidis, owner, and Nikolaos Mavroidis, tenant, to convert to carryout restaurant one half of the 50' x 60' one story masonry nonconforming grocery.

The following appeals were **Refused:**

Calendar No. 96-33: 1732 Catalpa Rd., N.E.

Halbert L. Robinson, owner, to use as a three family dwelling house.

Calendar No. 96-38: 12716 Triskett Rd., S.W.

Earnest Investment Co., owner, c/o Fred Kapus, appealed, under authority of Section 329.02 from the Notice of Violation, Dated February 8, 1996.

Calendar No. 96-51: 1514 Lakeview Rd., N.E.

Lemaud Williams, owner, to use as an off-street parking lot, accessory to the facility at 1519 Lakeview Road.

Calendar No. 96-52: 3320 W. 98th St.
Robert Legg, owner, to erect an
11' 6" x 7' 2 3/4" one story addition.

The following appeal was **Post-
poned** to June 10, 1996:

Calendar No. 96-47: 6880 Broadway,
S.E.

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., Apart-
ment 2, Cleveland, Ohio 44108.

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the
office of the Commissioner of Pur-
chases and Supplies, Room 128, City
Hall, in accordance with the append-
ed schedule, and will be opened and
read in Room 128, City Hall, imme-
diately thereafter.

Each bid must be made in accord-
ance 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 Pur-
chases 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 speci-
fied 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 advertise-
ment: "Pursuant to the MBE/FBE
Code, each prime bidder, each
minority business enterprise
("MBE") and each female business
enterprise ("FBE") must be certi-
fied before doing business with the
City. Therefore, any prime contrac-
tor wishing to receive credit for
using an MBE or FBE should
ensure that applications for certi-
fication as to MBE or FBE status
compliance with the Code, affirma-
tive 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 rep-
resentations made on these forms
may result in cancellation of the con-
tract or other civil or criminal penal-
ties."

THURSDAY, MAY 30, 1996

**Labor and Materials to Inspect,
Test and Repair Bucket and Der-
rick Trucks**, for the Division of
Cleveland Public Power, Depart-
ment of Public Utilities, as autho-
rized by Ordinance No. 365-96,
passed by the Council of the City
of Cleveland, April 1, 1996.

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

Interior and Exterior Body Repair,
for the Division of Cleveland Pub-
lic Power, Department of Public
Utilities, as authorized by Ord-
inance No. 364-96, passed by the
Council of the City of Cleveland,
April 1, 1996.

May 8 and May 15, 1996

WEDNESDAY, JUNE 5, 1996

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

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

May 8 and May 15, 1996

THURSDAY, MAY 30, 1996

**Crack Sealing on Runways and
Taxiway**, for the Various Divi-
sions of the Department of Port
Control, as authorized by Ord-
inance No. 484-96, passed by the
Council of the City of Cleveland.

A **DEPOSIT OF FIFTY DOLLARS**
(\$50.00) **CERTIFIED CHECK** WILL
BE REQUIRED FOR EACH SET OF
PLANS AND SPECIFICATIONS. THE
DEPOSIT WILL BE REFUNDED IF
THE PLANS AND SPECIFICATIONS
ARE RETURNED IN GOOD CONDI-
TION WITHIN FIFTEEN (15) DAYS
AFTER THE BID OPENING DATE.
A **PRE-BID MEETING** WILL BE
HELD ON THURSDAY, MAY 23, 1996,
AT 2:00 P.M. IN THE TERMINAL
BUILDING CONFERENCE ROOM,
BURKE LAKEFRONT AIRPORT.

May 15 and May 22, 1996

FRIDAY, MAY 31, 1996

**Gunning Park Landscaping and Site
Improvements**, for the Division of
Research, Planning and Develop-
ment, Department of Parks, Recre-
ation and Properties, as authorized
by Ordinance No. 1455-94, passed by
the Council of the City of Cleve-
land, November 21, 1994.

A **DEPOSIT OF TWENTY-FIVE
DOLLARS** (\$25.00) **CERTIFIED
CHECK** WILL BE REQUIRED
FOR EACH SET OF PLANS AND
SPECIFICATIONS. THE DEPOSIT
WILL BE REFUNDED IF THE
PLANS AND SPECIFICATIONS

ARE RETURNED IN GOOD CON-
DITION WITHIN FIFTEEN (15)
DAYS AFTER THE BID OPENING
DATE.

**One (1) Cab and Chassis with
Hydraulic Log Grapple Crane**, for
the Division of Park Maintenance
and Properties, Department of
Parks, Recreation and Properties,
as authorized by Ordinance No. 202-
96, passed by the Council of the
City of Cleveland, February 26,
1996.

**One (1) Customized Recreational
Vehicle**, for the Division of Motor
Vehicle Maintenance, Department
of Public Service, as authorized by
Ordinance No. 1231-95, passed by the
Council of the City of Cleveland,
October 23, 1995.

Ford Passenger Car Parts and Labor,
for the Division of Motor Vehicle
Maintenance, Department of Public
Service, as authorized by Ordinance
No. 480-96, passed by the Council of
the City of Cleveland, April 29, 1996.

May 15 and May 22, 1996

THURSDAY, JUNE 6, 1996

**Spring Road Relief Sewer Materials
Supply**, for the Division of Water
Pollution Control, Department of
Public Utilities, as authorized by
Ordinance No. 111-93, passed by the
Council of the City of Cleveland,
February 8, 1993.

A **DEPOSIT OF FIFTY DOLLARS**
(\$50.00) **CERTIFIED CHECK** WILL
BE REQUIRED FOR EACH SET OF
PLANS AND SPECIFICATIONS. THE
DEPOSIT WILL BE REFUNDED IF
THE PLANS AND SPECIFICATIONS
ARE RETURNED IN GOOD CONDI-
TION WITHIN FIFTEEN (15) DAYS
AFTER THE BID OPENING DATE. A
MANDATORY PRE-BID MEETING
WILL BE HELD ON WEDNESDAY,
MAY 29, 1996, AT 10:00 A.M. IN
THE AUDITORIUM OF THE WATER POL-
LUTION CONTROL BUILDING, 12302
KIRBY ROAD.

****THIS IS A MINORITY BUSINESS
ENTERPRISE SET-ASIDE PRO-
JECT.****

May 15 and May 22, 1996

THURSDAY, JUNE 6, 1996

**Spring Road Relief Sewer Construc-
tion**, for the Division of Water Pol-
lution Control, Department of Pub-
lic Utilities, as authorized by Ord-
inance No. 111-93, passed by the
Council of the City of Cleveland,
February 8, 1993.

A **DEPOSIT OF FIFTY DOLLARS**
(\$50.00) **CERTIFIED CHECK** WILL
BE REQUIRED FOR EACH SET OF
PLANS AND SPECIFICATIONS. THE
DEPOSIT WILL BE REFUNDED IF
THE PLANS AND SPECIFICATIONS
ARE RETURNED IN GOOD CONDI-
TION WITHIN FIFTEEN (15) DAYS
AFTER THE BID OPENING DATE. A
MANDATORY PRE-BID MEETING
WILL BE HELD ON WEDNESDAY,
MAY 29, 1996, AT 10:00 A.M. IN
THE AUDITORIUM OF THE WATER POL-
LUTION CONTROL BUILDING, 12302
KIRBY ROAD.

****THIS IS A MINORITY BUSINESS
ENTERPRISE SET-ASIDE PRO-
JECT.****

May 15 and May 22, 1996

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Ord. No. 818-95.
By Councilmen Rybka, Pianka, Patton and Rokakis (by departmental request).

An emergency ordinance to enact Sections 338.01, 338.02, 338.03, 338.04 and 338.05 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to establishing a manufactured housing park district.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 338.01, 338.02, 338.03, 338.04, and 338.05 to read, respectively, as follows:

**CHAPTER 338
MANUFACTURED HOUSING
PARK (MHP) DISTRICT**

Section 338.01 Purpose

The Manufactured Housing Park ("MHP") District is established to accomplish the following:

(a) promote the provision of affordable housing;

(b) facilitate the retention of existing appropriately located manufactured housing parks;

(c) permit the development of manufactured housing parks in locations which are suited to residential use but where such development will not detract from the character of nearby residential areas; and

(d) ensure that manufactured housing parks are designed and maintained in a manner which promotes the welfare of the park's residents and the welfare of residents of nearby properties.

Section 338.02 Definitions

(a) "Manufactured House" has the same meaning as "manufactured home," as defined in Section 4501.01 of the Ohio Revised Code.

(b) "Manufactured Housing Park" has the same meaning as "manufactured home park," as defined in Section 3733.01 of the Ohio Revised Code.

Section 338.03 Permitted Uses

(a) **Main Uses.** The following uses shall be permitted as main or principal uses in a MHP District:

(1) manufactured houses placed within a manufactured housing park;

(2) single-family, two-family and row houses, as regulated in this Code, not located within a manufactured housing park.

(b) **Accessory Uses.** The following uses shall be permitted as accessory uses in a MHP District:

(1) storage structures for individual manufactured houses;

(2) parking pads or carports for individual manufactured houses;

(3) common parking areas for residents or guests of a manufactured housing park;

(4) buildings or structures used exclusively to provide accessory services to residents of a manufactured housing park, including such facilities as laundry rooms, recreation equipment, emergency shelters, and administrative offices; and

(5) accessory uses permitted for Residence Districts in Section 337.23 of the Zoning Code.

Section 338.04 Area and Height

(a) **Manufactured Housing Park Area.** Each manufactured housing park shall have a land area of not less than five (5) acres.

(b) **Height.** All MHP Districts shall be included within the 35-foot Height District, as established in the Zoning Code.

(c) **Perimeter Yards.** A landscaped yard area at least twenty-five (25) feet in depth shall be provided along all lot lines and street right-of-way lines bordering a manufactured housing park. Along all lot lines which separate the MHP District from any other residential zoning district, this yard area shall include a Heavy Intensity Transition Strip conforming to the regulations of Chapter 352 of the Zoning Code. Along all street right-of-way lines, this yard area shall include a Medium Intensity Transition Strip. All portions of a yard area not occupied by shrubbery or trees shall be planted with grass or other vegetative ground cover.

Section 338.05 Licensing

No manufactured housing park shall be operated without a license issued in accordance with Chapter 217 of the Codified Ordinances of Cleveland, Ohio, 1976. For purposes of such licensing, the term "manufactured housing park" shall be synonymous with the term "house trailer or travel trailer park."

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 6, 1996.

Effective May 14, 1996.

Ord. No. 2278-95.

By Councilmen Brady and Rokakis (by departmental request).

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

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 personal computers, various printers and software in the estimated sum of \$800,000.00, 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.

nate 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 20925)

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 6, 1996.

Effective May 14, 1996.

Ord. No. 36-96.

By Councilmen Patton and Rokakis (by departmental request).

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

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 labor and materials needed to repair treelawns, 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 20927)

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 6, 1996.
Effective May 14, 1996.

Ord. No. 136-96.
By Councilmen Coats and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of gasoline, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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 gasoline 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 21029)

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 6, 1996.
Effective May 14, 1996.

Ord. No. 247-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of equipment and appurtenances for Vac-All vacuum catch basin cleaners for the Division of Water Pollution Control, Department of Public Utilities.

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 various equipment and appurtenances for Vac-All vacuum catch basin cleaners 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 Pollution Control, 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 22126)

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 6, 1996.
Effective May 14, 1996.

Ord. No. 248-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of rehabilitating the exterior surfaces of four water towers, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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 rehabilitating the exterior surfaces of the 1.0 million gallon Keller Tower, 1.0 million gallon Strongsville Tower, and the 3.0 million gallon tower and the 0.5 million gallon tower at Blossom, for the Division of Water, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities 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. 52 SF 001, Request No. 20934.

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 6, 1996.
Effective May 14, 1996.

Ord. No. 249-96.
By Councilmen Patton and Rokakis (by departmental request).

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

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

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

Section 1. That the title, Section 2 and Section 4 of Ordinance No. 2161-94, passed June 5, 1995, are hereby amended to read, respectively, as follows:

An emergency ordinance determining the method of making the public improvement of installing cathodic protection for various water mains in the City of Cleveland and authorizing the Director of Public Utilities to enter into contract or contracts for the making of such improvement, provided that such contracts shall be awarded prior to December 31, 1997, and authorizing the Director of Public Utilities to enter into contracts to reimburse public agencies for the performance of such work during construction projects by such agencies, provided that such contracts shall be entered into prior to December 31, 1997, and authorizing said director to employ consultants to provide engineering services for the improvement.

Section 2. That the Director of Public Utilities is hereby authorized and directed to enter into a contract or contracts 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, and provided further that all such contracts shall be awarded before December 31, 1997.

Section 4. That the Director of Public Utilities is hereby authorized to enter into contracts to reimburse public agencies for the performance of work described in Sections 1 and 3 of this ordinance during construction projects in the City of Cleveland by said agencies, provided, however, that all such contracts shall be entered into before December 31, 1997.

Section 2. That the existing title, Section 2 and Section 4 of Ordinance No. 2161-94, passed June 5, 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 6, 1996.
Effective May 14, 1996.

Ord. No. 313-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of not to exceed three meter test benches, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed three (3) meter test benches, 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. 20919.

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 6, 1996.
Effective May 14, 1996.

Ord. No. 314-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to fabricate ring and pinion gears, for the Division of Water, Department of Public Utilities.

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 labor and materials needed to fabricate ring and pinion gears in the estimated sum of \$85,000.00, 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 20938)

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 6, 1996.
Effective May 14, 1996.

Ord. No. 362-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair or replace fire hydrants, for the Division of Water, Department of Public Utilities.

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 labor and materials needed to repair or replace fire hydrants 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 sep-

arate 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 20940)

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 6, 1996.
Effective May 14, 1996.

Ord. No. 421-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a contract with the National Junior Tennis League of Cleveland to provide a summer tennis program.

Whereas, the City does not provide a summer tennis program at its summer recreational centers, but desires to support such a program; 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 Parks, Recreation and Properties is hereby authorized to enter into a contract during June through August, 1996, with the National Junior Tennis League of Cleveland to provide youth tennis services.

Section 2. That the cost of such contract shall not exceed \$25,000.00 and shall be paid from Fund No. 01-70-04-0380, Request No. 21398.

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 6, 1996.
Effective May 14, 1996.

Ord. No. 424-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed for various building maintenance services, excluding janitorial services, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.

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 labor and materials needed for various building maintenance services, excluding janitorial services, 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 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 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 21494)

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 6, 1996.

Effective May 14, 1996.

Ord. No. 425-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to repair water mains and appurtenances, for the Division of Water, Department of Public Utilities.

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 labor and materials needed to repair water mains and appurtenances 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 20939)

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 6, 1996.

Effective May 14, 1996.

Ord. No. 427-96.
By Councilmen Polensek and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to accept a 1996 LDI GMC truck-mounted paint striper from Linear Dynamics, Inc., in exchange for a 1992 LDI Ford truck-mounted striper, for the Division of Traffic Engineering and Parking, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is authorized to accept a 1996 LDI GMC truck-mounted paint striper from Linear Dynamics, Inc. in exchange for a City-owned 1992 LDI Ford truck-mounted striper, for the Division of Traffic Engineering and Parking, Department of Public Safety. The Director of Public Safety is authorized to sign such documents or agreements necessary to effectuate the exchange of paint strippers, on the basis of the proposal of Linear Dynamics, Inc. dated October 5, 1995.

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 6, 1996.

Effective May 14, 1996.

Ord. No. 482-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance to amend the title and Section 1 of Ordinance No. 929-95, passed June 12, 1995, relating to professional services necessary for the acquisition of homes and relocation of residents located within the boundaries of Midvale Avenue, Brysdale Avenue, Interstate 71, Springdale and Westport Avenue.

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

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

Section 1. That the title and Section 1 of Ordinance No. 929-95, passed June 12, 1995, are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Port Control to employ one or more consultants to provide professional services necessary for the acquisition of homes and relocation of residents located within the boundaries of Midvale Avenue, Brysdale Avenue, Interstate 71 right-of-way, Springdale and Westport Avenues and West 198th Street in Cleveland, for the Department of Port Control.

Section 1. That the Director of Port Control is hereby authorized and directed to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for the acquisition of homes and the relocation of residents within the boundaries of Midvale Avenue (north), and Brysdale Avenue (north), Interstate 71 right-of-way (east), Springdale and Westport Avenues (south), and West 198th Street (west) in the City of Cleveland. Said services shall specifically include but not be limited to appraisal services, appraisal reviews, surveys, title work services, escrow services, real estate advisory services, recording services, environmental investigations, and relocation services and all services necessary to effect the relocation of the residents in accordance with FAA rules and regulations.

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

Section 2. That the existing title and Section 1 of Ordinance No. 929-95, passed June 12, 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 6, 1996.

Effective May 14, 1996.

Ord. No. 483-96.

By Councilmen Miller and Rokakis (by departmental request).

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

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 various items of safety supplies and equipment in the estimated sum of \$80,000.00, 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 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 20831)

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 6, 1996.

Effective May 14, 1996.

Ord. No. 485-96.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 129.28 thereof, relating to the purchase by competitively bid contract or professional services contract of laboratory testing and analytical services, laboratory testing equipment, and related items by the Director of Public Utilities.

Whereas, this ordinance constitutes an emergency measure providing for

the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 129.28 thereof to read as follows:

Section 129.28 Purchase of Laboratory Equipment, Testing and Analytical Services

The Director of Public Utilities is authorized to enter into one or more standard purchase or requirement contracts duly let to the lowest and best bidder after competitive bidding for the purchase of laboratory testing equipment and related items and to enter into one or more professional services contracts for the purchase of laboratory testing and analytical services, deemed by the Director of Public Utilities to be necessary to the operations of the Division of Water for compliance with applicable regulatory agency requirements, including, but not limited to, the United States and Ohio Environmental Protection Agencies.

Any purchase made by standard purchase or requirement contract pursuant to this section shall be made by the Commissioner of Purchases and Supplies and paid from the annual appropriations made for such purpose. The selection of a professional consultant or consultants made pursuant to this section shall be made by the Board of Control upon the nomination of said 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. Professional services contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, certified by the Director of Finance, and paid from the annual appropriations made for such purpose.

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 6, 1996.

Effective May 14, 1996.

Ord. No. 488-96.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6728 Gertrude Avenue to Broadway Area Housing Coalition.

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. 132-15-091, as more fully described in Section 2 below, to Broadway Area Housing Coalition.

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. 132-15-091

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 267 in Stone, Hickox, Hosmer, Bates and Smith's Allotment of part of Original One Hundred Acre Lot Nos. 313 and 314 as shown by the recorded plat in Volume 5 of Maps, Page 61 of Cuyahoga County Records, and forming a parcel of land 40 feet front on the Southerly side of Gertrude Avenue and extending back of equal width 130 feet, as appears by said plat.

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 6, 1996.

Effective May 14, 1996.

Ord. No. 490-96.

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

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

Whereas, pursuant to Ordinance

No. 1759-85, passed June 24, 1985, the Director of Parks, Recreation and Properties entered into Lease Agreement No. 35620 with the Young Men's Christian Association for the rental of the Broadway YMCA facilities located at 11300 Miles Avenue for the purpose of providing recreational facilities and activities for the City's youth; and

Whereas, pursuant to Ordinance No. 1165-86, passed June 16, 1986, Ordinance No. 1255-87, passed June 8, 1987, Ordinance No. 1052-88, passed June 6, 1988, Ordinance No. 1037-89, passed September 11, 1989, Ordinance No. 1112-90, passed June 18, 1990, Ordinance No. 1368-91, passed June 17, 1991, Ordinance No. 1657-92, passed November 9, 1992, Ordinance No. 1309-93, passed June 14, 1993, Ordinance No. 373-94, passed April 18, 1994, and Ordinance No. 260-95, passed March 27, 1995, the term of said agreement was extended for respective one-year periods; and

Whereas, the City wishes to further extend said agreement until December 31, 1996, for an addition-

al fee of \$55,000.00 and further wishes to amend this Lease Agreement to allow the City to utilize the Broadway Y.M.C.A. gymnasium for a youth basketball program; 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 Parks, Recreation and Properties is hereby authorized to enter into an eleventh amendment to Lease Agreement No. 35620 with the Young Men's Christian Association ("YMCA") for the continued rental of the Broadway YMCA facilities located at 11300 Miles Avenue, Cleveland, Ohio 44105 for the purpose of providing recreational facilities and activities for the City's youth, and to further amend said lease agreement by allowing the City to utilize the Broadway YMCA gymnasium for a youth basketball program.

Section 2. That said eleventh amendment shall extend the term of the agreement for one year to December 31, 1996, and shall increase the rent due under the Lease Agreement by \$55,000.00 for a total rent due of \$620,000.00. Said increase shall be paid from Fund No. 01-70-04-0380, Request No. 21396.

Section 3. That said eleventh amendment shall be prepared and approved by the Director of Law and shall contain such provisions as the Director of Law shall deem necessary to protect the public interest.

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 6, 1996.
Effective May 14, 1996.

Ord. No. 526-96.

By Councilmen Coats and Rokakis.

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

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

Whereas, the Director of Finance has reported to this Council on the 12th day of March, 1996, all of the expenses of such construction and repairing by the City of Cleveland, and,

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

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

Section 1. That for the purpose of paying the cost and expense of construction and repairing of sidewalks and curbing, there be and hereby is levied and assessed upon the following described property situated in the City of Cleveland, County of Cuyahoga and State of Ohio, the following respective amounts:

PERMANENT PARCEL NUMBER	OWNERS NAME	STREET	TOTAL ASSESSMENT
117-16-041	WILLIAM KINCAID, JR.	1810 GRANTHAM RD	\$1,920.19
117-16-061	GILBERT FRIESON	1878 GRANTHAM RD	\$1,049.09
117-16-062	EVA STONE	1874 GRANTHAM RD	\$1,082.16
117-16-063	MARVIN JOHNSON	1870 GRANTHAM	\$1,025.99
117-16-064	MARVIN B. JOHNSON	1866 GRANTHAM RD	\$968.49
117-16-065	BENJAMIN TAYLOR, JR.	1862 GRANTHAM RD	\$551.00
117-16-066	MAC A. SAXON	1858 GRANTHAM RD	\$767.25
117-16-067	ROSE MARIE CAPLE	1854 GRANTHAM RD	\$924.08
117-16-068	RONALD GREEN	1850 GRANTHAM RD	\$663.12
117-16-069	OTIS McCANTS, JR.	1846 GRANTHAM RD	\$1,025.70
117-16-070	SHIRLEY J. MANUEL	1842 GRANTHAM RD	\$1,026.92
117-16-071	BENNIE L. OLIVER	1838 GRANTHAM RD	\$1,071.85
117-16-073	LEWIS J. JEFFERSON	1830 GRANTHAM RD	\$1,061.32
117-16-074	FOREST WHATLEY	1826 GRANTHAM RD	\$1,006.94
117-16-075	JAMES F. MACKURA	1822 GRANTHAM RD	\$932.13
117-16-076	ASHTON O. MOORE	1818 GRANTHAM RD	\$942.45
117-16-077	LUCILLE SLONE	1814 GRANTHAM RD	\$1,098.89
117-36-002	JEFFREY C. ASH	2031 N. GREEN RD	\$844.12
117-36-003	SANDRA J. BLACKWELL	2027 N. GREEN RD	\$969.79
117-36-004	CLARENCE W. HAWKINS	2023 N. GREEN RD	\$1,160.97
117-36-005	LUCY M. BOWDRIE	2019 N. GREEN RD	\$1,297.98
117-36-006	HOMER McCURDY	2015 N. GREEN RD	\$1,083.73
117-36-007	JAMES D. PARKER	2011 N. GREEN RD	\$168.06
117-36-008	P. PORTER WILMA	2007 N. GREEN RD	\$601.91
117-36-009	EDWINA BARRON	2003 N. GREEN RD	\$1,000.44
117-37-016	THOMAS HEIL	2100 GREEN RD	\$2,092.65
117-37-020	PATRICIA L. SHAFFER	2087 N. GREEN RD	\$342.00
117-37-021	DIANA L. HASAN	2083 N. GREEN RD	\$997.50
117-37-022	HERSCHEL M. HOLLIMAN	2079 N. GREEN RD	\$190.10
117-37-023	WILLIE EDWARDS	2075 N. GREEN RD	\$959.10
117-37-024	KELDON & JOYCE B. CASEY	2071 N. GREEN RD	\$552.34
117-37-026	OTIS BRIDGES	2063 N. GREEN RD	\$1,457.57

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

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

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

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

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

Passed May 6, 1996.

Effective May 14, 1996.

Ord. No. 543-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance to amend the title and Section 1 of Ordinance No. 2055-95, passed November 13, 1995, relating to a requirement contract of labor and equipment needed to tow unattended vehicles from roadways at Cleveland Hopkins International Airport.

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

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

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

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

Airport, for the Department of Port Control.

Section 1. That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of forty-five days for the necessary items of labor and equipment necessary for towing unattended vehicles from roadways at Cleveland Hopkins International Airport in the estimated sum of \$54,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport, Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

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

hereby repealed.

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

Passed May 6, 1996.

Effective May 14, 1996.

Ord. No. 545-96.
By Councilmen Miller and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of installing a HVAC unit and associated appurtenances at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into contract for the making of such improvement.

Whereas, this ordinance consti-

tutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

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

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

Section 3. That the cost of said improvement hereby authorized shall be paid from Fund No. 60 SF 001, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above improvement, Request No. 20842.

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

Passed May 6, 1996.
Effective May 14, 1996.

Ord. No. 651-96.
By Councilman Paulenske (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to 720 Euclid Limited Liability Company to encroach into the public right-of-way of Prospect Avenue.

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

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

Section 1. That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with consent of the Director of Public Service, to 720 Euclid Limited Liability Company, 28099 North Woodland Road, Pepper Pike, Ohio 44124; its successors and assigns, for the construction, use and maintenance of an English Basement Entrance area, a Marquee area, and an existing vault area, which will be a part of their building at 811 Prospect Avenue which

will house the New Hilarities Comedy Club; and all of which will encroach into the public right-of-way of Prospect Avenue at the locations more fully described as follows:

**LEGAL DESCRIPTION OF
3-FOOT AREA IN PROSPECT
AVENUE FOR ENGLISH
BASEMENT ENTRANCE AREA
AND MARQUEE AREA
PROPOSED ENCROACHMENT**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and bounded and known as being part of Original Two Acre Lots Nos. 106, and 107 and more fully described as follows:

Beginning at a point at the intersection of the Northerly line of Prospect Avenue (82-1/2 feet wide) at the Southeasterly corner of a parcel of land conveyed to Debra Synenberg by deed recorded in Volume 92-0499, Page 42 of Cuyahoga County Deed Records; thence Southerly along the Southerly prolongation of the Easterly line of said parcel conveyed to Debra Synenberg 3.00 feet to a point; thence Westerly parallel with the Northerly line of Prospect Avenue, as aforesaid, 52.00 feet to a point; thence Northerly 3.00 feet to a point on the Northerly line of Prospect Avenue, as aforesaid; thence Easterly along the Northerly line of Prospect Avenue, as aforesaid, 52.00 feet to a point and the place of beginning, be the same more or less.

**LEGAL DESCRIPTION OF
EXISTING VAULT AREA
UNDER PROSPECT
AVENUE PROPOSED
ENCROACHMENT AREA**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lots Nos. 106, and 107, and more fully described as follows:

Beginning at a point at the intersection of the Northerly line of Prospect Avenue (82-1/2 feet wide) at the Southeasterly corner of a parcel of land conveyed to Debra Synenberg by deed recorded in Volume 92-0499, Page 42 of Cuyahoga County Records; thence Southerly along the Southerly prolongation of the Easterly line of said parcel conveyed to Debra Synenberg, 10 feet to a point; thence Westerly parallel with the Northerly line of Prospect Avenue, as aforesaid, about 57.4 feet to a point on the Southerly prolongation of the Easterly line of East 8th Street (16 feet wide); thence Northerly along the Southerly prolongation of the Easterly line of East 8th Street, as aforesaid, 10 feet to a point on the Northerly line of Prospect Avenue, as aforesaid; thence Easterly along the Northerly line of Prospect Avenue, as aforesaid, 57.33 feet to a point and the place of beginning, be the same more or less.

Section 2. That said English Basement, Marquee and Existing Underground Vault shall be placed in the public right-of-way at the locations as aforesaid in Section 1, in Prospect Avenue, and shall be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

Section 3. That the permit herein

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

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

Passed May 6, 1996.
Effective May 14, 1996.

**COUNCIL COMMITTEE
MEETINGS**

Monday, May 13, 1996

Public Service Committee: 11:00 A.M. — Present: Coats, Chrm.; O'Malley, V-Chrm.; Britt, Johnson, Melena, Smith, Westbrook, White. Excused: McGuirk.

Mayor's Appointment (Community Relations Board): 12:30 P.M. — Present: Rybka, Chrm.; Polensek, Patton, Britt, Willis.

Mayor's Appointment (Community Relations Board, Greater Cleveland Regional Transit Authority Board, City Planning Commission): 12:30 P.M. — Present: Willis, Chrm.; Polensek, Rybka, Britt, Coats.

Mayor's Appointment Rescheduled (Police Review Board): 12:30 P.M. — Present: Miller, Chrm.; Polensek, Willis, Patton, Lewis.

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

Tuesday, May 14, 1996

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

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

Wednesday, May 15, 1996

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

Public Utilities Committee: 1:30 P.M. — Present: Patton, Chrm.; Polensek, V-Chrm.; Coats, McGuirk, Patton, Willis, Zone. Excused: Lewis, O'Malley.

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